	<p>TOWN OF APPLE VALLEY</p> <p>INITIAL STUDY/MITIGATED NEGATIVE DECLARATION</p>
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Project Title:	Dakota Warehouse
Case No.	Site Plan Review SPR 2024-007
Assessor's Parcel No.	0463-372-21-0000
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Southeast corner of Dakota Road and Gustine Street, Apple Valley, California.
Project Sponsor's Name and Address:	Lori Wu Lecangs, LLC 728 Rider Street Perris, CA 92571
General Plan Designation(s):	North Apple Valley Industrial Specific Plan – Industrial (I-SP)
Zoning:	Specific Plan (SP)
Contact Person:	Nicole Montano, Assistant Planner
Phone Number:	760-240-7000, ext. 7201
Date Prepared:	June 3, 2025

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CHAPTER 1: INTRODUCTION

Project Location

The proposed Lecangs Dakota Warehouse Project (herein referred to as "Project") encompasses 40.1 acres of vacant, undeveloped land located on the east side of Dakota Road, bounded by Gustine Street to the north, Fresno Road to the south, and vacant lands to the east, in the Town of Apple Valley, San Bernardino County, California. The site is located approximately 700 feet west of the Apple Valley Airport and is within the boundaries of the North Apple Valley Industrial Specific Plan (NAVISP) with a land use designation of Specific Plan Industrial (I-SP). The Assessor's parcel number is 0463-372-21-0000 in Section 28 of Township 6 North and Range 3 West on the San Bernardino Meridian. Exhibits 1, 2 and 3 provide views of the Project site location.

Existing Conditions

The Project parcel is undeveloped and has retained a natural state with non-native groundcover growing throughout the parcel. Although signs of disturbance are present such as tire tracks from off-road vehicle use and scattered debris. The site is surrounded by vacant lands designated for Specific Plan Industrial (I-SP) uses in the NAVISP. Parcels to the north, west and southwest of the Project site are undeveloped, with the exception of recently constructed roadways to the south. Parcels to the south are also vacant but have been graded, and land to the east is partially developed with Apple Valley Airport facilities. The site is bounded by Gustine Street (unimproved) on the north side, Fresno Road (unimproved) along the south side, and Dakota Road on the west side. Currently, no road occurs along the eastern boundary of the site as Ramona Road stops at Fresno Road. Ramona Road would be extended as part of the project, and the other roadways improved to Town standards.

The Apple Valley Airport extends at a northeast to southwest angle east of the Project site. The Project site sits within the Town's Airport Overlay District (A-2) and is subject to zoning restrictions set by this designation. Exhibit 6 shows the location of the Project site in proximity to the Apple Valley Airport Overlay Districts.

Project Description

The applicant proposes to construct a 627,200 square-foot distribution warehouse on a 40.1-acre vacant parcel located on the southeast corner of Gustine Street and Dakota Road (Exhibit 4). The building footprint measures 613,760 square feet, the mezzanine is 13,440 square feet, and maximum building height is 50 feet (Exhibit 5). The parking lot includes a total of 714 car parking spaces, including 14 accessible spaces, and 260 truck trailer stalls. The car parking spaces are located along the east and west sides of the building and at the four corners of the parking lot. The truck trailer stalls are located along the north and south sides of the property, 130 stalls on each side. There are a total of 92 loading docks on the north and south sides of the building, 46 docks on each side.

