

# **INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

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## **CUP 24-09 & LDP 24-12 RANCHO RD. & OTTER AVE. CANNABIS FACILITY TENTATIVE PARCEL MAP 20902 RANCHO ROAD AND OTTER AVENUE. APN 3129-261-05 ADELANTO, CALIFORNIA**



### **LEAD AGENCY:**

**CITY OF ADELANTO  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
11600 AIR EXPRESSWAY  
ADELANTO, CALIFORNIA 92301**

### **REPORT PREPARED BY:**

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**JANUARY 2, 2025**

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## MITIGATED NEGATIVE DECLARATION

**PROJECT NAME:** Rancho and Otter Cannabis Facility (CUP 24-09 and LDP 24-12)

**PROJECT APPLICANT:** Mr. Joey Zhou and Mr. Nick Wang, Porta Terra LLC., 101 Follyhatch, Irvine, CA 92618.

**PROJECT LOCATION:** The proposed project site is located on the southwest corner of Rancho Road and the future Otter Avenue, in the south-central portion of the City of Adelanto. There is no current address that has been assigned to this project site. The corresponding Assessor Parcel Number (APN) is 3129-261-05.

**CITY AND COUNTY:** City of Adelanto, San Bernardino County.

**PROJECT:** The proposed project site is located in the central portion of the City of Adelanto. The project site is located on the southwest corner of Rancho Road and the future Otter Avenue. The project does not currently have an assigned address. The corresponding Assessor Parcel Number (APN) is 3129-261-05. The site's zoning is *Manufacturing/Industrial (MI)*. The total land area of the project is 10.491 gross acres or 446,800 square feet and 10.004 net acres or 435,800 square feet. The site is currently vacant and partially disturbed. The proposed project consists of a subdivision of one lot into two and four buildings ranging between 44,100 and 45,000 square feet for a total of 178,200 square feet. Each building would contain 42,000 square feet for cultivation and 3,000 square feet of office space for Buildings 1 and 4 and 2,100 square feet of office space for Buildings 2 and 3.

**EVALUATION FORMAT:** The attached initial study is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of the attached Initial Study was guided by Section 15063 of the State CEQA Guidelines. The project was evaluated based on its effect on 21 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist includes a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

| Potentially<br>Significant Impact | Less than Significant<br>With Mitigation Incorporated | Less than<br>Significant | No Impact |
|-----------------------------------|---|--------------------------|-----------|
|-----------------------------------|---|--------------------------|-----------|

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

**No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.

**Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less than Significant Impact with Mitigation:** Possible significant adverse impacts have been identified or anticipated and mitigation measures are required as a condition of the project's approval to reduce these impacts to a level below significance.

**Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below will be potentially affected by this project, involving at least one impact that would require mitigation "Less than Significant Impact with Mitigation" as indicated by the checklist in the attached Initial Study.

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

**DETERMINATION:** (To be completed by the Lead Agency) On the basis of this initial evaluation, the following finding is made:

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | The proposed project <i>COULD NOT</i> have a significant effect on the environment, and a <i>NEGATIVE DECLARATION</i> shall be prepared.   |
| <input checked="" type="checkbox"/> | Although the proposed project could have a significant effect on the environment, there shall 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 <i>MITIGATED NEGATIVE DECLARATION</i> shall be prepared.  |
| <input type="checkbox"/>            | The proposed project <i>MAY</i> have a significant effect on the environment, and an <i>ENVIRONMENTAL IMPACT REPORT</i> is required.   |
| <input type="checkbox"/>            | The proposed project <i>MAY</i> 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 <i>ENVIRONMENTAL IMPACT REPORT</i> is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/>            | Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an <i>earlier EIR or NEGATIVE DECLARATION</i> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that <i>earlier EIR or NEGATIVE DECLARATION</i> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.                                  |

Signature \_\_\_\_\_

Date \_\_\_\_\_

The project is also described in greater detail in the attached Initial Study.



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## SECTION 1. INTRODUCTION

### 1.1 PURPOSE OF THIS INITIAL STUDY

The proposed project site is located in the central portion of the City of Adelanto. The project site is located on the southwest corner of Rancho Road and the future Otter Avenue. The project does not currently have an assigned address. The corresponding Assessor Parcel Number (APN) is 3129-261-05. The site's zoning is *Manufacturing/Industrial (MI)*. The total land area of the project consists of 10.5 gross acres or 446,800 square feet which includes a 0.257 acre or 11,190 square feet street dedication for Rancho Road and the future Otter Avenue. The project site would also be subdivided into two parcels split horizontally across. Parcel 1, located on the south of the project site would be 187,598 square feet and Parcel 2, located on the north would be 248,202 square feet. The site is currently vacant and undeveloped; however, the northern portion of the site has been heavily graded and disturbed. The proposed project would consist of two, 45,000 square foot buildings, two 44,100 square foot buildings, and a stormwater basin. Each building would contain 42,000 square feet for cultivation and 3,000 square feet of office space for Buildings 1 and 4 and 2,100 square feet of office space for Buildings 2 and 3. Access to the site would be provided by a 30-foot wide driveway to Rancho Road and a 35-foot wide driveway to Otter Avenue. In total, 169 parking spaces would be provided. Total landscape coverage would be 105,609 square feet.

The City of Adelanto is the designated *Lead Agency*, and as such, the City will be responsible for the project's environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.<sup>1</sup> As part of the proposed project's environmental review, the City of Adelanto has authorized the preparation of this Initial Study.<sup>2</sup> The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Adelanto with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Adelanto, in its capacity as the Lead Agency. The City determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project's CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and

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<sup>1</sup> California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions.* as Amended 2001. §21067.

<sup>2</sup> Ibid. (CEQA Guidelines) §15050.

15386 of the State CEQA Guidelines.<sup>3</sup> This Initial Study and the *Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. This Initial Study and Mitigated Negative Declaration will be forwarded to the State of California Office of Planning Research (the State Clearinghouse). A 30-day public review period will be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study.<sup>4</sup> Questions and/or comments should be submitted to the following contact person:

Christian Espinoza, Planning Technician  
City of Adelanto, Planning Division  
11600 Air Expressway  
Adelanto, California 92301

## 1.2 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 Conclusions* summarizes the findings of the analysis.
- *Section 5 References* identifies the sources used in the preparation of this Initial Study.



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<sup>3</sup> California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069.* 2000.

<sup>4</sup> California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109(b).* 2000.



## SECTION 2. PROJECT DESCRIPTION

### 2.1 PROJECT LOCATION

The proposed project site is located in the central portion of the City of Adelanto. The City of Adelanto is located approximately 85 miles northeast of Downtown Los Angeles and 40 miles north of the City of San Bernardino. Adelanto is bounded on the north by unincorporated San Bernardino County; on the east by Victorville and unincorporated San Bernardino County; on the south by Hesperia and unincorporated San Bernardino County; and on the west by unincorporated San Bernardino County. Regional access to the City of Adelanto is provided by three area highways: the Mojave Freeway (Interstate 15), extends in a southwest to northeast orientation approximately three miles east of the City; U.S. Highway 395, traverses the eastern portion of the City in a northwest to southeast orientation; and Palmdale Road (State Route 18), traverses the southern portion of the City in an east to west orientation.<sup>5</sup> The location of Adelanto, in a regional context, is shown in Exhibit 1. A citywide map is provided In Exhibit 2.

The proposed project site is located to the south of Rancho Road and to the west of Koala Road, in the central portion of the City of Adelanto. There is no current address that has been assigned to this project site. The corresponding Assessor Parcel Numbers (APN) is 3129-261-05. The project site occupies a portion of Section 1, Township 5 North, Range 6 West, San Bernardino Principal Meridian. It is depicted on the United States Geological Survey (USGS) Adelanto, California (1993) 7.5-minute topographic quadrangle. The proposed project's latitude and longitude is 34°33'11.68"N, -117°27'25.81"W". A local vicinity map is provided in Exhibit 3.

### 2.2 ENVIRONMENTAL SETTING

The project site consists of a vacant lot with heavy disturbance in the form of trails, walking paths, off-road vehicle use, and grading in the northern portion of the site. The relatively level site's elevation is 942 meters above mean sea level (AMSL) Common native plants onsite and in the area include creosote brush, common fiddleneck, prickly Russian thistle, common stork's bill, western Joshua trees, and various grasses. There are 31 Joshua trees present throughout the project site and 14 present within a 50-foot buffer of the project site. The project site's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*. The site and the surrounding area are illustrated in Exhibit 4. Land uses and development located in the vicinity of the proposed project site are outlined below:

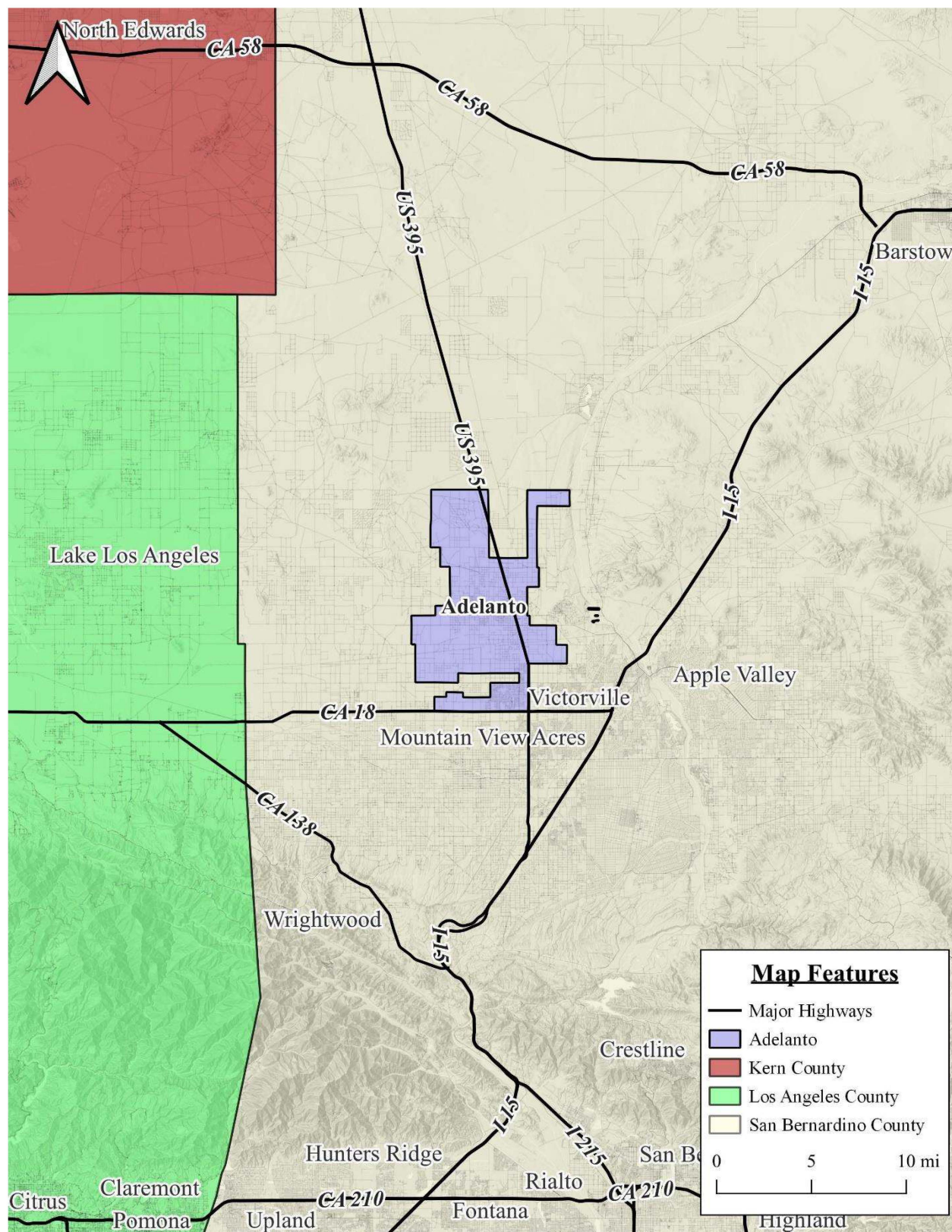
- *North of the project site:* Rancho Road extends across the north side of the project site. Vacant land is located north of the aforementioned road. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>6</sup>
- *East of the project site:* Vacant, undeveloped land is located along the east side of the project site. A drainage channel runs in a north-south orientation in the center of the area. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>7</sup>

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<sup>5</sup> Google Earth. Website accessed October 21, 2024.

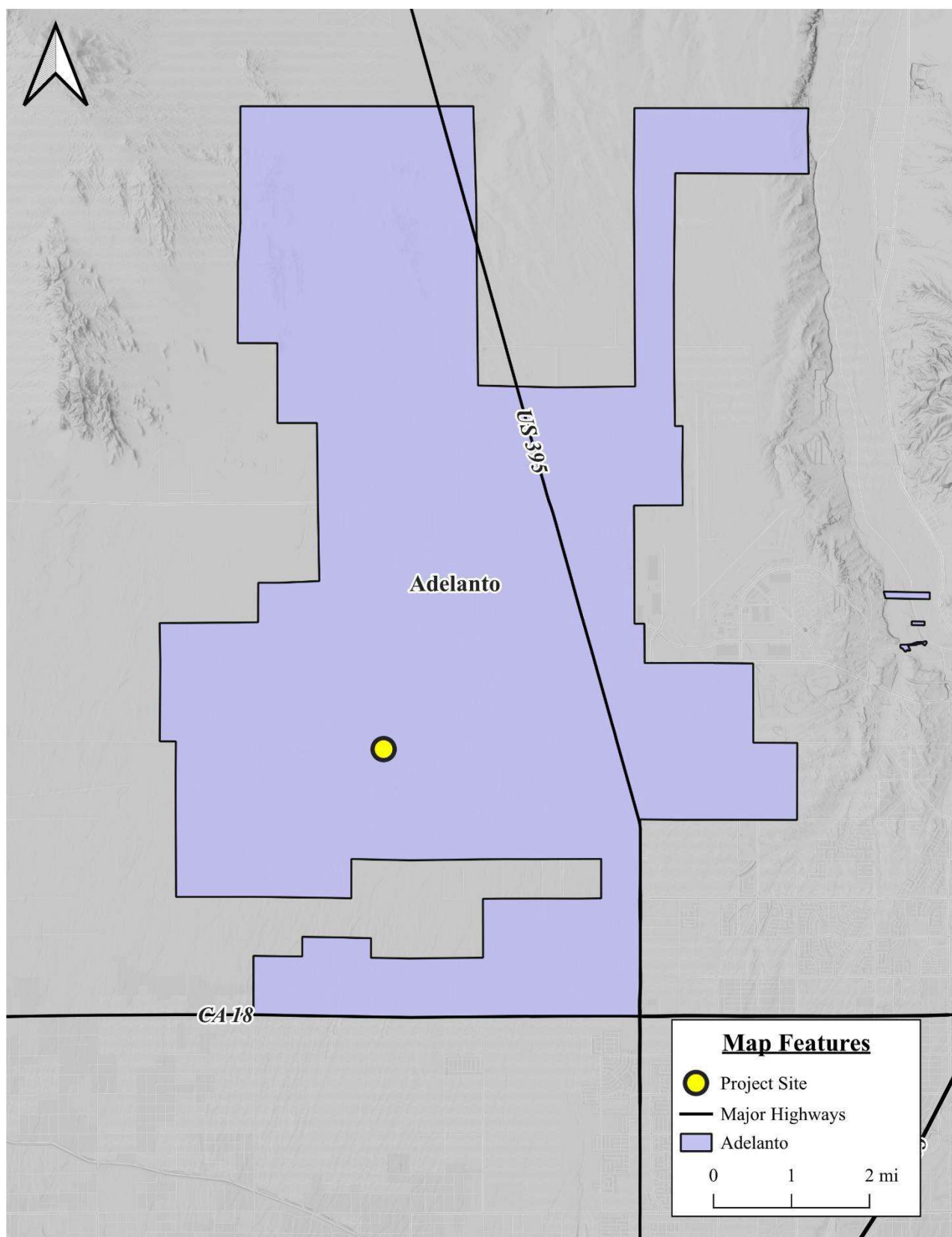
<sup>6</sup> Google Maps. Site and Adelanto Zoning Map, Site Accessed, October 21, 2024.

<sup>7</sup> Ibid.