**Table 1
Project Data**

Parcel Acreage	40.1 ac
Total Building Area	627,200 sf
• <i>Building footprint</i>	613,760 sf
• <i>Mezzanine</i>	13,440 sf
Landscaping	201,664 sf(4.63 ac)
Retention Basin	60,867 sf (1.4 ac)
Max. Height	50 ft
Parking Stalls	733
Docks	92
Trailer Stalls	260

The Project site provides four 40-foot-wide truck driveway entrances, two driveways on Dakota Road and two driveways on Ramona Road; and two automobile driveways, one on Dakota Road and one on Ramona Road, which directly access employee parking. The applicant proposes to construct the following half-width road improvements:

- Dakota Road is the only paved road bordering the Project site. Between Gustine Street and Fresno Road, 19-foot-wide new pavement with curb and gutter, and 12-foot-wide sidewalk for an approximate distance of 1,500 linear feet.
- Fresno Road is currently unimproved. Between Dakota Road and Ramona Road, 26-foot-wide pavement with curb and gutter, and additional five feet of graded shoulder for an approximate distance of 975 linear feet.
- Ramona Road currently ends at Fresno Road. Between Fresno Road and Gustine Street, 26-foot-wide pavement with curb and gutter, and additional five feet of graded shoulder for an approximate distance of 975 linear feet.
- Gustine Street is currently unimproved. Between Dakota Road and Ramona Road, 32-foot-wide pavement with curb and gutter and an additional five feet of graded shoulder.

The Project is required to provide on-site stormwater retention for a 100-year storm event. A retention basin of approximately 60,867 square feet (1.40 acres) would be constructed at the south side of the Project site between Fresno Road and the parking area. The retention basin would accommodate 50,000 cubic feet of stormwater. Off-site stormwater conveyance would begin with the Gustine Street improvements and direct water into the catch basins within the proposed street rights-of-way along Dakota Road and Ramona Road, then into the catch basin along Fresno Road. Two storm drains would meet on the north side of Fresno Road and direct runoff to the south side into a drainage swale south of Fresno Road.

Additional Project site improvements include utility service connections. West of the Project site, under Dakota Road, lies an existing 15-inch sewer service line which the Project will connect to. The Project will connect to an existing 12-inch water line under Fresno Road via a proposed 12-inch PVC water line routed north along the west side of the Project site. Two additional 8-inch PVC water lines are proposed along the north and east sides of the Project site. Sewer and water service lines connect to the warehouse on the west side.

EIR Tiering

This Initial Study tiers off the Apple Valley General Plan and Annexations 2008-001 & 2008-002 Environmental Impact Report (GP EIR), SCH #2008091077, which is available for review at Town Hall (14955 Dale Evans Parkway) and also can be found at the following link: <https://www.applevalley.org/services/planning-division/climate-action-plan/general-plan-eir>. The GP EIR was prepared to review the environmental constraints and opportunities associated with the adoption of the Apple Valley Comprehensive General Plan and two planned annexations. In addition to assessing the impacts associated with the General Plan, annexation areas, and instituting mitigation measures, the EIR was designed to be used as an information database to facilitate the streamlining, or tiering of the environmental review process for subsequent projects proposed within the General Plan boundary. The EIR determined that all environmental impacts resulting from the construction and implementation of the General Plan and annexations would be less than significant with the imposition of appropriate mitigation measures, with the exception of Air Quality, Land Use, and Traffic and Circulation impacts, which were identified as significant and unavoidable.

The proposed Project is located within the boundaries of the North Apple Valley Industrial Specific Plan (NAVISP) with a land use designation of Specific Plan Industrial (I-SP). The Project is consistent in size, land use, intensity and design with the development anticipated, analyzed, and approved as part of the approved General Plan and EIR. Specifically, the General Plan projected, and the EIR analyzed that over 36,938,445 square feet of industrial development would be constructed and operated within the NAVISP (EIR, Table I-2). Specific Plan Table III-1, Allowable Uses, specifically permits warehousing and distribution uses, like those proposed by the Project, within the I-SP designation (Specific Plan page III-3 through III-9).

Because the proposed Project is within the scope of the previously certified EIR, and consistent with the requirements of CEQA Guidelines Section 15162, this Initial Study/Mitigated Negative Declaration has been prepared to examine the proposed Project in the light of the General Plan EIR in order to determine if the proposed project would result in any impacts greater than those previously analyzed and disclosed.

The General Plan EIR is referenced as the "GP EIR" throughout. In accordance with CEQA Guidelines §15162, the following analysis addresses each of the environmental issues analyzed in the approved GP EIR as compared to the potential changes in environmental impacts due to the proposed Project. Where analysis of General Plan buildout is critical and quantifiable, a comparison of the GP EIR and current (2024) land use calculations has been provided.

The analysis is divided into two parts. First, the analysis, findings and mitigation measures provided in the GP EIR are summarized. Then an analysis of the proposed Project is conducted to establish its Project-specific impacts, its consistency with the GP EIR, and provide any Project-specific mitigation measures necessary to reduce impacts to less than significant levels.

In the following resource areas, the EIR identified mitigation measures that would be applicable to all subsequent developments: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology, Water Resources/Quality, Land Use/Population/Housing, Mineral Resources, Noise, Public Services and Facilities, Recreational Resources, and Transportation and Traffic. Those mitigation

measures were imposed by the Town through a Mitigation Monitoring and Reporting Program, and will be applied to this Project, if approved.

Finally, as depicted in the Initial Study's significance checkboxes for each resource only those resources for which site-specific mitigation (beyond that already imposed through the EIR) are imposed are identified as "less than significant with mitigation." Impacts to all other resources are either "less than significant" or "no impact" with the imposition of the mitigation measures imposed through the certified GP EIR.

Surrounding Land Uses:

Parcels surrounding the Project site lie within the NAVISP and are designated as Industrial (I-SP). The Project site and surrounding parcels are also within the Town's Airport Overlay District (A-2).

North: Gustine Street (unimproved), vacant, undeveloped land
South: Fresno Road (unimproved), vacant, graded land
East: Vacant, undeveloped parcel, and the Apple Valley Airport property and runway
West: Dakota Road (paved), vacant, undeveloped land

Utilities and Service Providers

The following agencies and companies will provide service to the project site:

1. Sanitary Sewer: Town of Apple Valley (collection) and Victor Valley Wastewater Reclamation Authority (treatment)
2. Water: Liberty Utilities – Apple Valley
3. Electricity: Southern California Edison
4. Gas: Southwest Gas Corporation
5. Trash disposal: AVCO Disposal, Inc., Burrtec Waste Industries, Inc.
6. Police: San Bernardino County Sheriff
7. Fire: Apple Valley Fire Protection District

Other public agencies whose approval is required:

Mojave Desert Air Quality Management District
Regional Water Quality Control Board