**EXHIBIT 1 REGIONAL MAP**  
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING





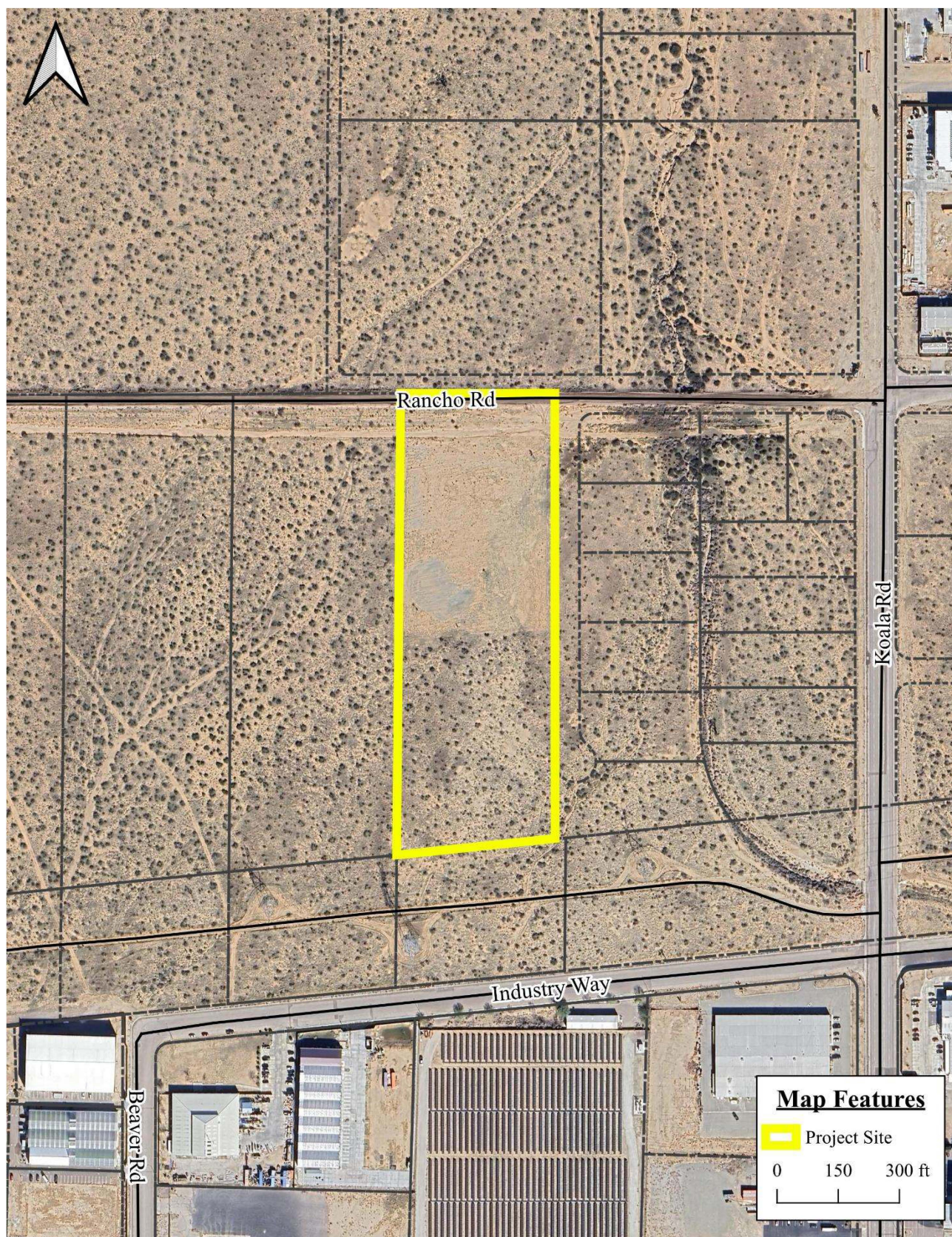
**EXHIBIT 2 CITYWIDE MAP**  
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



### EXHIBIT 3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING





**Map Features**

Project Site  
0 150 300 ft

**EXHIBIT 4 AERIAL IMAGE OF PROJECT SITE**

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



- *South of the project site:* Powerline Road is located along the south side of the project site. The land south of the aforementioned roadway is developed with overhead electric power transmission towers. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>8</sup>
- *West of the project site:* Vacant, undeveloped land is located to the west of the project site. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>9</sup>

The environmental setting is summarized in Table 1.

**TABLE 1 SUMMARY OF ENVIRONMENTAL SETTING**

| Project Element       | Existing Use                       | General Plan and Zoning       |
|-----------------------|------------------------------------|-------------------------------|
| Project Site          | Vacant Land                        | Manufacturing/Industrial (MI) |
| North of Project Site | Rancho Road, Vacant Land           | Manufacturing/Industrial (MI) |
| East of Project Site  | Vacant Land, Drainage Channel      | Manufacturing/Industrial (MI) |
| South of Project Site | Powerline Road, Electricity Towers | Manufacturing/Industrial (MI) |
| West of Project Site  | Vacant Land                        | Manufacturing/Industrial (MI) |

Source: Blodgett Baylosis Environmental Planning

## 2.3 PROJECT DESCRIPTION

Key elements of the proposed project are summarized below and on the following page.

- *Parcel 1.* Parcel 1 would total 4.3 acres or 187,598 square feet located to the south of the project site. Building 3, a one-story 44,100 square foot building, would be located toward the north of Parcel 1. Building 3 includes a 42,000 square feet for cultivation uses and 2,100 square feet for office space. Building 4, a one-story 45,000 square foot building, would be located 17 feet south of Building 3. Building 4 includes 42,000 square feet for cultivation uses and 3,000 square feet for office space. The 30-foot wide internal driveway warps around the building and parking is located on the north and south of Parcel 1. <sup>10</sup>
- *Parcel 2.* Parcel 2 would total 6.2 acres or 248,202 square feet located to the north of the project site. Parcel 2 is mostly oriented as a mirror of Parcel 1. Building 2, a one-story 44,100 square foot building, would be located toward the north of Parcel 2. Building 2 includes a 42,000 square feet for cultivation uses and 2,100 square feet for office space. Building 1, a one-story 45,000 square foot building, would be located 17 feet north of Building 2. Building 1 includes 42,000 square feet for cultivation uses and 3,000 square feet for office space. The 30-foot wide internal driveway extends around the building and parking is located on the north and south of Parcel 2. A stormwater drainage basin would be located within the landscaping area between Rancho Road and the parking area on the north of Parcel 2. <sup>11</sup>
- *Access.* Access to the proposed development would be provided by two new driveway connections located at the northwest corner and the east center of the site. The northwest driveway is 30 feet wide

<sup>8</sup> Google Maps. Site and Adelanto Zoning Map, Site Accessed, October 21, 2024.

<sup>9</sup> Ibid.

<sup>10</sup> W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024

<sup>11</sup> Ibid.

and connects with the south side of Rancho Road. The second driveway is 35 feet wide and connects with the west side of the future Otter Avenue. Internal site access to the building would be provided by an internal, 30-foot wide, drive aisle that surrounds both buildings on all sides.<sup>12</sup>

- **Parking.** A total of 169 parking spaces would be provided. Of this total, 36 spaces would be EV capable stalls, 12 stalls would be ADA stalls.<sup>13</sup> Parking areas would be located at the northwest and northeast corners and the central south of the building. one truck loading dock would be located along the west side of all four buildings.
- **Landscaping.** A proposed basin would be located on the northern portion of the site, between the north perimeter and the parking lot. Landscaping would total 105,609 square feet and would be installed on all building frontages and alongside the site's perimeter.<sup>14</sup>
- **Utilities.** Water and sewer line connections would extend west from the existing 12-inch water line and sewer manhole on the corner of Koala Avenue and Rancho Road. An 8-inch water line and 8-inch sewer line would connect to the project site through the future Otter Avenue. An 8-inch water line would extend from the corner of Rancho Road and the future Otter Avenue to a fire hydrant on Rancho Road, near the proposed 30-foot wide driveway connection. Four fire hydrants would be installed on Otter Avenue.<sup>15</sup>
- **Security.** On-site security will be provided twenty-four hours a day, seven days a week by security guards. In addition, security fencing, cameras, and shielded security lighting that would conform with all municipal lighting regulations will be installed on the premises. An 8-foot high security fence with razor or barbed wire would surround the project site perimeter. A security booth would be located by the driveway on Otter Avenue. Vehicular access would be limited by an automatic sliding gate.

The physical characteristics of the proposed project are summarized in Table 2. The proposed site plan is illustrated in Exhibit 5.

**TABLE 2 SUMMARY OF PROPOSED PROJECT**

| Project Element                | Description                          |
|--------------------------------|--------------------------------------|
| Site Plan                      | 10.491 gross acres, 10.004 net acres |
| Parcel 1                       | 4.307 acres                          |
| Parcel 2                       | 6.184 acres                          |
| Total Floor Area               | 178,200 sq. ft.                      |
| Individual Building Floor Area | 45,000 sq. ft. or 44,100 sq. ft.     |
| Cultivation Total              | 168,000 sq. ft.                      |
| Office Total                   | 10,200 sq. ft.                       |
| Parking                        | 169 Spaces                           |
| Loading Docks                  | 4 Docks                              |
| Landscaping                    | 105,609 sq. ft.                      |

Source: W & W Land Design Consultants, Inc

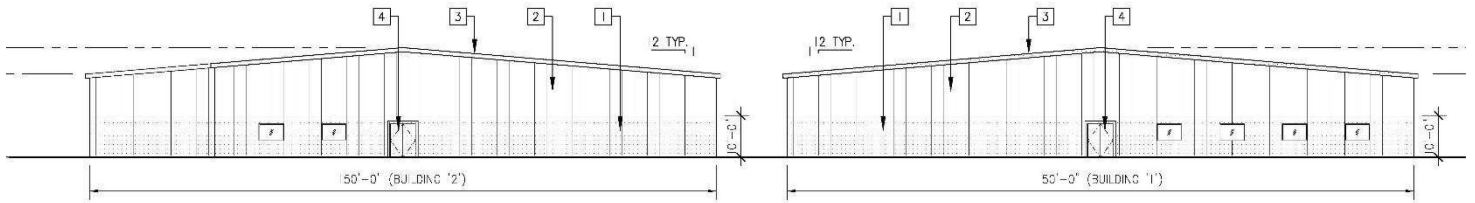
<sup>12</sup> W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

<sup>13</sup> Ibid.

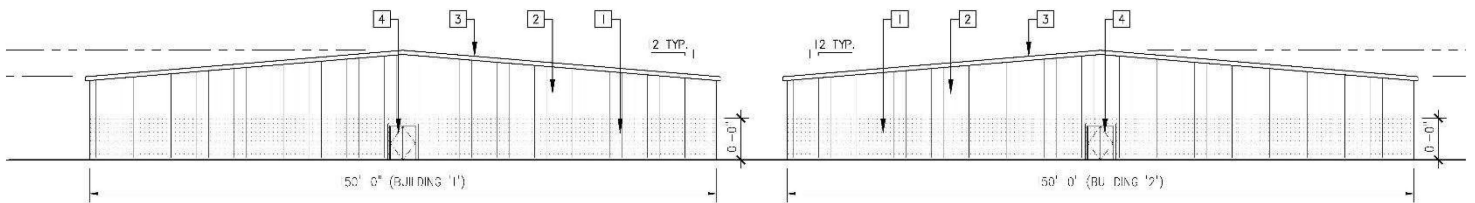
<sup>14</sup> Phil May Landscape Architecture. *Preliminary Landscape Plan*. May 20, 2024

<sup>15</sup> W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

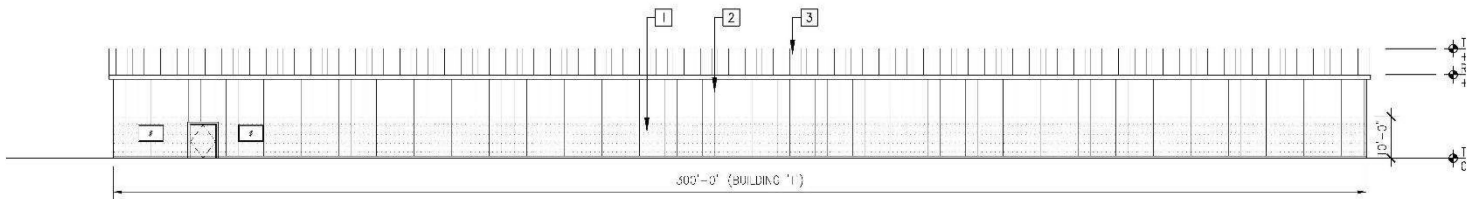




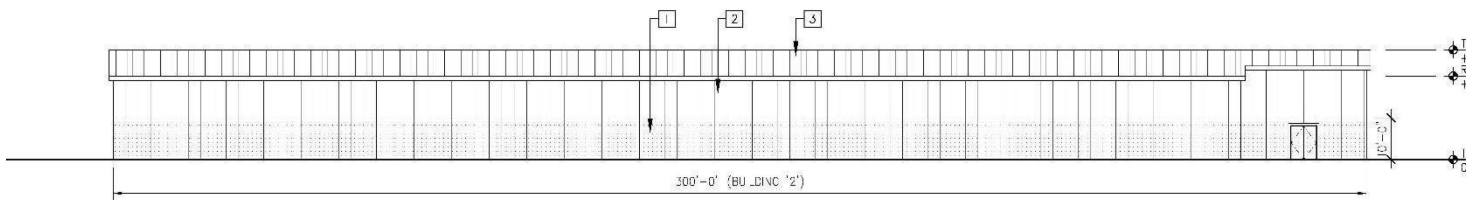
Building '1' & '2' East Elevations (Building '3' & '4' Mirrored)



Building '1' & '2' West Elevations (Building '3' & '4' Mirrored)



Building '1', & '4' North/South Elevation (Building '2' North Elevation & '3' South Elevation)



Building '2' South Elevation (Building '3' North Elevation Mirrored)

## EXHIBIT 6 BUILDING ELEVATIONS

SOURCE: W & W Design Consultants, Inc.



## 2.4 OPERATIONAL CHARACTERISTICS OF THE PROPOSED PROJECT

As indicated previously, the site is zoned as *Manufacturing/Industrial (MI)*. The 4 new buildings would total 178,200 square feet of floor area. The proposed industrial development will house medical and recreational marijuana cultivation uses. The operational elements of the project are summarized below:

- *Cultivation Method.* The cultivation method will be soil based or organic. Organic cultivation involves the use of soil and plant or manure-based composts. Organic soils are rich with living microbes that slowly break down components in the soil and release nutrients to the plant.
- *Equipment.* The cultivation and manufacturing would occur inside the individual buildings. As a result, the equipment would be limited to that suitable for use in an indoor environment. Planting, cultivation, and trimming would be undertaken by trained staff. Organic cultivation involves the use of soil and plant or manure-based composts. Organic soils are rich with living microbes that slowly break down components in the soil and release nutrients to the plant.
- *Utilities.* The project utility lines would extend west from the existing 12-inch water line and sewer manhole on the corner of Koala Avenue and Rancho Road. The project will be required to implement mitigation to control odors, air, and volatile organic chemicals (VOC) emissions (refer to Section 3.3 and Section 3.8).
- *Employment.* The entire project would employ an estimated 90 full-time equivalent employees over three shifts, seven days a week.
- *Hours of Operation.* The proposed facility would be closed to the general public. No onsite sales or dispensary facilities would be provided. The hours of on-site operations for the proposed new development would be daily, 8:00 AM to 5:00 PM and security would be provided 24-hours a day.

## 2.5 CONSTRUCTION CHARACTERISTICS

The key construction tasks that would occur during each of the four construction phases are outlined in the paragraphs below.

- *Task 1 Grading.* The project site would be graded and readied for the construction. The site would be graded to a depth of approximately 6 inches. The typical heavy equipment used during this construction phase would include graders, bulldozers, offroad trucks, back-hoes, and trenching equipment. This task would require one month to complete.
- *Task 2 Site Preparation.* During this phase, the building footings, utility lines, and other underground infrastructure would be installed. The typical heavy equipment used during this construction phase would include bulldozers, offroad trucks, back-hoes, and trenching equipment. This task would require one month to complete.
- *Task 3 Building Construction.* The new buildings would be constructed during this phase. The typical heavy equipment used during this construction phase would include offroad trucks, cranes, and fork-lifts. This task will take approximately six months to complete.
- *Task 4 Paving and Finishing.* This concluding task would involve the paving and finishing. The typical heavy equipment used during this construction phase would include trucks, backhoes,



rollers, pavers, and trenching equipment. The completion of this phase will take approximately two months to complete.

## 2. DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of Adelanto) that calls for an exercise of judgment in deciding whether to approve a project. The following discretionary approvals are required:

- Approval of a Conditional Use Permit (CUP 24-09);
- Approval of a Location & Development Plan (24-12); and,
- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

The analysis assumes that the facility, in its entirety, will operate as a cannabis facility and will be operated by a single operator. The scope of the IS/MND addresses the construction of the proposed project in its entirety. The California Department of Cannabis Control (DCC) requires an annual-license applicant to provide operation-specific evidence of exemption from, or compliance with, CEQA (4 Cal. Code of Regs. § 15010). If a local jurisdiction prepares a site-specific CEQA compliance document, or record of decision for the conclusion that no further CEQA documentation is required, it improves the efficiency with which DCC can issue annual licenses for projects located within that jurisdiction.

All potentially interested tribes identified by the NAHC were also contacted pursuant to AB-52 for information regarding their knowledge of cultural resources that were within or near the project area. These groups include: the San Manuel Band of Mission Indians, the Soboba Band Luiseno Indians, and the Serrano Nation. In addition, the proposed project would require a manufacturing license, a distribution license, and one or more cultivation licenses from the State Department of Cannabis Control (DCC). The DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis business activities (Bus. & Prof. Code, § 26012(a)).



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## SECTION 3. ENVIRONMENTAL ANALYSIS

### 3.1 AESTHETICS

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Except as provided in Public Resources Code Section 21099, would the project have a substantial adverse effect on a scenic vista?  |                                |  |                              | ✗         |
| B. Except as provided in Public Resources Code Section 21099, would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?  |                                |  |                              | ✗         |
| C. Except as provided in Public Resources Code Section 21099, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point)? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? |                                |  |                              | ✗         |
| D. Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  |                                |  |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on aesthetics if it results in any of the following:

- The proposed project would have an adverse effect on a scenic vista, except as provided in PRC Sec. 21099.
- The proposed project would have an adverse effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- The proposed project would 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 or,
- The proposed project would, except as provided in Public Resources Code Section 21099, create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The evaluation of aesthetics and aesthetic impacts is generally subjective, and it typically requires the identification of key visual features in the area and their importance. The characterization of aesthetic impacts involves establishing the existing visual characteristics including visual resources and scenic vistas that are unique to the area. Visual resources are determined by identifying existing landforms (e.g., topography and grading), views (e.g., scenic resources such as natural features or urban characteristics), and existing light and glare characteristics (e.g., nighttime illumination). Changes to the existing aesthetic environment associated with the proposed project's implementation are identified and *qualitatively* evaluated based on the proposed modifications to the existing setting and the viewers' sensitivity. The project-related impacts are then compared to the context of the existing setting, using the threshold criteria discussed above.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Except as provided in Public Resources Code Section 21099, would the project have a substantial adverse effect on a scenic vista? • No Impact**

The dominant scenic views from the project site include the views of the surrounding desert landscape and the San Bernardino and San Gabriel Mountains, located 15 miles south and southwest of the site. Once operational, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, no impacts will occur.*

**B. Except as provided in Public Resources Code Section 21099, would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? • No Impact.**

According to the California Department of Transportation, none of the unimproved roads located adjacent to the proposed project site are designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.<sup>16</sup> There are no officially designated highways located near the City. The nearest highways that are eligible for designation as a scenic highway include SR-2 (from SR-210 to SR-138), located 11 miles southwest of the City; SR-58 (from SR-14 to I-15), located 20 miles north of the City; SR-138 (from SR-2 to SR-18), located 13 miles south of the City; SR-173 (from SR-138 to SR-18), located 15 miles southeast of the City; and, SR-247 (from SR-62 to I-15), located 23 miles east of the City. The City of Adelanto 2035 Sustainable Plan identifies prominent view sheds within the City. These view sheds are comprised primarily of undeveloped desert land, the Mojave River, and distant views of the mountains.<sup>17</sup> Lastly, the project site does not contain any buildings listed in the State or National register. *As a result, no impacts would occur.*

**C. Except as provided in Public Resources Code Section 21099, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a 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**

There are no protected views in the vicinity of the project site and the City does not contain any scenic vistas. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other than the development standards for which the new building will conform to. The proposed project is a cannabis use and the project site permits cannabis uses. The proposed project would be designed in accordance with the design standards of the *Manufacturing/Industrial* zone. *As a result, no impacts would occur.*

**D. Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? • No Impact**

The nearest sensitive receptors are single family residences located 4,300 feet southwest of the project site. Project-related sources of nighttime light would include parking area exterior lights, security lighting, and

<sup>16</sup> California Department of Transportation. *Official Designated Scenic Highways*.