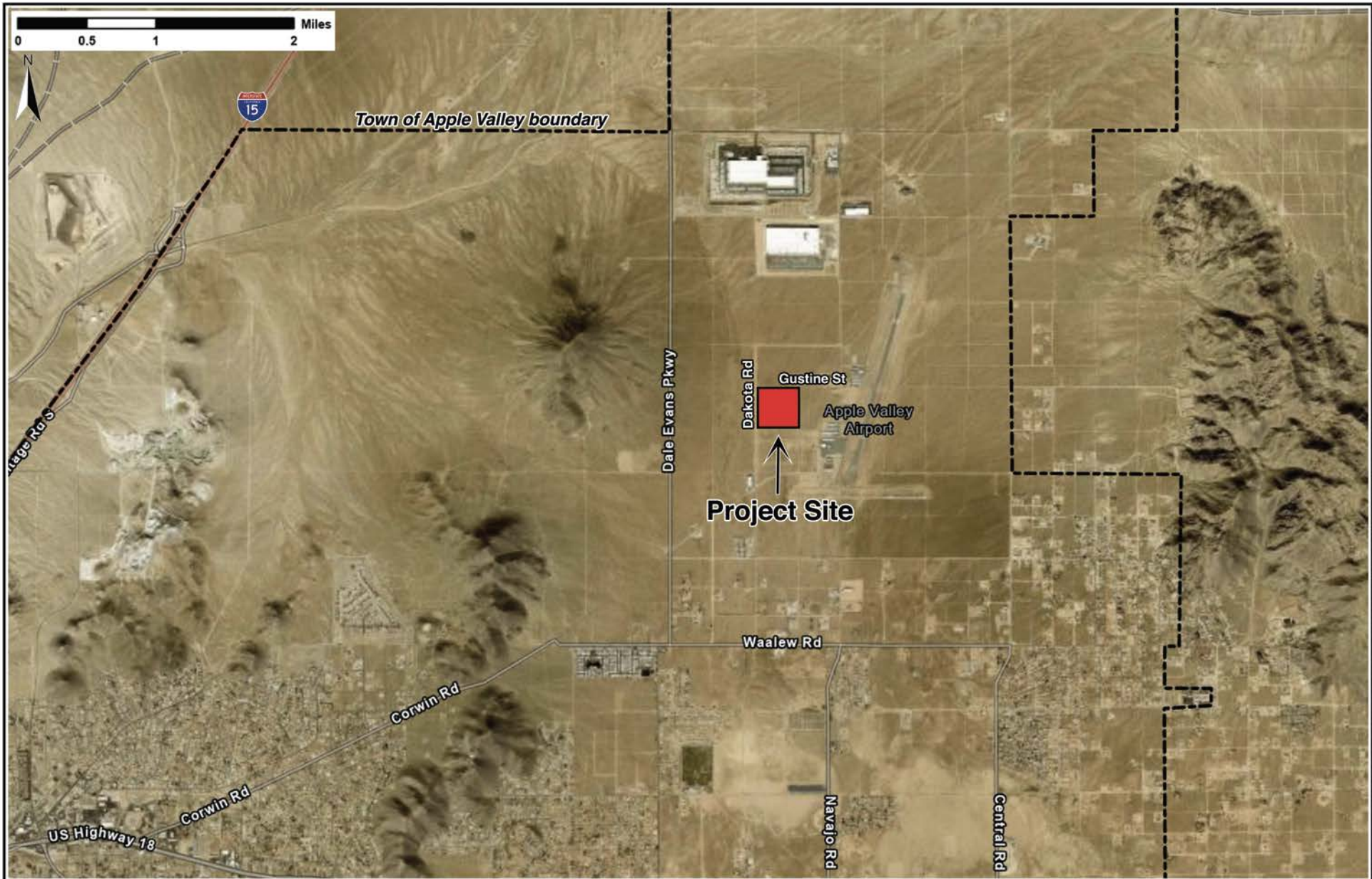
Source: Google Maps, 2023

09.26.24