<sup>17</sup> MIG Hogle-Ireland. *Adelanto North 2035 Comprehensive Sustainable Plan*. August 27, 2014.

vehicular headlights. The proposed project will not expose any sensitive receptors to daytime or nighttime light trespass since the project will be in conformance with Section 17.90.040 – Lighting of the City of Adelanto Municipal Code. The City’s Code requirements includes the following requirements related to outdoor lighting:

- (a) All on-site lighting shall be energy efficient, stationary, and directed away from adjoining properties and public rights-of-way.
- (b) Light fixtures shall be shielded so no light is emitted above the horizontal plane of the bottom of the light fixture.
- (c) Light fixtures shall be shielded so no light above 0.5 footcandle spills over onto adjacent properties and rights-of-way. There shall be no spillover (0.0 footcandle) onto adjacent residential used or zoned properties.

The proposed project must also comply with the DCC’s applicable regulatory specifications requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 § 16304(a)(7). *As a result, no light-related impacts are anticipated.*

## MITIGATION MEASURES

The proposed project will not expose any sensitive receptors to daytime or nighttime light trespass since the project will be in conformance with Section 17.90.040 – Lighting of the City of Adelanto Municipal Code. The proposed project must also comply with the DCC’s applicable regulatory specifications requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 § 16304(a)(7). *As a result, no light-related impacts are anticipated.* The analysis of aesthetics concluded that no impact on these resources would occur as part of the proposed project’s implementation. As a result, no mitigation is required.

## 3.2 AGRICULTURE & FORESTRY RESOURCES

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?  |                                |  |                              | ×         |
| B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? M,   |                                |  |                              | ×         |
| C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? |                                |  |                              | ×         |
| D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?   |                                |  |                              | ×         |
| E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?  |                                |  |                              | ×         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to track changes in agricultural land use and to help preserve areas of Important Farmland. It divides the state's land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. These maps and data are used to help preserve productive farmland and to analyze impacts on farmland. Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are all Important Farmland and are collectively referred to as Important Farmland in this analysis. The highest rated Important Farmland is Prime Farmland. The California Land Conservation Act of 1965, or the Williamson Act, allows a city or county governments to preserve agricultural land or open space through contracts with landowners. The County has areas that are currently agriculture preserves under contract with San Bernardino County through the Williamson Act of 1965. Contracts last 10 years and are automatically renewed unless a notice of nonrenewal is issued.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses? • No Impact.**

According to the California Department of Conservation, the project site does not contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts would occur.*<sup>11</sup>

**B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? • No Impact.**

The project site is currently zoned as *Manufacturing/Industrial (MI)*. The property is vacant and undeveloped and there are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.<sup>18</sup> *As a result, no impact would occur.*

**C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section • No Impact.**

The existing parcel is vacant. There are no forest lands or timber lands located within or adjacent to the site. Furthermore, the site's existing zoning designation does not contemplate forest land or timber land uses.

<sup>11</sup> California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.

<sup>18</sup> California Department of Conservation. *State of California Williamson Act Contract Land*.



As a result, no impacts would occur.

**D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use? • No Impact.**

No forest lands are located within the project site. The proposed use will be restricted to the site and will not affect any land under the jurisdiction of the BLM. As a result, no impacts would occur.

**E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use? • No Impact.**

The project would not involve the disruption or damage of the existing environment that would result in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use because the project site is currently vacant and does not contain any significant vegetation. As a result, no impacts would occur.

## MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

## 3.3 AIR QUALITY

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project conflict with or obstruct implementation of the applicable air quality plan?   |                                |  |                              | ✗         |
| B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard? |                                |  | ✗                            |           |
| C. Would the project expose sensitive receptors to substantial pollutant concentrations?  |                                |  | ✗                            |           |
| D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?   |                                | ✗  |                              |           |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on air quality if it results in any of the following:

- The proposed project would conflict with or obstruct implementation of the applicable air quality plan.
- The proposed project would 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.

- The proposed project would expose sensitive receptors to substantial pollutant concentrations.
- The proposed project would result in other emissions (such as those leading to odors adversely affecting a substantial number of people).

The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone ( $O_3$ )* is a nearly colorless gas that irritates the lungs, and damages materials and vegetation. Ozone is formed by a photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide ( $CO$ )* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide ( $CO$ ).
- *Nitrogen Oxide ( $NO_x$ )* is a yellowish-brown gas, which at high levels can cause breathing difficulties.  $NO_x$  is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide ( $NO_x$ ).
- *Sulfur Dioxide ( $SO_2$ )* is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides ( $SO_x$ ).
- *$PM_{10}$  and  $PM_{2.5}$*  refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of  $PM_{10}$  and 65 pounds per day of  $PM_{2.5}$ .
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of “smog.” The daily threshold is 137 pounds per day of ROG.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project conflict with or obstruct implementation of the applicable air quality plan? • No Impact.**

Air quality impacts may occur during the construction or operation of a project, and may come from stationary (e.g., industrial processes, generators), mobile (e.g., automobiles, trucks), or area (e.g., residential water heaters) sources. The City is located within the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The district covers the majority of the MDAB. The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes.<sup>19</sup> Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by Southern California Association of Governments (SCAG) are considered consistent with the MDAQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by

<sup>19</sup> Mojave Desert Air Quality Management District (MDAQMD). *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*. Report dated August 2016.



SCAG for the 2016-2040 RTP/SCS, the City of Adelanto is projected to add a total of 38,900 new residents and 3,900 new employees through the year 2040.<sup>20</sup> The proposed project will not introduce new residents and is anticipated to employ approximately 90 persons at full capacity. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project's construction emissions would be below the thresholds of significance established by the MDAQMD (the project's daily construction emissions are summarized in Table 3). In addition, the proposed project's long-term (operational) airborne emissions will be below levels that the MDAQMD considers to have a significant impact (refer to Table 3). *As a result, no impacts would occur.*

**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.**

According to the MDAQMD, any project is significant if it triggers or exceeds the MDAQMD daily emissions threshold identified previously and noted at the bottom of Tables 3 and 4. In general, a project will have the potential for a significant air quality impact if any of the following are met:

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3-1 and 3-2);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1 (the proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The estimated construction emissions for the project's four phases are summarized below in Table 3. The proposed project's construction and operation will not lead to a violation of the above-mentioned criteria. The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEModV.2022.1.1.28). For air quality modeling purposes, a twelve-month period of construction for all construction phases were assumed.

**TABLE 3 ESTIMATED DAILY CONSTRUCTION EMISSIONS**

| Construction Phase           | ROG  | NOx  | CO   | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|------------------------------|------|------|------|-----------------|------------------|-------------------|
| Total Construction Emissions | 45.1 | 31.7 | 31.6 | 0.06            | 9.3              | 5.2               |
| Daily Thresholds             | 137  | 137  | 548  | 137             | 82               | 65                |
| Significant Impact?          | No   | No   | No   | No              | No               | No                |

Source: CalEEModV.2022.1.1.28

Long-term emissions refer to those air quality impacts that will occur once the proposed project has been constructed and is operational. These impacts would continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 4 also used the

<sup>20</sup> Southern California Association of Governments. *Regional Transportation Plan/Sustainable Communities Strategy 2016-2040.Demographics &Growth Forecast*. April 2016.

CalEEModV.2022.1.1.28 computer model. The analysis summarized in Table 4 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

**TABLE 4 ESTIMATED OPERATIONAL EMISSIONS IN LBS./DAY**

| Phase                       | ROG | NOx | CO   | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|-----------------------------|-----|-----|------|-----------------|------------------|-------------------|
| Total Operational Emissions | 7.9 | 5.2 | 44.2 | 0.10            | 7.7              | 2.1               |
| Daily Thresholds            | 137 | 137 | 548  | 137             | 82               | 65                |
| Significant Impact?         | No  | No  | No   | No              | No               | No                |

Source: CalEEModV.2022.1.1.28

The analysis presented in Tables 3 and 4 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3 and 4, the impacts are considered to be less than significant. In addition, the MDAQMD Rule Book contains numerous regulations governing various activities undertaken within the district. Among these regulations is Rule 403.2 – Fugitive Dust Control for the South Coast Planning Area, which was adopted in 1996 for the purpose of controlling fugitive dust. Adherence to Rule 403.2 regulations is required for all projects undertaken within the district. Future construction truck drivers must also adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes.<sup>3</sup> Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will further reduce the potential impacts. *As a result, the impacts will be less than significant.*

**C. Would the project expose sensitive receptors to substantial pollutant concentrations? • Less than Significant Impact.**

According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. No sensitive receptors are located near the project site. The nearest sensitive receptors are single family residences located 4,300 feet southwest of the project site. *As a result, the impacts will be less than significant.*

**D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? • Less than Significant Impact with Mitigation.**

Cannabis cultivation directly impacts air quality in two predominant operations, plant growth and extraction processes. Cannabis cultivation and, to a lesser degree, the manufacturing process, are often accompanied by the generation of strong odors. The majority of the odors of cannabis come from a class of chemicals called terpenes. Terpenes are among the most common compounds produced by flowering plants and vary widely between plants. Cannabis produces over 140 different terpenes, and these chemicals are found in varying concentrations in different cannabis varieties. Tetrahydrocannabinol (THC), the cannabinoid primarily responsible for cannabis' psychoactivity, has no odor whatsoever. The type and potency of cannabis odors range widely from variety to variety, as do receptors' opinions regarding whether

the odor is pleasant or objectionable.<sup>21</sup> The natural growth of the cannabis plants, and other processes at cultivation facilities, emit terpenes. Terpenes, known for their strong odor, are volatile organic compounds (VOCs). At facilities such as that being considered, the evaporation of solvents, and other processes in the production cycle, also result in volatile organic chemical (VOC) emissions. The project Applicant will employ certain technologies that will be beneficial in controlling odors including the following:

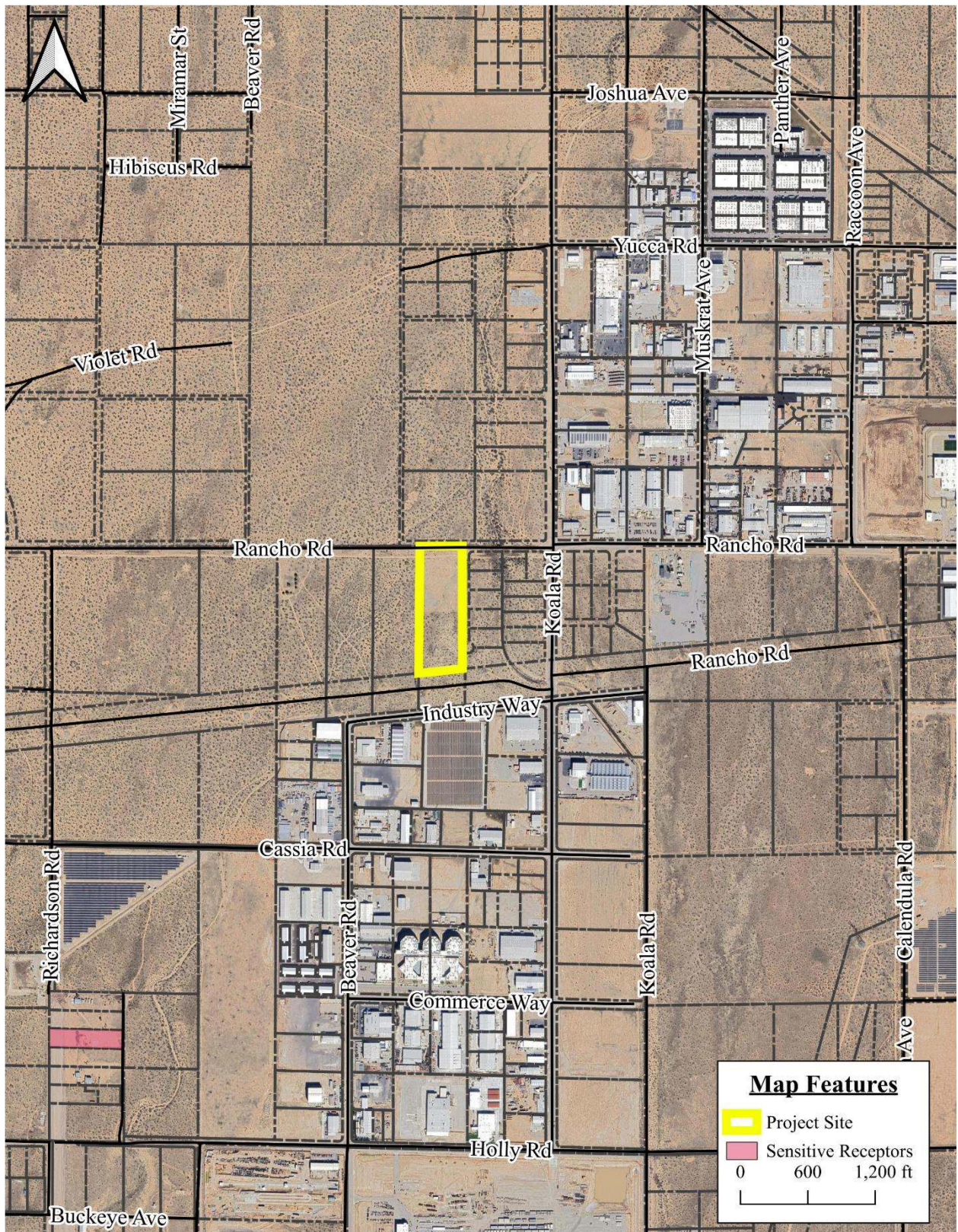
- *Carbon Filters.* Also known as carbon scrubbers, carbon filters are historically one of the best methods for odor control. This type of filter uses pellets of charcoal to trap the terpenes. Carbon filters are simple to install, effective, and reliable. Carbon filters will be installed at key locations in the facility and will be monitored and replaced by staff on a regular basis.
- *Air Filters.* Standard air filters, also referred to as air purifiers, are typically made of densely woven fiber screens. These filters trap particles as air circulates through the filter, which can either be a stand-alone unit or incorporated into a ventilation system depending on the exact specifications.
- *Negative Ion Generators.* The machines will use a negative charge to attract positively charged particles in the air. This equipment will be installed in areas that do not interfere with the production activities but instead can proactively treat the air in order to meet regulations.
- *Air-tight Seals.* The proposed facility will utilize air-tight seals throughout the facility. Predominately used in the exhaust system, these airtight seals will be used in order to keep the exhaust system efficient and effective.
- *Negative Air Pressure.* The Applicant will make use of negative air pressure in order to retain odor for treatment. This will help to serve as a safeguard of odor escaping into the ambient air until it can be treated using the techniques above. This equipment. Will seal the facility, except for the intake and exhaust, which creates suction when exhaust fans are turned off. The proper use of both negative air and negative ion generators will efficiently expunge odor before leaving the facilities.
- *Staff Training.* The facility's employees will be trained regarding compliance with the industry's best standards and facility regulations in order to achieve successful odor control. Employees will be trained in the use of odor control methods as well as any new techniques and technologies that may be added in the future.

The project Applicant will also be required to prepare an Odor Management Plan pursuant to San Bernardino County Department of Public Health construction guidelines. Mitigation measures will be required to control odors and to ensure that the indoor air is safe for the workers. *These two mitigations would reduce the potential impacts to levels that are less than significant.*

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<sup>21</sup> Cannabis Environmental Best Management Practices Draft Section for Review: Air Quality January 9, 2020.





## EXHIBIT 7 SENSITIVE RECEPTORS

SOURCE: Blodgett Baylosis Environmental Planning



## MITIGATION MEASURES

The analysis of air quality impacts indicated that the projected emissions would be below the MDAQMD's thresholds of significance. However, the following mitigation would be required to address potential odor impacts:

*Air Quality Mitigation Measure No. 1.* The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

*Air Quality Mitigation Measure No. 2.* Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

## 3.4 BIOLOGICAL RESOURCES

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? |                                | ✗  |                              |           |
| B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?  |                                |  | ✗                            |           |
| C. Would the project have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   |                                |  | ✗                            |           |
| D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?   |                                |  |                              | ✗         |
| E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  |                                | ✗  |                              |           |
| F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?   |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- The proposed project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- The proposed project would 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 Wildlife or US Fish and Wildlife Service.
- The proposed project would 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.
- The proposed project would 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.
- The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- The proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Sensitive biological resources include a variety of plant and animal species that are specialized and endemic to a particular habitat type. Due to loss of habitat, some of these species have been designated by either, or both, the federal and state government resource agencies as threatened or endangered. Species listed as threatened include those whose numbers have dropped to such low levels and/or whose populations are so isolated that the continuation of the species could be jeopardized. Endangered species are those with such limited numbers or subject to such extreme circumstances that they are considered in imminent danger of extinction. Other government agencies and resource organizations also identify sensitive species, those that are naturally rare and that have been locally depleted and put at risk by human activities. While not in imminent danger of jeopardy or extinction, sensitive species are considered vulnerable and can become candidates for future listing as threatened or endangered.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • Less than Significant Impact with Mitigation.*

Parcel 2 of the project site has been graded and heavily disturbed, while Parcel 1 has not been disturbed. The vegetation community present on site supports a disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. A field survey was conducted by Jennings Environmental LLC biologist on August 1, 2024. The site is dominated by creosote bush (*Larrea tridentata*), Flatspine burr ragweed (*Ambrosia acanthicarpa*), western Joshua tree (*Yucca brevifolia*), common fiddleneck (*Amsinckia intermedia*), prickly Russian thistle (*Salsola tragus*), Schismus grass (*Schismus spp.*), and common Stork's bill (*Erodium cicutarium*).<sup>22</sup> Birds observed onsite included ravens (*Corvus corax*), white-crown sparrow (*Zonotrichia leucophrys*), cactus wren (*Campylorhynchus brunneicapillus*), and verdin (*Auriparus flaviceps*).<sup>23</sup> Mammals observed onsite included desert cottontail (*Sylvilagus audubonii*) and

<sup>22</sup> Jennings Environmental, LLC. *Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Adelanto Warehouse on Parcel 3129-261-05, in the City of Adelanto, San Bernardino County, California.* August 2024

<sup>23</sup> Ibid.

black-tailed jack rabbit (*Lepus californicus*).<sup>24</sup> No reptiles were observed on site.