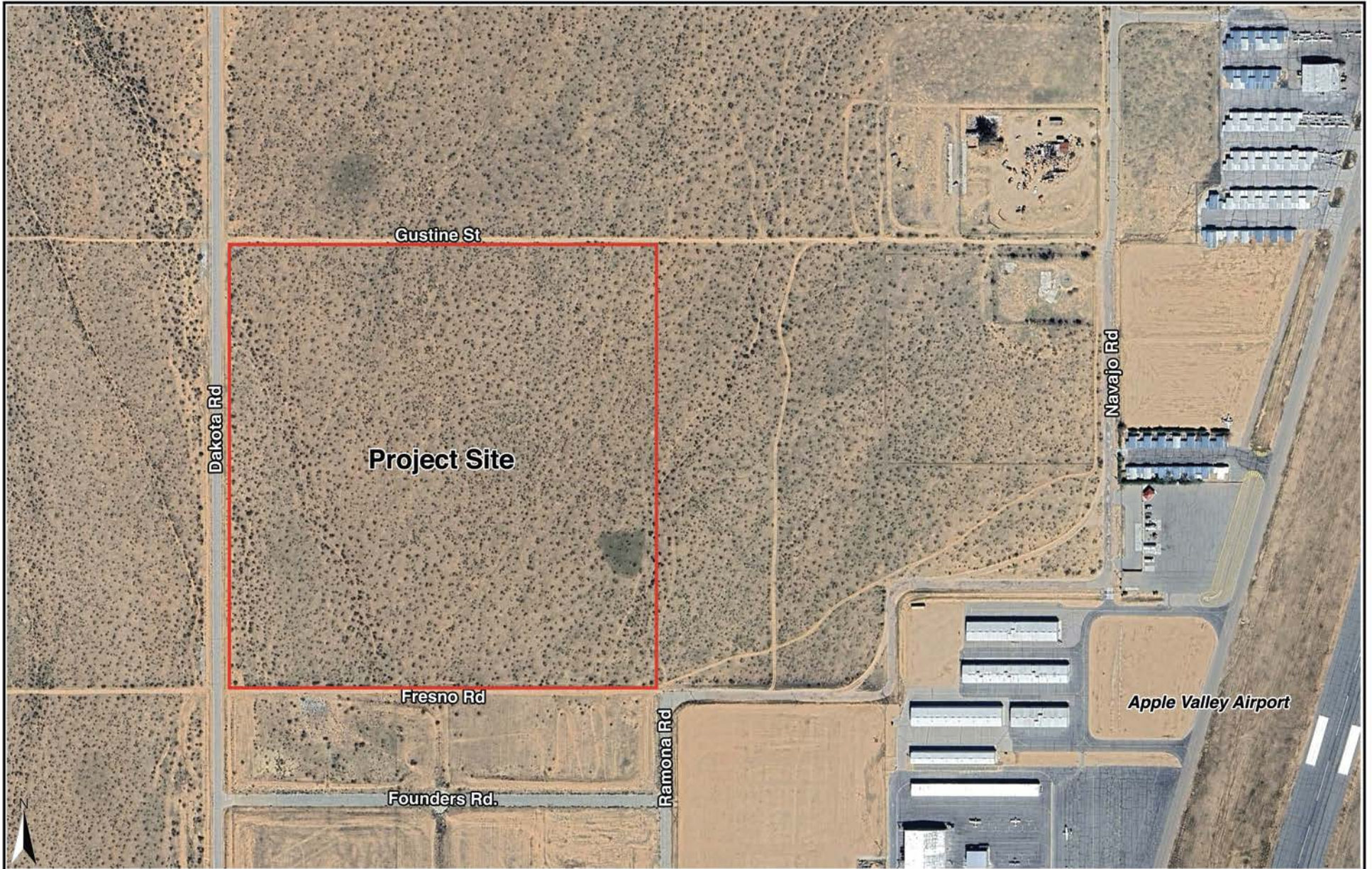
**Regional Location Map
Lecangs Dakota Warehouse
Apple Valley, California**

Exhibit
1



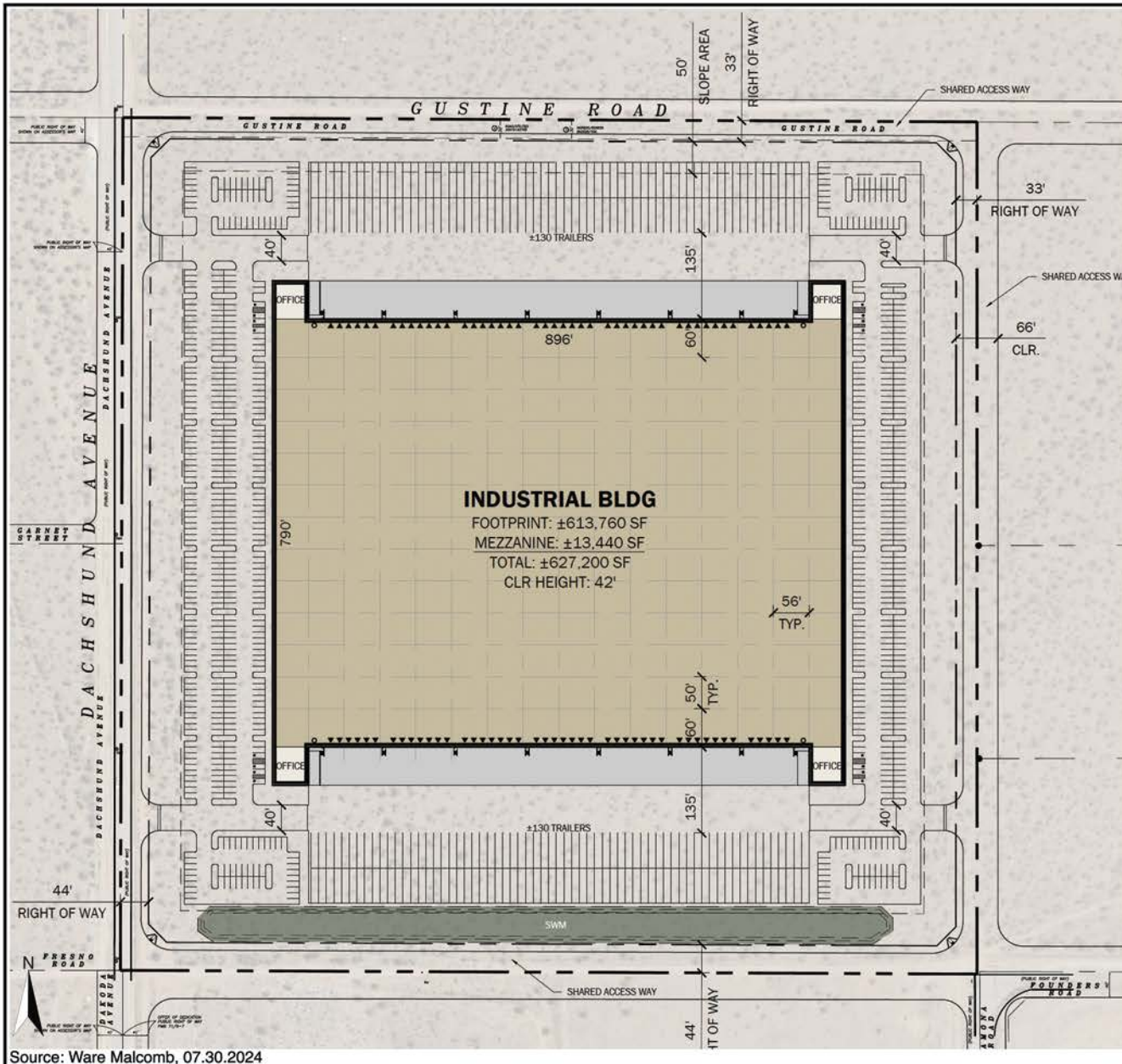
Source: ESRI, 09.2024

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Source: ESRI, 09.2024

09.26.24



Site Summary APN(s): 0463-372-21-0-000

Gross Site Area	1,787,210 SF	41.03 AC
Stormwater Management	60,865 SF	@ 3%
Net Site Area	1,726,344 SF	39.63 AC

Total Building Area(s)	Gross Floor Area	627,200 SF
	Footprint	613,760 SF
Coverage	Gross	34%
	Net	36%
FAR	Gross	0.35
	Net	0.36

Building 1

Building Area(s)	Footprint	613,760 SF
	Mezzanine	13,440 SF
	Gross Floor Area	627,200 SF
Cars Required	@9% Office	647 Stalls
Cars Provided	@1.17/1,000 SF	733 Stalls
	Req. Accessible	15 Stalls
Drive-in Doors		4
Docks	@1.47/10,000 SF	92
Trailers		260 Stalls