The project was assessed for the presence/absence of several species designated as Species of Special Concern (SSC) by the California Department of Fish and Wildlife (CDFW), threatened or endangered under the California Endangered Species Act (CESA) or federal Endangered Species Act (ESA), or protected by city or county ordinance. The presence/absence and the potential for the following species to occur onsite was assessed through literature review and field survey: Mojave desert tortoise (*Gopherus agassizii*), Burrowing Owl (*Athene cunicularia*), Desert Kit Fox (*Vulpes macrotis*), American Badger (*Taxidea taxus*), and Mohave ground squirrel (*Xerospermophilus mohavensis*):

- *Desert Tortoise*: The project site is characterized as a Category 3 Habitat within the West Mojave Plan. No tortoises were observed anywhere within the property boundaries during the August 1, 2024 surveys. The habitat onsite is minimally suitable for desert tortoise. No sign of desert tortoise was observed during the survey and no individuals were observed. It is recommended that pre-construction surveys be completed for this species. The survey results are valid for one year as per CDFW and USFWS requirements.<sup>25</sup>
- *Burrowing Owl*: No owls were seen on the property during the survey and no active burrows were observed. No burrows of any kind, feathers, whitewash, or castings were present during the field investigation and no suitable burrow surrogate species are present on site. It is recommended that pre-construction surveys be completed for this species. The survey results are valid for one year as per CDFW and USFWS requirements.<sup>26</sup>
- *Desert Kit Fox*: Desert kit fox is not federally-or-state-listed but is considered a species of local concern by the County of Los Angeles. The project site is not suitable for this species and no burrows or evidence of this species was observed onsite.<sup>27</sup>
- *American Badger*: The American badger is a CDFW species of special concern. Badgers are uncommon, permanent residents throughout California, and occur most commonly in open stages of shrub, woodland, and herbaceous habitats. The project site is not suitable for this species and no burrows or evidence of this species was observed onsite.<sup>28</sup>
- *Mohave Ground Squirrel*: The Mohave ground squirrel is a California state threatened species that have a short, flat, furred, white, underside tail, uniformly brown (with no spots or stripes). They inhabit open desert scrub, alkali desert scrub, and annual grasslands on sandy to gravelly surfaces in the Mojave Desert. The project site falls within the historic range of the Mohave Ground Squirrel but, is located south of the Mohave ground squirrel Conservation Area set forth in the West Mojave Plan. No evidence was observed during the survey and the site lacks the winterfat scrub typical of this species.<sup>29</sup>
- *Crotch Bumble Bee*: As of September 30, 2022, the California Fish and Game Commission (CDFW) listed the Crotch bumble bee as a candidate species under the California Endangered Species Act (CESA). The Crotch's bumble bee (*Bombus crotchii*) is found between San Diego and Redding in a variety of habitats including open grasslands, shrublands, chaparral, desert margins including Joshua tree and creosote scrub, and semi-urban settings. It is near endemic to California, with only a few records from Nevada and Mexico.

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<sup>24</sup> Jennings Environmental, LLC. *Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Adelanto Warehouse on Parcel 3129-261-05, in the City of Adelanto, San Bernardino County, California*. August 2024

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

Future development activities are expected to grade the property and remove the vegetation from the 10.49-acre-parcel; however, cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the habitat containing scarce vegetation of non-native species. In addition, future development activities are not expected to have any impact on any State or Federal listed or State special status plant or animal species. As discussed above, the site does not support any desert tortoises. In addition, burrowing owls do not inhabit the site and are not expected to be impacted given the absence of any suitable burrows. The mitigation measures are listed below under mitigation measures as *Biological Resources Mitigation Measure No. 1 through 6*.<sup>30</sup>

Cannabis cultivation operations often use artificial lighting or “mixed-light” techniques in greenhouse structures and indoor operations to increase yields. If not disposed of properly, these lighting materials pose significant environmental risks because they contain mercury and other toxins (O’Hare et al. 2013). In addition to containing toxic substances, artificial lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., birdsong; Miller 2006), determining when to begin foraging, behavioral thermoregulation (Beiswenger 1977), and migration. Phototaxis, a phenomenon that results in attraction and movement toward light, can disorient, entrap, and temporarily blind wildlife species that experience it. Because of the potential for artificial light to impact nocturnal wildlife species and migratory birds that fly at night, CDFW recommends the following mitigation measure listed as *Biological Resources Mitigation Measure No. 7*.

Construction and operation of cannabis facilities may result in a substantial amount of noise through road use, equipment, and other project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 decibels. (For reference, normal conversation is approximately 60 decibels, and natural ambient noise levels [e.g., forest habitat] are generally measured at less than 50 decibels.). Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats. Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cues (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise. Noise has also been shown to reduce the density of nesting birds (Francis et al. 2009) and cause increased stress that results in decreased immune responses. Considering the above, CDFW recommends the mitigation measure *Biological Resources Mitigation Measure No. 8* to restrict the use of equipment to hours, which is least likely to disrupt wildlife and to suppress device noise.

*The measures listed under “Mitigation Measures” will reduce the impacts to levels that are less than significant.*

**B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • Less than Significant Impact.**

No riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site. No potential drainage channels were observed within the site boundary. Background information was reviewed and no blueline streams are present that intersect the property. A comprehensive jurisdictional delineation will not be required in the future. *As a result, the impacts would be less than significant.*

<sup>30</sup> Jennings Environmental, LLC. *Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Adelanto Warehouse on Parcel 3129-261-05, in the City of Adelanto, San Bernardino County, California.* August 2024



**C. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? • Less than Significant Impact.**

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates discharge of dredge or fill materials into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFW regulates alterations to streambed and bank under Fish and Wildlife Code Sections 1600 et seq., and the Regional Board regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act. The project falls within an undefined Hydrologic Sub-Area within the larger Upper Fremont Wash watershed. This watershed spans from the Bell Mountain Wash-Mojave River watershed in the east, west to the Sheep Creek-El Mirage watershed, and from the Lower Fremont Wash watershed, south to the Lytle Creek watershed. The project is approximately 8.4 miles west of the Mojave River. No riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site. No potential drainage channels were observed within the site boundary. Background information was reviewed and no blueline streams are present that intersect the property. A comprehensive jurisdictional delineation will not be required in the future. *As a result, the impacts would be less than significant.*

**D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? • No Impact.**

No distinct wildlife corridors were identified on the site or in the immediate area. The project site was analyzed for sign of and potential for wildlife movement and corridors. While wildlife is known to utilize and move through the site, it does not constitute a wildlife corridor. *As a result, no impacts are anticipated.*

**E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? • Less than Significant Impact with Mitigation.**

Joshua Trees are protected under Chapter 17.57 – Biotic Resources of the City of Adelanto’s Municipal Code. In addition, the City of Adelanto enforces Title 8, Division 9 of San Bernardino County Code, which requires that every Joshua Tree proposed for removal be inspected by the City to assure the Joshua tree is not a “specimen” class tree requiring preservation and transplantation. Joshua trees are also considered a significant resource under the California Environmental Quality Act (CEQA) and are included in the Desert Plant Protection Act, Food, and Agricultural Code (80001 – 80006). The California Fish and Game Commission (Commission) designated the western Joshua tree as a candidate for listing under the California Endangered Species Act (CESA) in October 2020. This action afforded the western Joshua tree the same CESA protections as listed species, which means that removal of the desert trees was subject to fines and criminal penalties unless authorized by a “take” permit issued by the CDFW. Such permits were difficult to obtain, and when issued would authorize removal only in limited circumstances. The new law which became effective July 1, 2023, streamlines the western Joshua Tree take permit process and broadens the purposes for which a permit may be issued. A western Joshua tree may now be removed for any purpose, so long as a permit is obtained and the removal is fully mitigated, or alternatively, an in-lieu mitigation fee is paid. Based on the site surveys, there are thirty-one (31) western Joshua trees were observed within the boundaries of the project site and fourteen (14) western Joshua trees observed within the 50-foot buffer around the project site. Of the 45 western Joshua trees, five would be relocated to the landscape border, two would be preserved, 13 would not be impacted, and the remaining 20 would be removed. If

implementation of the proposed project should result in impacts to, or removal of any of the western Joshua trees occurring onsite, mitigation will be required to be paid into the western Joshua tree mitigation fund, as stated in Biological Resource Mitigation No. 1. *As a result, the impacts would be less than significant with mitigation.*

**F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**  
• *No Impact.*

The proposed project's implementation would not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

## MITIGATION MEASURES

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

*Biological Resources Mitigation Measure No. 1.* The western Joshua tree is a candidate threatened species under the California Endangered Species Act. Prior to construction, and initiation of western Joshua tree removal, relocation, replanting, trimming or pruning or any activity that may result in take of WJT on site, the project proponent is required to obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081(b) of the CESA, or under the Western Joshua Tree Conservation Act (WJTCA) of Fish and Game Code (§§ 1927-1927.12) through CDFW for the take of western Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Adelanto falls within an area of the WJTCA which qualifies for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The reduced Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters or greater in height - \$1,000; 2. Trees 1 meter or greater but less than 5 meters in height - \$200; 3. Trees less than 1 meter in height - \$150. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

*Biological Resources Mitigation Measure No. 2.* Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should

be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Adelanto for review and approval and should be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following:

1. Discussion on temporary construction fencing (if any),
2. Description of clearance surveys of permanent exclusion areas,
3. Transportation and release procedures,
4. Construction schedule,
5. Translocation/relocation areas,
6. Monitoring and reporting.

*Biological Resources Mitigation Measure No. 3.* A biological monitor should be present onsite daily during construction to monitor for the presence of desert tortoise. If desert tortoise is found on the Project during the construction phase, all work shall cease in the vicinity of the animal. Work shall proceed only after the animal is allowed to leave the area and is no longer at risk, or the animal is relocated by the biologist after approval from CDFW and USFWS. In both cases, the approved biologist shall contact USFWS and CDFW and shall consult regarding any additional necessary avoidance, minimization, or mitigation measures. If desert tortoise is found on the project site during the operation and maintenance phase of the Project, all grounddisturbing operations and maintenance activities should cease in the vicinity of the animal. CDFW and USFWS shall be contacted and consulted regarding potential relocation of the animal and any additional necessary avoidance, minimization, or mitigation measures. Work shall not resume in the vicinity of the animal until the relevant agencies have responded and all recommended measures are taken. A report shall be prepared by the Project proponent to document the activities of desert tortoise within the site; all fence construction, modification, and repair efforts; and compliance with other measures recommended by the agencies. This report should be submitted to the agency representatives and the City

*Biological Resources Mitigation Measure No. 4.* Prior to the initiation of construction activities ((i.e., grubbing, clearing, staging, digging), a “take avoidance survey” should be conducted by a City Approved Biologist for the project site and surrounding 500 ft radius utilizing the methodology provided in CDFW’s 2012 Staff Report on Burrowing Owl Mitigation. This survey should be conducted no less than 14 days prior to initiation of ground disturbance activities. Should no Burrowing Owls be detected during the initial “take avoidance survey” the survey should be repeated within 24 hours prior to ground disturbance. Should Burrowing Owls be detected, avoidance and minimization measures should be developed through the monitoring of the owls by the City Approved Biologist. If Burrowing Owls are detected, no ground disturbing activities should occur except in accordance with the CDFW 2012 Staff Report or with written authorization by CDFW staff. Burrowing Owls shall not be excluded from burrows unless or until a Burrowing Owl Exclusion Plan is developed by the City Approved Biologist and approved by the applicable local CDFW office and submitted to the City. The plan should follow the requirements of the CDFW 2012 Staff Report.

*Biological Resources Mitigation Measure No. 5.* The City Approved Biologist shall be present onsite during the initiation of construction activities (i.e., grubbing, clearing, staging, digging) and daily during all construction to monitor for the presence of Mohave ground squirrel. If Mohave ground squirrel is found on the project site during construction, construction will be halted until the ground squirrel has left the area on its own and is no longer in danger. If the ground squirrel does not leave on its own, translocation of ground squirrels should only be conducted by an approved biologist with necessary permitting and with the approval of CDFW.

*Biological Resources Mitigation Measure No. 6.* In order to avoid impacts to nesting birds it is recommended that the following mitigation measures be employed: Any necessary clearing and removal of vegetation for project development should be conducted outside of the typical nesting season for birds. If vegetation removal must be conducted during the nesting bird season (February 1 through September 1), a biologist should first conduct a survey to determine whether any birds are nesting in the area. The survey should occur within 7-days prior to beginning work and include a search for nesting raptors within 500 feet line-of-sight of the project and all other bird nests within or adjacent to the project site. If any active nests are found, a “no disturbance” buffer should be implemented by the biologist and no activity should occur within the buffer until after all young have fledged from the nest. Exceptions may be made to the buffer distance if a biological monitor is present onsite when work is occurring.

*Biological Resources Mitigation Measure No. 7.* Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at [www.darksky.org/](http://www.darksky.org/)), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.

*Biological Resources Mitigation Measure No. 8.* Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.

### 3.5 CULTURAL RESOURCES

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?      |                                |  |                              | ✗         |
| B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines? |                                | ✗  |                              |           |
| C. Would the project disturb any human remains, including those interred outside of formal cemeteries?   |                                |  | ✗                            |           |



## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- The proposed project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- The proposed project would disturb any human remains, including those interred outside of formal cemeteries.

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in or past;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;



- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.<sup>31</sup>

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines? • No Impact.**

The State has established *California Historical Landmarks* that include sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. *California Points of Historical Interest* has a similar definition, except they are deemed of local significance. The proposed project will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO).<sup>32</sup> The proposed project will be limited to the project site and will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO). The project site is vacant and does not have any historical or cultural significance. *Since the project's implementation will not impact any Federal, State, or locally designated historic resources, no impacts will occur.*

**B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines? • Less than Significant Impact with Mitigation.**

The project is located on Holocene age (Qa) sediments. If previously unidentified cultural and/or paleontological materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist/paleontologist can assess the significance of the find. If human remains are encountered during grading, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Future ground disturbing activities have the potential to reveal buried deposits not observed on the surface during previous surveys. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

<sup>31</sup> U. S. Department of the Interior, National Park Service. National Register of Historic Places. <http://nrhp.focus.nps.gov>. 2010.

<sup>32</sup> California Department of Parks and Recreation. *California Historical Resources*. Website accessed on October 21, 2024.

- Historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- Historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- Ground stone artifacts, including mortars, pestles, and grinding slabs;
- Dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, ground stone, and fire affected rocks.

Therefore, mitigation is required and listed under mitigation measures. *Adherence to the mitigations would reduce potential impacts to levels that are less than significant.*

**C. Would the project disturb any human remains, including those interred outside of formal cemeteries?**  
• *Less than Significant Impact.*

There are no dedicated cemeteries located within or in the vicinity of the project site.<sup>33</sup> The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

“A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.”

Additionally, Section 5097.98 of the Public Resources Code states:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

<sup>33</sup> Google Earth. Website accessed October 21, 2024.

*Adherence to the standard condition will ensure potential impacts remain at levels that are less than significant.*

## **MITIGATION MEASURES**

The following mitigation measures will be required to address potential cultural resources impacts:

*Cultural Resources Mitigation Measure No. 1.* Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

*Cultural Resources Mitigation Measure No. 2.* The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

*Cultural Resources Mitigation Measure No. 3.* Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

*Cultural Resources Mitigation Measure No. 4.* A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final.

### 3.6 ENERGY

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? |                                | ✗  |                              |           |
| B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?  |                                |  | ✗                            |           |

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on energy resources if it results in any of the following:

- The proposed project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the proposed project's construction or operation.
- The proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod inputs.

#### ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? • Less than Significant Impact with Mitigation.**

The growing (cultivation) of cannabis is an agricultural production process where the environmental conditions, temperature, and humidity are tightly controlled to optimize the quality of the cannabis plants and to reduce crop loss. The quality and amount of light provided is the primary variable affecting crop yield and quality once air temperature and humidity needs are met. Dehumidification is generally achieved mechanically by sub-cooling the air to remove water and then reheating the air to the desired supply air temperature through traditional dehumidification units or by absorbing moisture in the air through a desiccant dehumidifier. The indoor air conditioning will also involve electrical consumption. For indoor grow operations (as opposed to greenhouse operations), LED lighting fixtures are being successfully applied to vegetative rooms, saving up to 50% of the lighting energy compared to the standard practice. For flower rooms, double ended, high-pressure sodium (HPS) fixtures save 20-25% compared to the standard HPS fixtures. While less common, some growers are successfully applying LED fixtures or LED/HPS hybrid designs for up to 30-40% energy savings in flower rooms. For cooling and dehumidification, smaller grow operations are saving energy by using split ductless air conditioning units in place of standard rooftop units. Medium and large-sized grow operations are using chilled water systems to accomplish both cooling and dehumidification, with energy savings of up to 40% compared to the standard practice. By implementing

all these best practices, a medium-size or larger indoor grow operation can achieve up to 30-35% energy savings compared to a standard indoor grow.<sup>34</sup> The total energy costs for indoor cannabis grow operations typically varies between 20-50% of total operating costs. By comparison, for a typical medium-size or larger brewery, energy use accounts for about 6-12% of total operating costs. The proposed project's electric power service would be provided by the Southern California Edison Company (SCE).

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod inputs. According to the CalEEMod, the proposed project would consume approximately 11,308 kWh of electricity on a daily basis. Table 5 indicates the estimated energy consumption for the project. This rate will be reduced by 35% by employing the energy conservation measures discussed previously. Assuming a 35% reduction with mitigation, the projected total electrical consumption would be 7,350 kWh/day.

**TABLE 5 ESTIMATED ANNUAL ENERGY CONSUMPTION**

| Project                 | Daily Consumption Rate | Electrical Consumption<br>(35% Reduction w/Mitigation) |
|-------------------------|------------------------|--|
| Electrical Consumption  | 0.0638 kWh/sq. ft./day | 11,307.9 kWh/day (7,350.2 kWh/day)                     |
| Natural Gas Consumption | 0.0722 kBtu/sq.ft./day | 12,861.8 kBtu/day                                      |

Source: CalEEModV.2022.1.1.28

According to the Energy Information Administration, the typical American home uses 10,632 kWh of electricity on a monthly basis. The project Applicant will be required to closely work with the local electrical utility company to identify existing and future strategies that will be effective in reducing energy consumption. The project Applicant will be required to implement the mitigations shown under mitigation measures to reduce electrical consumption. *The impacts will be less than significant with mitigation.*

**B. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? • Less Than Significant Impact.**

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code (Code) which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The proposed project as well as any future development within the remainder of the project site will be required to conform to all pertinent energy conservation requirements. While the proposed project is a privately owned commercial use, the implementation of similar programs would prove effective in reducing potential energy consumption. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. The Adelanto Municipal Code (Section 14.28.10) has adopted and incorporated by reference the 2022 California Energy Code

<sup>34</sup> Trends and Observations of Energy Use in the Cannabis Industry,” Jesse Remillard and Nick Collins, ERS, ACEEE Summer Study of Energy Efficiency in Industry, 2017.



published by the California Building Standards Commission and to be codified in California Code of Regulations Title 24, Part 6. *As a result, the potential impacts will be less than significant.*

## MITIGATION MEASURES

The analysis determined that the following mitigation measures will be required to reduce potential energy consumption:

*Energy Mitigation Measure No. 1.* The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural day light in work areas and for plant growth.

*Energy Mitigation Measure No. 2.* The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use. Since some operations and security functions may be carried out during non-daylight hours, an additional mitigation measure is suggested to reduce energy consumption during those times.

*Energy Mitigation Measure No. 3.* The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.

## 3.7 GEOLOGY & SOILS

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides? |                                |  | ✗                            |           |
| B. Would the project result in substantial soil erosion or the loss of topsoil?  |                                |  | ✗                            |           |
| C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   |                                |  | ✗                            |           |
| D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property?  |                                |  | ✗                            |           |
| E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   |                                |  | ✗                            |           |
| F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  |                                | ✗  |                              |           |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on geology and soils if it results in any of the following:

- The proposed project would, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides?
- The proposed project would result in substantial soil erosion or the loss of topsoil.
- The proposed project would 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.
- The proposed project would 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.
- The proposed project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- The proposed project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The proposed project's potential seismic and soils risk was evaluated in terms of the site's proximity to earthquake faults and unstable soils.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides? • Less than Significant Impact.*

No active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, established by the State of California to restrict the construction of new habitable structures identifiable traces of known active faults. The nearest faults to the project site are the Helendale Fault located approximately 15.9 miles northeast of the project site and the San Andreas Fault located approximately 17.1 miles southwest of the project site. Based on the site's topography, and the lack of lineaments indicative of active faulting, the potential for surface rupture is very low to remote.

According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. The potential for liquefaction generally occurs during strong ground shaking within granular loose sediments where the groundwater is usually less than

50 feet below the ground surface. According to the California Earthquake Hazards Zone Application, the project site is not in a liquefaction zone.<sup>35</sup> As such, the proposed project would not have adverse impacts related to seismic-related ground failure.

As previously mentioned, the City of Adelanto is a seismically active region and earthquakes from other nearby active faults could affect the project site. There are several faults within the regional area that have the potential to cause strong ground shaking including the Helendale Fault located approximately 15.9 miles northeast of the project site and the San Andreas Fault located approximately 17.1 miles southwest of the project site. The project would be required to construct all proposed structures in accordance with the 2022 California Building Code (CBC) and County Code to not expose substantial impacts associated with ground shaking. According to the United States Geological Survey, a landslide is defined as the movement of a mass of rock, debris, or earth down a slope. The project site generally level with little to no slope. No steep slopes capable of producing landslides or rockfall hazards are proposed by the project. The proposed project would have to adhere to California Building Code requirements which would prevent proposed improvements from causing landslides or slope instability. *As a result, the potential impacts are less than significant.*

**B. Would the project result in substantial soil erosion or the loss of topsoil? • Less than Significant Impact.**

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by Cajon, Manet, Kimberlina, and Helendale soils associations consisting of Cajon sands with 0 to 2 percent slopes.<sup>36</sup> The proposed project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, the project site would be paved over and landscaped, which would minimize soil erosion. The project's construction will not result in soil erosion with adherence to those development requirements that restrict storm water runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program.

Prior to initiating construction, contractors must obtain coverage under an NPDES permit, which is administered by the State. In order to obtain an NPDES permit, the project Applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP). The County has identified sample construction Best Management Practices (BMPs) that may be included in the mandatory SWPPP. The use of these construction BMPs identified in the mandatory SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a result, the impacts will be less than significant.*

**C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? • Less than Significant Impact.**

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil

<sup>35</sup> California Department of Conservation. *EQ Zapp*. Updated September 23, 2021.

<sup>36</sup> UC Davis. *SoilWeb*. Website accessed October 21, 2024.

erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.<sup>28</sup> The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. The likelihood of lateral spreading will be further reduced since the project's implementation will not require grading and excavation that would extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts will be less than significant.*

**D.** *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property? • Less than Significant Impact.*

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by Cajon, Manet, Kimberlina, and Helendale soils associations consisting of Cajon sands with 0 to 2 percent slopes.<sup>37</sup> According to the U.S. Department of Agriculture (USDA), these soils are acceptable for the development of smaller commercial buildings.<sup>38</sup> The applicant is required to adhere to all requirements detailed by the USDA. *As a result, the potential impacts will be less than significant.*

**E.** *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? • Less than Significant Impact.*

The proposed project will connect to existing sewer and water lines at the corner of Koala Road and Rancho Road. No septic tanks systems will be used. *As a result, impacts will be less than significant.*

**F.** *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? • Less than Significant Impact with Mitigation.*

The proposed project site is located on a 10.491-acre parcel that is currently vacant. The proposed development will be constructed in the central-western portion of the City of Adelanto. The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest fossil vertebrate locality is LACM7786, between Adelanto and the former George Air Force Base. This location produced a fossil specimen of meadow vole, *Microtus*. The mitigations listed under mitigation measures would be applicable during earth-disturbing activities as a means to protect potential paleontological resources.

## MITIGATION MEASURES

The following mitigation measures will be required to address potential paleontological resources impacts:

*Paleontological Mitigation Measure No. 1.* Prior to the issuance of a grading permit, the Applicant shall

<sup>28</sup> United States Department of Agriculture, Soil Conservation Service. *California – Palm Spring Area*. Report dated 1978.

<sup>37</sup> UC Davis. *SoilWeb*. Website accessed October 21, 2024.

<sup>38</sup> United States Department of Agriculture. Natural Resources Conservation Service. Website accessed October 21, 2024.



provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

*Paleontological Mitigation Measure No. 2.* The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

*Paleontological Mitigation Measure No. 3.* Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

*Paleontological Mitigation Measure No.4.* A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the San Bernardino County Museum prior to building final.

### 3.8 GREENHOUSE GAS EMISSIONS

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?       |                                |  | ✗                            |           |
| B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |                                |  | ✗                            |           |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- The proposed project would conflict with an applicable plan, policy or regulation adopted for the

purpose of reducing the emissions of greenhouse gases.

The proposed project site is located on a 10.491 gross acre parcel that is currently vacant and undisturbed. The proposed development will be constructed in the southwestern portion of the City of Adelanto. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler. However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. These man-made GHG will have the effect of warming atmospheric temperatures with the attendant impacts of changes in the global climate, increased sea levels, and changes to the worldwide biome. The major GHG that influence global warming are described below.

- *Water Vapor.* Water vapor is the most abundant GHG present in the atmosphere. While water vapor is not considered a pollutant, while it remains in the atmosphere it maintains a climate necessary for life. Changes in the atmospheric concentration of water vapor is directly related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to “hold” more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. When water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation. This will allow less energy to reach the Earth’s surface thereby affecting surface temperatures.
- *Carbon Dioxide (CO<sub>2</sub>).* The natural production and absorption of CO<sub>2</sub> is achieved through the terrestrial biosphere and the ocean. Manmade sources of CO<sub>2</sub> include the burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700’s, these activities have increased the atmospheric concentrations of CO<sub>2</sub>. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO<sub>2</sub> from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010.
- *Methane (CH<sub>4</sub>).* CH<sub>4</sub> is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO<sub>2</sub>. Methane’s lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO<sub>2</sub>, N<sub>2</sub>O, and Chlorofluorocarbons (CFCs)). CH<sub>4</sub> has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other human-related sources of methane production include fossil-fuel combustion and biomass burning.
- *Nitrous Oxide (N<sub>2</sub>O).* Concentrations of N<sub>2</sub>O also began to increase at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N<sub>2</sub>O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant.

- *Chlorofluorocarbons (CFC)*. CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane ( $C_2H_6$ ) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.
- *Hydrofluorocarbons (HFC)*. HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 ( $CHF_3$ ), HFC-134a ( $CF_3CH_2F$ ), and HFC-152a ( $CH_3CHF_2$ ). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade and used for applications such as automobile air conditioners and refrigerants.
- *Perfluorocarbons (PFC)*. PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane ( $CF_4$ ) and hexafluoroethane ( $C_2F_6$ ). Concentrations of  $CF_4$  in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.
- *Sulfur Hexafluoride ( $SF_6$ )*.  $SF_6$  is an inorganic, odorless, colorless, nontoxic, nonflammable gas.  $SF_6$  has the highest global warming potential of any gas evaluated; 23,900 times that of  $CO_2$ . Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

The MDAQMD mass emissions threshold is 10,000 metric tons (MT))  $CO_2e$  per year.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? • Less than Significant Impact.**

The State of California requires CEQA documents to do an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide ( $CO_2$ ), methane ( $CH_4$ ), and nitrous oxide ( $N_2O$ ). Carbon dioxide equivalent, or  $CO_2E$ , is a term that is used for describing different greenhouse gases in a common and collective unit. The MDAQMD established the 10,000 MTCO<sub>2</sub> threshold for industrial land uses. As indicated in Table 6, the entire GHG emissions for the project would be 3,126.7 MTCO<sub>2</sub>E.

**TABLE 6 GREENHOUSE GAS EMISSIONS (METRIC TONS PER YEAR)**

| Source                                     | GHG Emissions (Metric Tons per Year (MT/year)) |                 |                  |                                 |
|--|--|-----------------|------------------|---------------------------------|
|  | CO <sub>2</sub>                                | CH <sub>4</sub> | N <sub>2</sub> O | CO <sub>2</sub> E               |
| Short Term-Construction-related Emissions  | 466.6  | 0.0128          | 0.0192           | 472.93                          |
| Long Term-Mobile Source                    | 1,380.7  | 0.0397          | 0.0599           | 1,401.7                         |
| Long Term-Area Source                      | 2.602  | 0.0001          | <0.00005         | 2.6115                          |
| Long Term-Energy Source                    | 1,245.0  | 0.0838          | 0.008            | 1,249.5                         |
| <b>Total CO<sub>2</sub>E (All Sources)</b> |  |                 |                  | <b>3,126.7</b>                  |
| Significance Threshold                     |  |                 |                  | <b>10,000 MTCO<sub>2</sub>E</b> |

Source: CalEEModV.2022.1.1.28

No public customers will visit the project site since the new business will be closed to the general public. Because of security protocols, the mobile emissions related to operations will be limited to employees, vendors, deliveries, and repair/maintenance personnel. As indicated in Table 6, the total project GHG emissions (3,126.7 MTCO<sub>2</sub>E/year) is less than the significant threshold. *As a result, the potential impacts are considered to be less than significant.*

**B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? • Less than Significant Impact.**

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was adopted in March 2021. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. It is important to note that the California Department of Transportation as well as the Counties of Los Angeles and San Bernardino are engaged in an effort to construct a multi-modal transportation corridor consisting of public transit, a new freeway, and bicycle lanes known as the High Desert Corridor (HDC). The aforementioned regional program will reduce potential GHG emissions related to excessive VMTs to levels that are less than significant.

Those Partnership jurisdictions, including Adelanto, choosing to complete and adopt local CAPs that are consistent with the County's GHG Reduction Plan and with the prior Regional Plan Program EIR and the addendum or supplemental CEQA document prepared by SBCOG will be able to tier their future project-level CEQA analyses of GHG emissions from their CAP. This can help to streamline project-level CEQA review. The City of Adelanto selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 GHG emissions level by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost effective through a combination of state (~60%) and local (~40%) efforts. The Pavley vehicle standards, the state's LCFS, the RPS, and other state measures will reduce GHG emissions in Adelanto's on-road, off-road, and building energy sectors in 2030. An additional reduction of 59,812 MTCO<sub>2</sub>e will be achieved primarily through the following local measures, in order of reductions achieved: GHG Performance Standard for New Development (PS-1); solar installation for existing commercial/industrial facilities (Energy-8); and waste diversion and reduction (Waste-2).<sup>39</sup>

<sup>39</sup> San Bernardino County. *San Bernardino County Regional Greenhouse Gas Reduction Plan (SBCRGGRP)*. March 2021.



Adelanto's reduction plan has the greatest effect on GHG emissions in the building energy, waste, and on-road transportation. The City of Adelanto adopted the North Adelanto Sustainable Community Plan which is a City planning framework that contains many transportation and land use-related actions to reduce vehicle-related GHG emissions throughout the region. This community plan supports the goals of SB 375 and the Sustainable Communities Strategy (On Road-STATE-SCS) through a wide range of actions which include the following.

- Integrate state, regional, and local sustainable community/smart growth principles into the development and entitlement process.
- Develop a system of trails and corridors that facilitates and encourages bicycling and walking.
- Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.
- Require the future development of community-wide servicing facilities to be sites in transit-ready areas that can be served and made accessible by public transit.
- Provide development-related incentives for projects that promote transit use.
- Designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise sensitive land uses.
- Transition the City fleet to low emission/fuel-efficient vehicles as they are retired from service. λ Encourage carpooling.
- Work with the regional transit provider to provide shade, weather protection, seating, and lighting at all stops.

Key general plan policies that support the City of Adelanto's GHG reduction measures or would contribute to GHG reductions and sustainable practices in the City are listed below:

- *Policy NR 1.4:* All new developments will be required to implement energy conservation techniques into the development design.
- *Policy NR 1.6:* Conservation techniques shall be required for proposed development (both domestic and industrial) to minimize consumption levels of renewable and non-renewable natural resources including water resources.
- *Policy NR 1.1:* The City shall promote the development and use of alternative energy sources, such as passive solar in industrial, commercial, and residential developments.
- *Policy NR 1.1:* The City shall promote the development and use of alternative energy sources, such as passive solar in industrial, commercial, and residential developments.
- *Policy NR 1.6:* Conservation techniques shall be required for proposed development (both domestic and industrial) to minimize consumption levels of renewable and non-renewable natural resources including water resources.
- *Policy AQ 1.1:* The City shall continue to work with the Mojave Desert Air Quality Management District and any other agencies in order to enforce and implement regional air quality plans.
- *Policy WQ 1.1:* The City will require that development be designed and constructed to conserve water utilizing low flow irrigation and plumbing fixtures and facilities.
- *Policy WQ 1.5:* The City will require that all new development utilize water conservation techniques to conserve water resources, such as the use of low-flow irrigation and plumbing systems in new and existing development.

The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. *As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation will occur and the potential impacts are considered to be less than significant.*

## MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. The mitigation measures identified in Section 3.6 (Energy) would also reduce GHG emissions. As a result, no mitigation measures are required.

## 3.9 HAZARDS & HAZARDOUS MATERIALS

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   |                                |  | ✗                            |           |
| B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   |                                |  | ✗                            |           |
| C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   |                                |  |                              | ✗         |
| D. Would the project 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?  |                                |  |                              | ✗         |
| E. Would the project 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? |                                |  | ✗                            |           |
| F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   |                                |  |                              | ✗         |
| G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?  |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hazards and hazardous materials if it results in any of the following:

- The proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project would 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.

- The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project would 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.
- The proposed project would result in a safety hazard or excessive noise for people residing or working in the project area 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.
- The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- The proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in a wide variety of products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses; businesses; hospitals; and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* • *Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phases include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. Once operational, the potentially hazardous materials that are often associated with the new development that involves the cultivation of cannabis are outlined below.

- *Mold.* Marijuana production requires increased levels of humidity and this increased humidity in the presence of organic material, promotes the growth of mold. Previous studies of illegal indoor cultivation operations have reported elevated levels of airborne mold spores, especially during activities such as plant removal by law enforcement personnel. Physiological effects include allergic reactions, hypersensitivity, and anaphylaxis to marijuana.
- *Skin Sensitivity.* Skin contact through personal handling of plant material or occupational exposure has been associated with hives, itchy skin, and swollen or puffy eyes. As with most sensitizers, initial exposure results in a normal response, but over time, repeated exposures can lead to progressively strong and abnormal responses.
- *Carbon dioxide (CO<sub>2</sub>).* CO<sub>2</sub> is used in the marijuana industry to increase plant growth and to produce concentrations. In addition to the liquid gas form, solid carbon dioxide or dry ice can be

used for extraction processes. Compressed gases can present a physical hazard and has additional safety regulations that must be adhered to.

- *Carbon monoxide (CO)*. CO is a colorless, odorless, toxic gas which interferes with the oxygen-carrying capacity of blood. At elevated concentrations, CO can overcome persons without warning. Sources of carbon monoxide exposure include furnaces, hot water heaters, portable generators/generators in buildings; concrete cutting saws, compressors; forklifts, power trowels, floor buffers, space heaters, welding, and gasoline powered pumps.
- *Indoor Air Quality*. Workers may encounter ozone as a product of the chemical reaction of nitrogen oxides and volatile organic compounds (e.g., terpenes emitted from the marijuana plant) present inside a cultivation facility. Terpenes and nitric oxides are associated with eye, skin, and mucous irritation. Ozone generators may also be found in facilities for odor control. Ozone can cause decreased lung function and/or exacerbate pre-existing health effects, especially in workers with asthma or other respiratory complications.
- *Pesticides*. Cannabis cultivation facilities may have insecticides and fungicides used within the facility. Some pesticides, including pyrethrins and neem oil are non-persistent and have low volatility (neem oil is an organic pest repellent derived from the neem tree). However, these pesticides have been associated with dermal and respiratory toxicity for the workers who apply them. Depending on the pesticide, requirements from 40 CFR Part 170 also known as the EPA's Agricultural Worker Protection Standard or WPS may need to be implemented.
- *Nutrients and Corrosive Chemicals*. Cannabis Cultivation facilities may encounter corrosive chemicals in the mixing of nutrients used for plant growth. Respiratory hazards may also occur from breathing in corrosive vapors or particles that irritate or burn the inner lining of the nose, throat, and lungs.

The Applicant will be required to prepare a safety and hazard mitigation plan (SHMP) that indicates those protocols that must be adhered to in the event of an accident. The SHMP would first identify the initial steps that can be performed to establish a safety and health program within the proposed facility. The SHMP would consist of the following elements:

- The SHMP would outline the hazards for the facility by category (biological, chemical, and physical).
- For each hazard, a general description is given followed by information on the job role that might be specifically affected by the hazard, considerations for a hazard assessment, best practices for eliminating or managing the hazard, Federal, state, or local regulations that may apply to that hazard, and additional resources to assist in hazard recognition and management.
- A detailed outline of safety and health programs that should be implemented within the facility and provides examples and tools to help develop these programs.

The SHMP will be reviewed and approved by the County of San Bernardino Fire Department prior to the issuance of the Occupancy Permit. *As a result, less than significant impacts will occur.*

**B.** *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? • Less than Significant Impact.*

Cannabis “manufacturer” refers to the production, preparation, propagation, or compounding of cannabis products, including extraction processes, infusion processes, the packaging or repackaging of manufactured



medical cannabis or medical cannabis products, and labeling or relabeling the packages of manufactured medical cannabis or medical cannabis products. In addition, the facility's use of nonvolatile or volatile solvents will determine what kind of California cannabis manufacturing license will be required. "Nonvolatile solvent" refers to any solvent used in the extraction process that is not a volatile solvent, including carbon dioxide. "Volatile solvent" refers to any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include butane, hexane, propane, and ethanol. A Type 6 cannabis manufacturing licensee can only use nonvolatile solvents while a Type 7 licensee can use both nonvolatile and volatile solvents in its extractions and infusions. For purposes of this analysis, it has been assumed that the facility's operation would require a Type 7 license. All chemical extractions must take place within a professional, closed-loop system, which also has its own state law requirements. The rules also contain strict packaging and labeling requirements, require all personnel to be trained, and mandates that the manufacturing licensee adheres to strict quality control requirements. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the County of San Bernardino Fire Department prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Environstor database. As a result, the likelihood of encountering contamination or other environmental concerns during the project's construction phase is remote. *As a result, the impacts will be less than significant.*

**C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? • No Impact.**

There are no schools located within one-quarter of a mile from the project site. Adelanto High School is located approximately 1.64 miles southeast of the project site. The proposed project will not create a hazard to any local school. *As a result, no impacts are anticipated.*

**D. Would the project 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? • No Impact.**

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control Envirostor website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.<sup>32</sup> *Therefore, no impacts will occur.*

<sup>32</sup> CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*.

**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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? • Less than Significant Impact.**

The project site is not located within an airport land use plan nor is the site located within two miles of a public airport or public use airport.<sup>40</sup> The nearest public airport to the city is the Southern California Logistics Airport located approximately 3.59 miles northeast of the project site.<sup>41</sup> The Airport Park Overlay District is located approximately 4,200 feet southwest of the project site.<sup>42</sup> The Overlay District is intended to guide development around Adelanto Airport-52CL, which is a privately owned airport managed by the Adelanto Airport Property Owner's Association.<sup>43</sup> This district consists of single-family residences with private hangers located in close proximity to the runways. The city's municipal code offers descriptions of land uses that are hazardous to the safety of airport operations which include the following:

- Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the airport, other than an FAA approved navigational signal light or visual slope indicator;
- Any use which would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport;
- Any use which would generate smoke or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within this area;
- Any use which would generate electrical interference that would be detrimental to the operation of aircraft and/or aircraft instrumentation; and
- Any land use involving, as the primary activity, the manufacture, storage, or distribution of explosives or flammable or hazardous materials.<sup>44</sup>

The project site is outside of the overlay district and does not fall under any of the above criteria. The project will not introduce a structure that will interfere with the approach and take off of airplanes utilizing any regional airports. *As a result, less than significant impacts would occur.*

**F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? • No Impact.**

At no time will any adjacent street be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts are associated with the proposed project's implementation.*

<sup>40</sup> Toll-Free Airline. *San Bernardino County Public and Private Airports, California.*

<sup>41</sup> Google Earth. Website accessed October 21, 2024.

<sup>42</sup> Google Maps and City of Adelanto Zoning Map. Website accessed October 21, 2024.

<sup>43</sup> Adelanto Airport. Website accessed October 21, 2024.

<sup>44</sup> Adelanto Zoning Ordinance. Section 17.45.040 Special Considerations in the Airport Park Overlay District

**G.** *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? • No Impact.*

The project site is not located within a “moderate fire hazard severity zone.”<sup>33</sup> As a result, no impacts will result.

## MITIGATION MEASURES

The analysis of potential impacts related to hazards and hazardous materials indicated that no significant adverse impacts would result from the proposed project’s approval and subsequent implementation. As a result, no mitigation measures are required.

## 3.10 HYDROLOGY & WATER QUALITY

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <b>A.</b> Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?   |                                |  | ✗                            |           |
| <b>B.</b> Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?   |                                |  | ✗                            |           |
| <b>C.</b> Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows? |                                |  | ✗                            |           |
| <b>D.</b> In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?   |                                |  |                              | ✗         |
| <b>E.</b> Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hydrology and water quality if it results in any of the following:

- The proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

<sup>33</sup> CalFire. *Fire Hazard Severity Zones in State Responsibility Area.*

- The proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- The proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows.
- The proposed project would risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- The proposed project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? • Less than Significant Impact.***

The project Applicant will be required to adhere to Chapter 17.93 – Erosion and Sediment Control, of the municipal code regulates erosion and sediment control. These regulations are outlined in Section 17.93.050 – Soil Erosion and Sediment Control Plan. The project Applicant will also be required to conform to Section 17.93.060 – Runoff Control of the City’s Municipal Code. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. *As a result, the construction impacts will be less than significant.*

**B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? • Less than Significant Impact.***

Water used to control fugitive dust will be transported to the site via truck. No direct ground water extraction will occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. These BMP controls may include, but not be limited to, the following:

- Stabilization practices for all areas disturbed by construction and grading.
- Structural practices for all drainage/discharge locations.
- Stormwater management controls, including measures used to control pollutants occurring in stormwater discharges after construction activities are complete.
- Velocity dissipation devices to provide nonerosive flow conditions from the discharge point along the length of any outfall channel.
- Other controls, including waste disposal practices that prevent discharge of solid materials.



In addition, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts are considered to be less than significant.*

**C.** *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows? • Less than Significant Impact.*

The project site is largely undeveloped though it has been disturbed. The project site is largely flat with little to no slope. The land surrounding the project site consists of similar topography (flat and slightly sloping to the north). Following development, the majority of the site (approximately 74.1%) would be covered over in impervious surfaces (buildings, parking areas, and internal roadways). A proposed basin would be located to the north of the site, in the landscaping area between the edge of the northern property line and the north parking lot. Ten catch basins would be located throughout the hardscape to convey stormwater into the stormwater basin. The proposed basin would be designed with three ripraps to control erosion at the drain outlets and control flow rate.<sup>45</sup>

The proposed project's location would be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. The drainage would be funneled into proposed storm drain inlets throughout the site and retained in the basin. *As a result, the potential impacts will be less than significant.*

**D.** *Would the project be located in flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? • No Impact.*

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Adelanto, the proposed project site is located in a flood hazard zone, labeled as "Zone X." Thus, properties located in "Zone X" are areas of one percent annual chance flood with average depth less than one foot or with drainage areas of less than one square mile.<sup>46</sup> The proposed project site is not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland approximately 70 miles from the Pacific Ocean and the project site would not be exposed to the effects of a tsunami.<sup>47</sup> As a result, no impacts are anticipated.

**D.** *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? • No Impact.*

The proposed project is required to be in compliance with Chapter 17.93 the City of Adelanto Municipal Code. Chapter 17.93 of the City of Adelanto Municipal Code is responsible for implementing the NPDES and MS4 stormwater runoff requirements. In addition, the project's operation will not interfere with any groundwater management or recharge plan since there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts are anticipated.*

<sup>45</sup> W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024

<sup>46</sup> FEMA. Glossary: Flood Zones. Website accessed October 21, 2024.

<sup>47</sup> Google Earth. Website accessed October 21, 2024.

## MITIGATION MEASURES

As indicated previously, no natural off-site streams will be impacted by the proposed project's implementation. In addition, no water quality impacts are anticipated. As a result of the proposed project. As a result, no mitigation is required.

### 3.11 LAND USE & PLANNING

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project physically divide an established community?   |                                |  |                              | ✗         |
| B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? |                                |  |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would 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.

### ANALYSIS OF ENVIRONMENTAL IMPACTS

#### A. *Would the project physically divide an established community?* • No Impact.

The project site consists of a vacant lot with heavy disturbance in the form of trails, walking paths, off-road vehicle use, and grading in the northern portion of the site. The relatively level site's elevation is 942 meters above mean sea level (AMSL) Common native plants onsite and in the area include creosote brush, common fiddleneck, prickly Russian thistle, common stork's bill, western Joshua trees, and various grasses. There are 31 Joshua trees present in scattered density throughout the project site and 14 present within a 50-foot buffer of the project site. The project site's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*. The site and the surrounding area are illustrated in Exhibit 4. Land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* Rancho Road extends across the north side of the project site. Vacant land is located further north of the aforementioned road. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>48</sup>
- *East of the project site:* Vacant, undeveloped land is located along the east side of the project site. A drainage channel runs in a north-south orientation in the center of the lot. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>49</sup>

<sup>48</sup> Google Maps. Site and Adelanto Zoning Map, Site Accessed, October 21, 2024.

<sup>49</sup> Google Maps. Site and Adelanto Zoning Map, Site Accessed, October 21, 2024.

- *South of the project site:* Powerline Road runs along the south side of the project site. The land south of the aforementioned roadway is developed with overhead electrical power transmission towers. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.
- *West of the project site:* Vacant, undeveloped land is located to the west of the project site. This area's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*.<sup>50</sup>

An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts will occur.*

**B.** *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? • No Impact.*

The City of Adelanto permits and regulates medicinal and adult use cannabis activities in designated zones. Cannabis activity is permitted with a Conditional Use Permit (CUP) in the following zones: Airport Development District (ADD), Light Manufacturing Cannabis Only (LMCO), Manufacturing Industrial (MI), and Airport Development District (ADD). The project site's General Plan and Zoning designation is *Manufacturing/Industrial (MI)*. A CUP is required for this project. *As a result, no impacts will occur.*

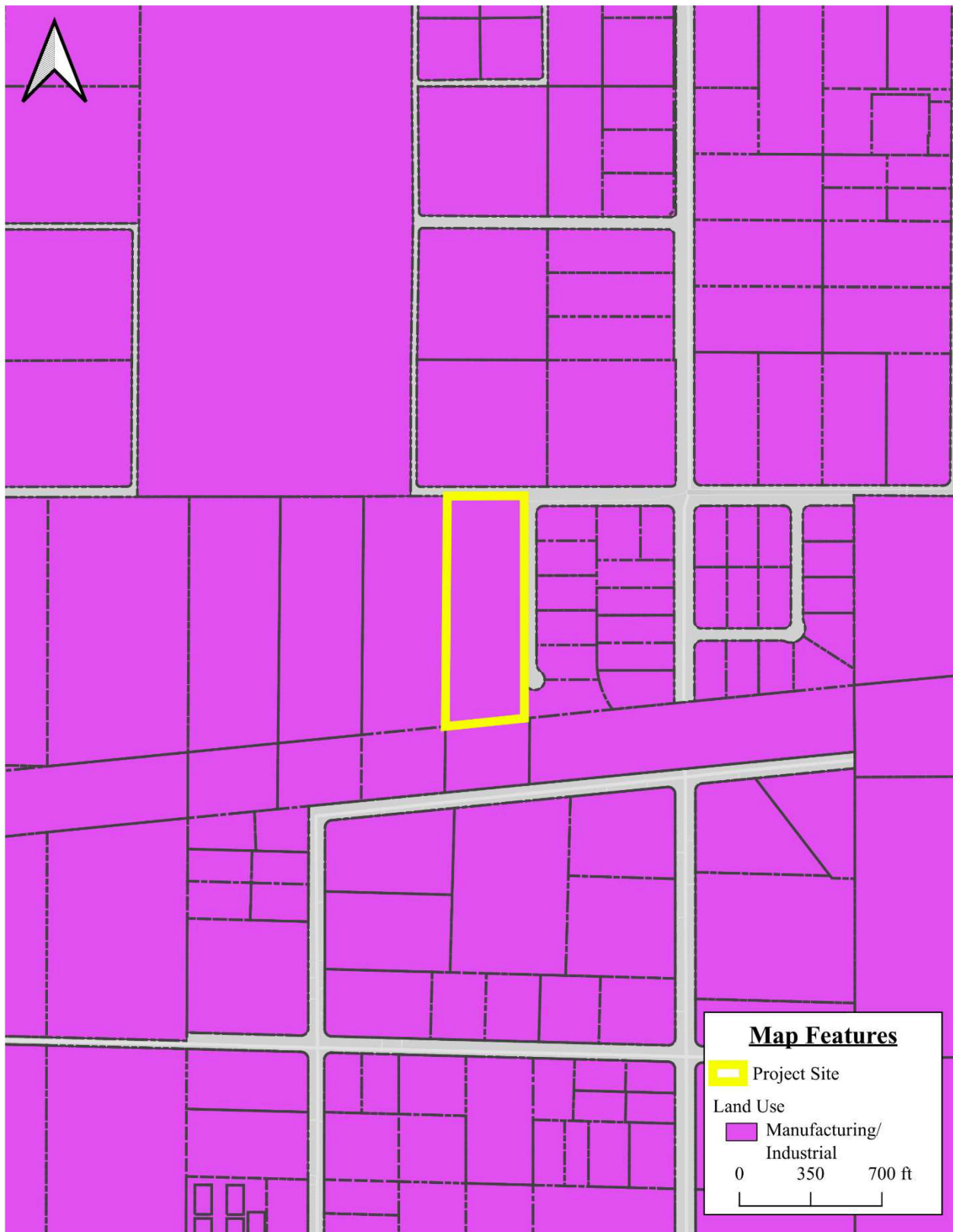
## MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

### 3.12 MINERAL RESOURCES

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <b>A.</b> Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?                                |                                |  |                              | ✗         |
| <b>B.</b> Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |                                |  |                              | ✗         |

<sup>50</sup> Ibid.



**EXHIBIT 8 LAND USE MAP**  
SOURCE: City of Adelanto Zoning Map



## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would 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.
- The proposed project would 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.

The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1)*: This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2)*: This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- *Mineral Resource Zone 3 (MRZ-3)*: This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4)*: This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* • No Impact.

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.<sup>51</sup> The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities. As indicated previously, there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts to mineral resources would occur.*

**B.** *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?* • No Impact.

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. No mineral extraction activities are located on the adjacent properties. Moreover, the proposed project will not interfere with any resource extraction activity. *Therefore, no impacts would result from the implementation of the proposed project.*

<sup>51</sup> California, State of. Department of Conservation. California Oil, Gas, and Geothermal Resources Well Finder.

## MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result from the approval of the proposed project and its subsequent implementation. As a result, no mitigation measures are required.

### 3.13 NOISE

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                             |                                |  | ✗                            |           |
| B. Would the project result in generation of excessive ground borne vibration or ground borne noise levels?   |                                |  | ✗                            |           |
| C. For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on noise if it results in any of the following:

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

Noise levels may be described using a number of methods designed to evaluate the “loudness” of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise level increases of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? • Less than Significant Impact.**

The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. Chapter 9.110 of the City of Adelanto Municipal Code serves as the City's Noise Control Ordinance. The "standard" noise level for the manufacturing zones is 75 dB(A). Unless otherwise permitted, noise levels shall not exceed this ambient noise level by the following dB(A) levels for the cumulative period of time specified below:

- A. Less than five (5) dB(A) for a cumulative period of more than thirty (30) minutes in any hour;
- B. Less than ten (10) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour;
- C. Less than fifteen (15) dB(A) for a cumulative period of more than five (5) minutes in any hour;
- D. Less than twenty (20) dB(A) for a cumulative period of more than one (1) minute in any hour; and,
- E. Twenty (20) dB(A) or more for any period of time.

Construction, alteration, and demolition activity on private properties are exempt during the construction period as long as such activities are essential to the completion of a project.

The nearest sensitive receptor are residential homes located approximately 1,000 feet west of the project site. Future sources of noise generated on-site will include noise from vehicles traveling to and from the project and noise emanating from back-up alarms, air conditioning units, and other equipment. All of the cultivation and manufacturing of cannabis products will occur indoors. In addition, the operation of the facility will not expose any surrounding uses to excessive noise since interior noise will be further attenuated by the building's exterior shell. All of the manufacturing and cultivation activities would be located within the individual buildings. As a result, the proposed project will not expose sensitive receptors to excessive operational noise levels. *As a result, the impacts would be less than significant.*

**B. Would the project result in generation of excessive ground borne vibration or ground borne noise levels? • Less than Significant Impact.**

Once in operation, the proposed project will not significantly raise ground-borne noise levels. All of the manufacturing and cultivation activities would be located inside enclosed and secure buildings. In addition, no noise sensitive land uses are located in the area. The project site is located within a manufacturing zone district. Slight increases in ground borne noise levels could occur during the construction phase. The limited duration of construction activities and the distance to any noise sensitive receptors would reduce the potential impacts to levels that are less than significant. *As a result, the impacts would be less than significant.*

**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? • Less than Significant Impact.**

The project site is not located within an airport land use plan nor is the site located within two miles of a public airport or public use airport.<sup>52</sup> The nearest public airport to the city is the Southern California Logistics Airport located approximately 3.59 northeast of the project site. The Airport Park Overlay District is located approximately 4,200 feet southwest of the project site.<sup>53</sup> The Overlay District is intended to guide development around Adelanto Airport-52CL, which is a privately owned airport managed by the Adelanto Airport Property Owner's Association.<sup>54</sup> This district consists of single-family residences with private hangars located in close proximity to the runways. The city's municipal code offers descriptions of land uses that are hazardous to the safety of airport operations which include the following:

- Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the airport, other than an FAA approved navigational signal light or visual slope indicator;
- Any use which would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport;
- Any use which would generate smoke or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within this area;
- Any use which would generate electrical interference that would be detrimental to the operation of aircraft and/or aircraft instrumentation; and
- Any land use involving, as the primary activity, the manufacture, storage, or distribution of explosives or flammable or hazardous materials.<sup>55</sup>

The project site is outside of the overlay district and does not fall under any of the above criteria. The project will not introduce a structure that will interfere with the approach and take off of airplanes utilizing any regional airports. *As a result, the impacts would be less than significant.*

## MITIGATION MEASURES

The analysis of potential noise impacts indicated that no significant adverse impacts would result from the proposed project's construction and operation. As a result, no mitigation measures are required.

## 3.14 POPULATION & HOUSING

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? |                                |  |                              | ✗         |
| B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   |                                |  |                              | ✗         |

<sup>52</sup> Toll-Free Airline. *San Bernardino County Public and Private Airports, California*.

<sup>53</sup> Google Maps and City of Adelanto Zoning Map. Website accessed October 21, 2024.

<sup>54</sup> Adelanto Airport. Website accessed October 21, 2024.

<sup>55</sup> Adelanto Zoning Ordinance. Section 17.45.040 Special Considerations in the Airport Park Overlay District



## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on population and housing if it results in any of the following:

- The proposed project would 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).
- The proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?** • No Impact.

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently undeveloped though it has been disturbed. All land use surrounding the property has been previously designated for industrial uses.
- *Extension of roadways and other transportation facilities.* Future roadway and infrastructure connections will serve the proposed project site only.
- *Extension of infrastructure and other improvements.* The installation of any new utility lines will not lead to subsequent offsite development since these utility connections will serve the site only.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.
- *The removal of housing requiring replacement housing elsewhere.* The site does not contain any housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services.* The project will result in a limited increase in employment which can be accommodated by the local labor market. The cultivation facility is projected to employ 310 persons at full capacity. The normal peak hours of on-site operations for the proposed new development will be Monday through Friday, 8:00 AM to 5:00 PM.
- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The newly established roads and existing utility lines will serve the project site only and will not extend into undeveloped areas. According to the Southern California of Associate Governments, the City of Adelanto growth forecast for employment is expected to grow from 6,100 in 2016 jobs to 10,000 jobs in 2045.<sup>56</sup> The proposed project will not result in any unplanned growth as it is already accounted for by the SCAG. The jobs for this project would be filled by the local labor market. *Therefore, no impacts would result.*

<sup>56</sup> Southern California Association of Governments. *Demographics and Growth Forecast*. Adopted September 3, 2020

**B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? • No Impact.**

The entire project would employ an estimated 90 full-time employees. Of the total building floor area of 178,200 square feet, 168,000 square feet would be cultivation uses and 10,200 square feet would be for office uses. The project site is vacant though it has been disturbed. This property and surrounding areas have a General Plan and zoning designations for manufacturing and industrial uses. No housing units will be permitted, and none will be displaced as a result of the proposed project's implementation. *Therefore, no impacts would result.*

## MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

## 3.15 PUBLIC SERVICES

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| <b>A.</b> 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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: |                                |  | ✗                            |           |
| <b>i).</b> Would the project result in substantial adverse physical impacts associated with Fire protection?  |                                |  | ✗                            |           |
| <b>ii).</b> Would the project result in substantial adverse physical impacts associated with Police protection?   |                                |  | ✗                            |           |
| <b>iii).</b> Would the project result in substantial adverse physical impacts associated with Schools?  |                                |  | ✗                            |           |
| <b>iv).</b> Would the project result in substantial adverse physical impacts associated with Parks?   |                                |  | ✗                            |           |
| <b>v).</b> Would the project result in substantial adverse physical impacts associated with Other public facilities?  |                                |  | ✗                            |           |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- The proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks or other public facilities.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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 would cause significant environmental impacts, in fire protection; police protection; schools; parks; or other public facilities? • Less than Significant Impact.*

**i).** *Would the project have fire protection? Less than Significant Impact.*

The City of Adelanto contracts fire protection services with the San Bernardino County Fire Department from two fire stations located within the City limits. The nearest fire station is the San Bernardino County Fire Station 322 located 5,200 feet east of the project site. The Fire Department currently reviews all new development plans. The proposed project will be required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, and fire flow (or the flow rate of water that is available for extinguishing fires). The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. The project would not hinder the fire station's operations such as response times. In addition, the proposed project would be required to implement all pertinent Fire Code Standards including the installation of fire hydrants and sprinkler systems inside the buildings. Furthermore, the project will be reviewed by County Fire officials to ensure adequate fire service and safety as a result of project implementation. *As a result, the impacts would be less than significant.*

**ii).** *Would the project have police protection? Less than Significant Impact.*

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one police station. The San Bernardino County Sheriff's Department is located approximately 2.96 miles northeast of the project site. The proposed project will not be open or accessible to the general public. On-site security would include security personnel, gates, cameras, and detailed background checks of employees. The facility would be closed to the public at all times. Non-employees would only be allowed to enter the facility with a permitted escort. The proposed facility will also be required to comply with the County and City security requirements. *As a result, the impacts will be less than significant.*

**iii).** *Would the project be near schools? Less than Significant Impact.*

Adelanto High School is located approximately 1.57 miles southeast of the project site. Due to the nature of the proposed project, no direct enrollment impacts regarding school services would occur. The proposed project would not directly increase demand for school services. In addition, the proposed project would be required to pay school impact fees. *As a result, the impacts will be less than significant.*

**iv).** *Would the project be near parks? Less than Significant Impact.*

The nearest park to the project site is Sierra Park, located 2.37 to the southeast of the project site. The proposed project would not result in any local increase in residential development (directly or indirectly) which could potentially impact the local recreational facilities. *As a result, the impacts will be less than significant.*

**v). Would the project have other public facilities? Less than Significant Impact.**

The proposed project would not create direct demand for other governmental service. *As a result, the impacts will be less than significant.*

## MITIGATION MEASURES

The analysis of public service impacts indicated that no significant adverse impacts are anticipated, and no mitigation is required with the implementation of the proposed project.

## 3.16 RECREATION

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 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. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                       |                                |  |                              | ×         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on recreation if it results in any of the following:

- The proposed project would 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.
- The proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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? • No Impact.**

The nearest park to the project site is Sierra Park, located 1.62 miles to the southeast of the project site. Given the proposed project's industrial use, no significant increase in the use of City parks and recreational facilities is anticipated to occur. No parks are located adjacent to the site. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. *As a result, no impacts are anticipated.*



**B. Would 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.**

As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the City. No such facilities are located adjacent to the project site. The nearest park to the project site is Sierra Park, located 1.62 miles to the southeast of the project site. *As a result, no impacts will occur.*

## MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

## 3.17 TRANSPORTATION

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?                  |                                |  | ✗                            |           |
| B. Conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?  |                                |  | ✗                            |           |
| C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? |                                |  | ✗                            |           |
| D. Would the project result in inadequate emergency access?  |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on transportation and circulation if it results in any of the following:

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

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? • Less than Significant Impact.*

Access to the proposed development would be provided by a new 30-foot wide driveway to the south side of Rancho Road and a 35-foot wide driveway to the future Otter Avenue. Internal site access would be provided by an internal, 30-foot wide, drive aisle.<sup>57</sup> A total of 169 parking spaces would be provided. Of this total, 36 spaces would be EV capable stalls and 12 stalls would be ADA stalls.<sup>58</sup> Parking areas would be located at the northwest and northeast corners and the central south of the building. one truck loading dock would be located along the west side of all four buildings. According to “Trip Generation, 11th Edition”, published by the Institute of Transportation Engineers (ITE), a marijuana cultivation and processing facility is a free-standing facility where marijuana is propagated, planted, grown, harvested, dried, cured, graded, labeled, tagged for tracking or trimmed. The applicable trip generation rates for the proposed cannabis facility are provided in Table 7.

**TABLE 7 PROJECT TRIP GENERATION**

| Land Use Trip Type   | Unit            | Daily | AM Peak Hour |     |     | PM Peak Hour |     |     |
|--|-----------------|-------|--------------|-----|-----|--------------|-----|-----|
|  |                 |       | Total        | In  | Out | Total        | In  | Out |
| Trip Generation Rates  |                 |       |              |     |     |              |     |     |
| Cannabis Cultivation (ITE Code 190)                            | 1,000 sq. ft.   | 6.90  | 0.69         | 64% | 5%  | 0.64         | 18% | 46% |
| Projected Trip Generation (Cannabis Cultivation, ITE Code 190) |                 |       |              |     |     |              |     |     |
| Proposed Cannabis Facility                                     | 178,200 sq. ft. | 1,230 | 123          | 85  | 6   | 114          | 21  | 52  |
| Total  |                 | 1,230 | 123          | 85  | 6   | 114          | 21  | 52  |

Source: Institute of Transportation Engineers, 11<sup>th</sup> Edition

Table 7 shows the trip generation for the proposed use. The proposed project’s total daily trip generation would be 1,230 vehicle trip ends. Of this total, 123 trips would be AM (morning) peak hour trips and 114 trips would be PM (evening) peak hour trips. The threshold for this issue is whether or not the proposed project would conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The proposed project is consistent with the land use designation that is assigned to the project site. Furthermore, the proposed development would not be inconsistent with the policies included in the City’s Mobility Plan. *As a result, the impacts will be less than significant.*

**B.** *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? • Less Than Significant No Impact.*

Legislation (SB 743) enacted in 2020, changed the way transportation impacts are measured for development projects. Vehicle delay and Level of Service (LOS) has been eliminated as the basis of determining CEQA impacts and replaced with Vehicle Miles of Travel (VMT) as the most appropriate measure of project transportation impacts. A VMT analysis is applied to projects that have the potential to increase the average VMT per Service Population (e.g., residents plus employees) compared to the County of San Bernardino VMT average of 32.7 VMT per Service Population. DEA performed a screening

<sup>57</sup> Blue Engineering. *Site Plan*. July 29, 2024.

<sup>58</sup> Ibid.

assessment of the project based on the City of Adelanto's screening criteria to determine if the project is required to prepare a full VMT analysis. A review of the applicable screening criteria is presented below:

- *Criterion #1:* Project location within a "low-VMT generating traffic analysis zone". Based on the SBCTA VMT Screening Tool which estimates VMT from the San Bernardino Transportation Analysis Model's (SBTAM) production-attraction (PA) trip matrix for the existing year (2024), the proposed project is in a low-VMT generating traffic analysis zone and does not require a VMT analysis based on this criterion.
- *Criterion #2:* Type and size of project. Land uses generating less than 3,000 metric tons of CO<sub>2</sub> equivalent emissions annually from mobile sources (traffic) are not required to prepare a VMT analysis as identified in Adelanto's VMT screening criteria. The project generates less than 3,000 metric tons of CO<sub>2</sub> equivalent emissions annually. Therefore, this criterion is applicable to the proposed project.
- *Criterion #3:* A project located within a Transit Priority Area (TPA) defined as a half mile area around rail transit station, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, is not required to prepare a VMT analysis. The project is not located within a TPA and therefore does not satisfy this criterion.

Because the proposed project satisfies one of the applicable screening criteria, the proposed project is screened from requiring a VMT analysis under CEQA. *As a result, the impacts will be less than significant.*

**C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? • Less than Significant Impact.**

Access to the proposed development would be provided by a new 30-foot wide driveway to the south side of Rancho Road and a 35-foot wide driveway to the future Otter Avenue. Internal site access to the individual buildings would be provided by an internal, 30-foot wide, drive aisle.<sup>59</sup> The proposed project will not expose future drivers to dangerous intersections or sharp curves and the proposed project will not introduce incompatible equipment or vehicles to the adjacent roads. *As a result, the potential impacts would be less than significant.*

**D. Would the project result in inadequate emergency access? • No Impact.**

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction will adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts are associated with the proposed project's implementation.*

## MITIGATION MEASURES

The analysis of potential impacts related to traffic and circulation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

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<sup>59</sup> W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

### 3.18 TRIBAL CULTURAL RESOURCES

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place?  |                                |  | ✗                            |           |
| B. Would the project cause a substantial adverse change in the significance of an object with cultural value to a California Native American Tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe 5020.1(k)? |                                |  | ✗                            |           |

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

- The proposed project would 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 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).
- The proposed project would 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 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.



## ANALYSIS OF ENVIRONMENTAL IMPACTS

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

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- 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 I of Section 5024.1. In applying the criteria set forth in subdivision I of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

In accordance with Public Resources Code Section 21080.3.1, subs. (b), the City of Adelanto formally requested AB-52 consultation with the following tribes.

- Denise Torres, Cultural Resources Manager, *Morongo Band of Mission Indians*;
- Ryan Nordness, San Manuel Director of Cultural Resources Management, San Manuel Band of Mission Indians;
- Wayne Walker, Co-Chairperson, Serrano Nation; and,
- Joseph Ontiveros, Tribal Historic Preservation Officer, *Soboba Band of Luiseño Indians*.

The Applicant’s adherence to the mitigation measures outlined in Section 3.3 herein would ensure that cultural resources encountered during ground disturbance activities would be conserved. Additionally, Section 5097.98 of the Public Resources Code states:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning

investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

*Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant.*

**B.** *Would the project cause a substantial adverse change in the significance of an object with cultural value to a California Native American Tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe 5020.1(k)? • Less than Significant Impact.*

The project site is located on recognized Yuhaaviatam/Maarenga’yam (Serrano) ancestral territory.<sup>60</sup> A search of the National Register of Historic Places and the list of California Historical Resources was conducted, and it was determined that no Native historic resources was listed within the City of Adelanto. Since the project’s implementation will not impact any Federal, State, or locally designated historic resources. *As a result, no impacts will occur.*

## MITIGATION MEASURES

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant. As a result, no mitigation is required.

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<sup>60</sup> [Native Land.ca](https://www.native-land.ca). Website Accessed October 21, 2024

### 3.19 UTILITIES AND SERVICE SYSTEMS

| Environmental Issue Areas Examined  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? |                                |  | ✗                            |           |
| B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?  |                                |  | ✗                            |           |
| C. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?   |                                |  | ✗                            |           |
| D. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   |                                |  | ✗                            |           |
| E. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?  |                                |  |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The proposed project would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The proposed project would result in a determination by the wastewater treatment provider which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- The proposed project would 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.
- The proposed project would negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.
- The proposed project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? • Less than Significant Impact.*

The City of Adelanto Water Department (AWD) provides water service and wastewater service to approximately 27,139 residents of Adelanto. The Treatment Plant is operated by the City of Adelanto and manages the sewage generation from residents, industries, and commercial users in the City of Adelanto. The facility is located at the intersection of Johnathan Street and Auburn Avenue, located approximately 3.2 miles northeast from the project site. Wastewater from Adelanto's water service area is collected and treated at the City-owned 4.0 MGD activated sludge wastewater treatment facility through an operations and maintenance contract with the PERC Water Corporation. There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently undeveloped and undisturbed. *As a result, the potential impacts would be less than significant.*

**B.** *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? • Less than Significant Impact.*

The City of Adelanto Water Department (AWD) provides water service and wastewater service to approximately 27,139 residents of Adelanto. The AWD employs a staff of twelve to manage and maintain the Department and its water resources. The Director of Public Utilities and the five-member Public Utilities Authority are responsible for providing adequate water services to the City. According to the City's 2020 Urban Water Management Plan, the City is projected to have an adequate supply of water to meet the increase in demand. In addition, the City is projected to have enough water to meet demand during a single dry year, and a multiple dry year scenario. On average, indoor cannabis cultivation water consumption is 2.5 gallons of water per day, per plant. Overall, cannabis cultivation uses 27,154 gallons of water per day per acre.<sup>61</sup> This translates into an average rate of 0.623 gallons per square foot of cultivation area on a daily basis. The anticipated water demand for the proposed project (107,724 gallons per day) is summarized in Table 8. The applicant will need a letter from the Adelanto Water Department (VWD) in order to ensure water can be served to the site. The proposed project will be required to implement all pertinent water conservation measures including hydroponics. *As a result, the impacts will be less than significant.*

<sup>61</sup> <https://www.marijuanaventure.com/report-on-water-usage/>



**TABLE 8 PROJECTED WATER CONSUMPTION**

| Project                       | Consumption Rate        | Project Consumption |
|-------------------------------|-------------------------|---------------------|
| Cultivation (168,000 sq. ft.) | 0.623 gals./sq. ft./day | 104,664 gals./day   |
| Office (10,200 sq. ft.)       | 0.30 gals/sq. ft./day   | 3,060 gals./day     |
| Total                         |                         | 107,724 gals./day   |

Source: W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

**C.** *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? • Less than Significant Impact.*

The City operates a 1.5-million-gallons-per-day activated sludge wastewater treatment facility through an operations and maintenance contract with PERC Water Corporation. In addition to operations, PERC performs routine collection system cleaning, sewage spill response and cleanup, and industrial sewage pretreatment program. The City is currently constructing a 2.5-million-gallons-per-day upgrade that will increase wastewater treatment capabilities to 4.0 million gallons per day and produce treated water that can be used for lawn/public parks irrigation, construction and dust control and other beneficial uses. The projected effluent generation is summarized below in Table 9.

**TABLE 9 PROJECTED EFFLUENT GENERATION**

| Project          | Consumption Rate       | Project Consumption |
|------------------|------------------------|---------------------|
| Proposed Project | 0.01 gals./sq. ft./day | 1,782 gals./day     |
| Total            |                        | 1,782 gals./day     |

Source: W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

The effluent that would be generated by the proposed project would be minimal and limited to effluent from the restrooms, kitchens, and due to maintenance. Water consumed for cultivation would be reused as part of the hydroponics and other water conserving measures. *As a result, the impacts are expected to be less than significant.*

**D.** *Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? • Less than Significant Impact.*

Solid waste collection services are provided by AVCO for disposal into area landfills and materials recovery facilities (MRFs). The nearest landfill to the project site is the Victorville Sanitary Landfill located at 18600 Stoddard Wells Road. According the CalRecycle, the Victorville Sanitary Landfill has a daily throughput of 3,000 tons per day and a remaining capacity of 93,400,000 cubic yards. The expected closure is October 1, 2047. As such, there is adequate landfill capacity to serve the Project. The projected solid waste generation is summarized below in Table 10.

**TABLE 10 PROJECTED SOLID WASTE GENERATION**

| Project          | Generation Rate            | Project Generation |
|------------------|----------------------------|--------------------|
| Proposed Project | 6.0 lbs./day/1,000 sq. ft. | 1,069.2 lbs./day   |
| Total            |                            | 1,069.2 lbs./day   |

Source: W & W Land Design Consultants, Inc. Tentative Tract Map 20902. April 15, 2024.

The cannabis waste will be controlled using a “track and trace” system. In addition, licensed waste haulers must remove the organic waste. Other conventional solid waste may be handled by commercial waste disposal companies. *As a result, the potential impacts would be less than significant.*

**E. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? • No Impact.**

Avco Disposal currently provides solid waste collection services to the City. Avco is required to provide these services in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste. The proposed project, like all other development in Adelanto and San Bernardino County, would be required to adhere to City and County ordinances with respect to waste reduction and recycling. In addition, Chapter 8.01 includes provisions for waste collection, recycling, and disposal, recycling, and food waste. The proposed project would be required to conform to all pertinent to City requirements. *As a result, no impacts related to State and local statutes governing solid waste are anticipated.*

## MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project’s approval and subsequent implementation. As a result, no mitigation is required.

## 3.20 WILDFIRE

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <b>A.</b> If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?  |                                |  |                              | ✗         |
| <b>B.</b> If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?   |                                |  |                              | ✗         |
| <b>C.</b> If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? |                                |  |                              | ✗         |
| <b>D.</b> If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?   |                                |  |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on wildfire risk and hazards if it results in any of the following:

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan? • No Impact.*

According to California Department of Forestry and Fire Protection, the project site is not located within or near a fire hazard zone.<sup>62</sup> Surface streets that will be improved at construction will serve the project site and adjacent area. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. At no time during construction will adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts will occur.*

**B.** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project 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.*

According to California Department of Forestry and Fire Protection, the project site is not located within or near a fire hazard zone.<sup>63</sup> The project site is located on the edge of a developing area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 15 miles north and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county

<sup>62</sup> CalFire. *Fire Hazard Severity Zones in State Responsibility Area.*

<sup>63</sup> Ibid.

areas. As a result, no impacts would occur.

**C.** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? • No Impact.*

According to California Department of Forestry and Fire Protection, the project site is not located within or near a fire hazard zone.<sup>64</sup> The project site is not located in an area that is classified as a moderate fire risk severity within a State Responsibility Area (SRA), and therefore will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. As a result, no impacts would occur.

**D.** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? • No Impact.*

According to California Department of Forestry and Fire Protection, the project site is not located within or near a fire hazard zone.<sup>65</sup> There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. In addition, the site is not located within a moderate fire risk and state responsibility area. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. As a result, no impacts would occur.

## MITIGATION MEASURES

The analysis of wildfires impacts indicated that less than significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

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<sup>64</sup> Ibid.

<sup>65</sup> Ibid.



### 3.21 MANDATORY FINDINGS OF SIGNIFICANCE

| Environmental Issue Areas Examined   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| A. Does the project 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? |                                |  |                              | ×         |
| 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)?   |                                |  |                              | ×         |
| C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  |                                |  |                              | ×         |

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- A. The proposed project *would not* 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. *As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.*
- B. The proposed project *would not* have impacts that are individually limited, but cumulatively considerable. *The environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein.*
- C. The proposed project *would not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. *As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.*

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## SECTION 4. CONCLUSIONS

### 4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *would not* 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 an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *would not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *would not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

### 4.2 MITIGATION MONITORING

In addition, pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to the approval of a Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Adelanto can make the following additional findings:

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

*Air Quality Mitigation Measure No. 1.* The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

*Air Quality Mitigation Measure No. 2.* Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

*Biological Resources Mitigation Measure No. 1.* Prior to construction, the Project proponent is required to obtain an Incidental Take Permit (ITP) through CDFW for the take of 10 Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all

impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Adelanto falls within an area of the WJTCA which qualifies for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The reduced Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters or greater in height - \$1,000; 2. Trees 1 meter or greater but less than 5 meters in height - \$200; 3. Trees less than 1 meter in height - \$150. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

*Biological Resources Mitigation Measure No. 2.* Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Adelanto for review and approval and shall be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following:

1. Discussion on temporary construction fencing (if any),
2. Description of clearance surveys of permanent exclusion areas,
3. Transportation and release procedures,
4. Construction schedule,
5. Translocation/relocation areas,
6. Monitoring and reporting.

*Biological Resources Mitigation Measure No. 3.* A biological monitor should be present onsite daily during construction to monitor for the presence of desert tortoise. If desert tortoise is found on the Project during the construction phase, all work shall cease in the vicinity of the animal. Work shall proceed only after the animal is allowed to leave the area and is no longer at risk, or the animal is relocated by the biologist after approval from CDFW and USFWS. In both cases, the approved biologist shall contact USFWS and CDFW and shall consult regarding any additional necessary avoidance, minimization, or mitigation measures. If desert tortoise is found on the project site during the operation and maintenance phase of the Project, all ground disturbing operations and maintenance activities should cease in the vicinity of the animal. CDFW and USFWS shall be contacted and consulted regarding potential relocation of the animal and any additional necessary avoidance, minimization, or mitigation measures. Work shall not resume in the vicinity of the animal until the relevant agencies have responded and all recommended measures are taken. A report shall be prepared by the Project proponent to document the activities of desert tortoise within the site; all fence construction, modification, and repair efforts; and compliance with other measures recommended by



the agencies. This report should be submitted to the agency representatives and the City

*Biological Resources Mitigation Measure No. 4.* Prior to the initiation of construction activities ((i.e., grubbing, clearing, staging, digging), a “take avoidance survey” should be conducted by a City Approved Biologist for the project site and surrounding 500 ft radius utilizing the methodology provided in CDFW’s 2012 Staff Report on Burrowing Owl Mitigation. This survey should be conducted no less than 14 days prior to initiation of ground disturbance activities. Should no Burrowing Owls be detected during the initial “take avoidance survey” the survey should be repeated within 24 hours prior to ground disturbance. Should Burrowing Owls be detected, avoidance and minimization measures should be developed through the monitoring of the owls by the City Approved Biologist. If Burrowing Owls are detected, no ground disturbing activities should occur except in accordance with the CDFW 2012 Staff Report or with written authorization by CDFW staff. Burrowing Owls shall not be excluded from burrows unless or until a Burrowing Owl Exclusion Plan is developed by the City Approved Biologist and approved by the applicable local CDFW office and submitted to the City. The plan should follow the requirements of the CDFW 2012 Staff Report.

*Biological Resources Mitigation Measure No. 5.* The City Approved Biologist shall be present onsite during the initiation of construction activities (i.e., grubbing, clearing, staging, digging) and daily during all construction to monitor for the presence of Mohave ground squirrel. If Mohave ground squirrel is found on the project site during construction, construction will be halted until the ground squirrel has left the area on its own and is no longer in danger. If the ground squirrel does not leave on its own, translocation of ground squirrels should only be conducted by an approved biologist with necessary permitting and with the approval of CDFW.

*Biological Resources Mitigation Measure No. 6.* In order to avoid impacts to nesting birds it is recommended that the following mitigation measures be employed: Any necessary clearing and removal of vegetation for project development should be conducted outside of the typical nesting season for birds. If vegetation removal must be conducted during the nesting bird season (February 1 through September 1), a biologist should first conduct a survey to determine whether any birds are nesting in the area. The survey should occur within 7-days prior to beginning work and include a search for nesting raptors within 500 feet line-of-sight of the project and all other bird nests within or adjacent to the project site. If any active nests are found, a “no disturbance” buffer should be implemented by the biologist and no activity should occur within the buffer until after all young have fledged from the nest. Exceptions may be made to the buffer distance if a biological monitor is present onsite when work is occurring.

*Biological Resources Mitigation Measure No. 7.* Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.

*Biological Resources Mitigation Measure No. 8.* Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.

The following mitigation measures will be required to address potential cultural resources impacts:

*Cultural Resources Mitigation Measure No. 1.* Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

*Cultural Resources Mitigation Measure No. 2.* The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

*Cultural Resources Mitigation Measure No. 3.* Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

*Cultural Resources Mitigation Measure No. 4.* A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final.

The analysis determined that the following mitigation measures will be required to reduce potential energy consumption:

*Energy Mitigation Measure No. 1.* The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural day light in work areas and for plant growth.

*Energy Mitigation Measure No. 2.* The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use. Since some operations and security functions may be carried out during non-daylight hours, an additional mitigation measure is suggested to reduce energy consumption during those times.

*Energy Mitigation Measure No. 3.* The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.

The monitoring and reporting for the mitigation measures, including the period for implementation, monitoring agency, and the monitoring action, are identified in Table 11.

**TABLE 11 MITIGATION MONITORING PROGRAM**

| MEASURE   | ENFORCEMENT AGENCY   | MONITORING PHASE   | VERIFICATION               |
|---|--|--|----------------------------|
| <b>AIR QUALITY</b>  |  |  |                            |
| <b>Air Quality Mitigation Measure No. 1.</b> The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>Air Quality Mitigation Measure No. 2.</b> Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.  | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>BIOLOGICAL RESOURCES</b>   |  |  |                            |
| <b>Biological Resources Mitigation Measure No. 1.</b> Prior to construction, the Project proponent is required to obtain an Incidental Take Permit (ITP) through CDFW for the take of 10 Joshua trees. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees. The City of Adelanto falls within an area of the WJTCA which qualifies for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The reduced Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1. Trees 5 meters or greater in height - \$1,000; 2. Trees 1 meter or greater but less than 5 meters in height - \$200; 3. Trees less than 1 meter in height - \$150. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW. | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |

**TABLE 11 MITIGATION MONITORING PROGRAM**

| MEASURE   | ENFORCEMENT AGENCY   | MONITORING PHASE  | VERIFICATION                          |
|---|--|---|---------------------------------------|
| <p><b>Biological Resources Mitigation Measure No. 2.</b> Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (<i>Gopherus agassizii</i>). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Adelanto for review and approval and shall be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>1. Discussion on temporary construction fencing (if any),</li> <li>2. Description of clearance surveys of permanent exclusion areas,</li> <li>3. Transportation and release procedures,</li> <li>4. Construction schedule,</li> <li>5. Translocation/relocation areas,</li> <li>6. Monitoring and reporting.</li> </ol> | <p>City of Adelanto Community Development Department<br/>(The Applicant is responsible for implementation)</p> | <p><i>Prior to the start of any construction related activities.</i><br/>Mitigation ends at the completion of the construction phase.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |
| <p><b>Biological Resources Mitigation Measure No. 3.</b> A biological monitor should be present onsite daily during construction to monitor for the presence of desert tortoise. If desert tortoise is found on the Project during the construction phase, all work shall cease in the vicinity of the animal. Work shall proceed only after the animal is allowed to leave the area and is no longer at risk, or the animal is relocated by the biologist after approval from CDFW and USFWS. In both cases, the approved biologist shall contact USFWS and CDFW and shall consult regarding any additional necessary avoidance, minimization, or mitigation measures. If desert tortoise is found on the project site during the operation and maintenance phase of the Project, all grounddisturbing operations and maintenance activities should cease in the vicinity of the animal. CDFW and USFWS shall be contacted and consulted regarding potential relocation of the animal and any additional necessary avoidance, minimization, or mitigation measures. Work shall not resume in the vicinity of the animal until the relevant agencies have responded and all recommended measures are taken. A report shall be prepared by the Project proponent to document the activities of desert tortoise within the site; all fence construction, modification, and repair efforts; and compliance with other measures recommended by the agencies. This report should be submitted to the agency representatives and the City.</p>  | <p>City of Adelanto Community Development Department<br/>(The Applicant is responsible for implementation)</p> | <p><i>Prior to the start of any construction related activities.</i><br/>Mitigation ends at the completion of the construction phase.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |



**TABLE 11 MITIGATION MONITORING PROGRAM**

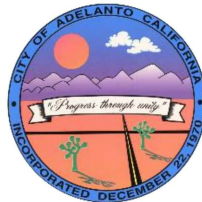
| MEASURE  | ENFORCEMENT AGENCY   | MONITORING PHASE   | VERIFICATION                          |
|--|--|--|---------------------------------------|
| <p><b>Biological Resources Mitigation Measure No. 4.</b> Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a “take avoidance survey” should be conducted by a City Approved Biologist for the project site and surrounding 500 ft radius utilizing the methodology provided in CDFW’s 2012 Staff Report on Burrowing Owl Mitigation. This survey should be conducted no less than 14 days prior to initiation of ground disturbance activities. Should no Burrowing Owls be detected during the initial “take avoidance survey” the survey should be repeated within 24 hours prior to ground disturbance. Should Burrowing Owls be detected, avoidance and minimization measures should be developed through the monitoring of the owls by the City Approved Biologist. If Burrowing Owls are detected, no ground disturbing activities should occur except in accordance with the CDFW 2012 Staff Report or with written authorization by CDFW staff. Burrowing Owls shall not be excluded from burrows unless or until a Burrowing Owl Exclusion Plan is developed by the City Approved Biologist and approved by the applicable local CDFW office and submitted to the City. The plan should follow the requirements of the CDFW 2012 Staff Report.</p> | <p>City of Adelanto Community Development Department<br/>(The Applicant is responsible for implementation)</p> | <p>Prior to the start of any construction related activities.<br/>Mitigation ends at the completion of the construction phase.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |
| <p><b>Biological Resources Mitigation Measure No. 5.</b> The City Approved Biologist shall be present onsite during the initiation of construction activities (i.e., grubbing, clearing, staging, digging) and daily during all construction to monitor for the presence of Mohave ground squirrel. If Mohave ground squirrel is found on the project site during construction, construction will be halted until the ground squirrel has left the area on its own and is no longer in danger. If the ground squirrel does not leave on its own, translocation of ground squirrels should only be conducted by an approved biologist with necessary permitting and with the approval of CDFW.</p>  | <p>City of Adelanto Community Development Department<br/>(The Applicant is responsible for implementation)</p> | <p>Prior to the start of any construction related activities.<br/>Mitigation ends at the completion of the construction phase.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |
| <p><b>Biological Resources Mitigation Measure No. 6.</b> In order to avoid impacts to nesting birds it is recommended that the following mitigation measures be employed: Any necessary clearing and removal of vegetation for project development should be conducted outside of the typical nesting season for birds. If vegetation removal must be conducted during the nesting bird season (February 1 through September 1), a biologist should first conduct a survey to determine whether any birds are nesting in the area. The survey should occur within 7-days prior to beginning work and include a search for nesting raptors within 500 feet line-of-sight of the project and all other bird nests within or adjacent to the project site. If any active nests are found, a “no disturbance” buffer should be implemented by the biologist and no activity should occur within the buffer until after all young have fledged from the nest. Exceptions may be made to the buffer distance if a biological monitor is present onsite when work is occurring.</p>   | <p>City of Adelanto Community Development Department<br/>(The Applicant is responsible for implementation)</p> | <p>Prior to the start of any construction related activities.<br/>Mitigation ends at the completion of the construction phase.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |

**TABLE 11 MITIGATION MONITORING PROGRAM**

| MEASURE   | ENFORCEMENT AGENCY   | MONITORING PHASE  | VERIFICATION               |
|---|--|---|----------------------------|
| <b>Biological Resources Mitigation Measure No. 7.</b> Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <a href="http://darksky.org/">http://darksky.org/</a> ), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler. | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | <i>During the project's operational phase.</i>  | Date:<br><br>Name & Title: |
| <b>Biological Resources Mitigation Measure No. 8.</b> Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | <i>Prior to the start of any construction related activities.</i><br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>CULTURAL RESOURCES</b>   |  |   |                            |
| <b>Cultural Resources Mitigation Measure No. 1.</b> Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.  | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | <i>Prior to the start of any construction related activities.</i><br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>Cultural Resources Mitigation Measure No. 2.</b> The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | <i>Prior to the start of any construction related activities.</i><br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |

**TABLE 11 MITIGATION MONITORING PROGRAM**

| MEASURE   | ENFORCEMENT AGENCY   | MONITORING PHASE   | VERIFICATION               |
|---|--|--|----------------------------|
| <b>Cultural Resources Mitigation Measure No. 3.</b> Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities. | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>Cultural Resources Mitigation Measure No. 4.</b> A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building finalization.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>ENERGY</b>   |  |  |                            |
| <b>Energy Mitigation Measure No. 1.</b> The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural day light in work areas and for plant growth.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>Energy Mitigation Measure No. 2.</b> The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use. Since some operations and security functions may be carried out during non-daylight hours, an additional mitigation measure is suggested to reduce energy consumption during those times.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <b>Energy Mitigation Measure No. 3.</b> The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.   | City of Adelanto Community Development Department<br>(The Applicant is responsible for implementation) | Prior to the start of any construction related activities.<br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |



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## SECTION 5. REFERENCES

### 5.1 PREPARERS

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Brian Wong, Project Planner, GIS Technician

### 5.2 REFERENCES

The references that were consulted have been identified using footnotes.

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