Zoning

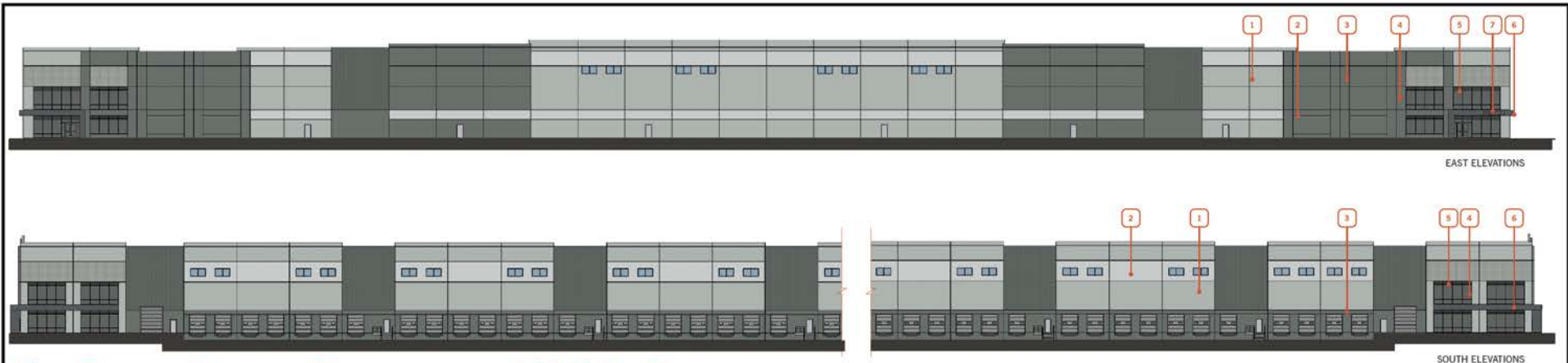
Jurisdiction	Apple Valley	
Zoning Designation	I-SP	
Max Building Coverage	45%	
Max Height	50 FT	
Building Setbacks	Front	25 FT
	Side	25 FT
	Rear	15 FT
Landscape Setbacks	Front	15 FT
	Side	15 FT
Parking Standards	Min Stall Size	9x19
	Drive Aisle	24 FT
	Fire Lane	26 FT
Required Parking	Office	1/250 SF
	Manufacturing	1/500 SF
	Warehouse	1/500 SF
	≤10,000 SF	1/1000 SF
	≥10,000 SF	1/1000 SF

Source: Ware Malcomb, 07.30.2024

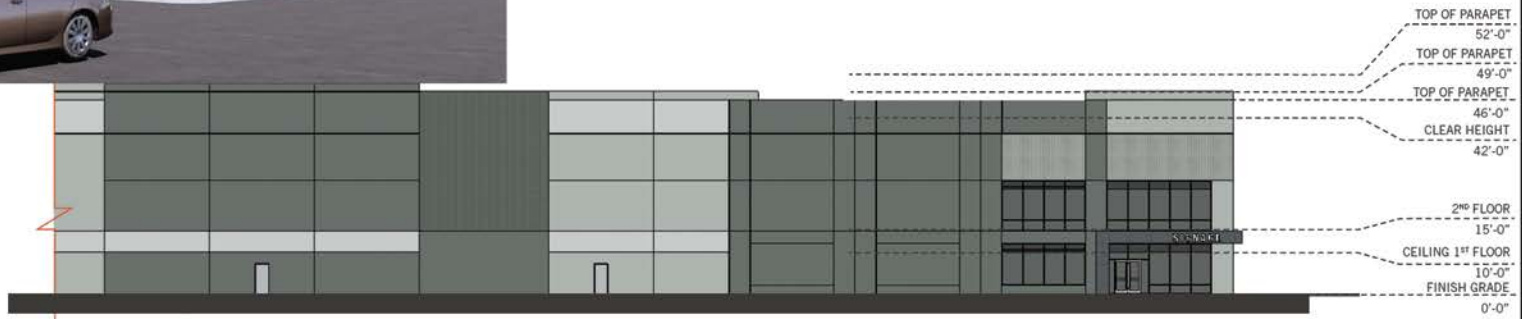
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**Conceptual Site Plan
Lecangs Dakota Warehouse
Apple Valley, California**



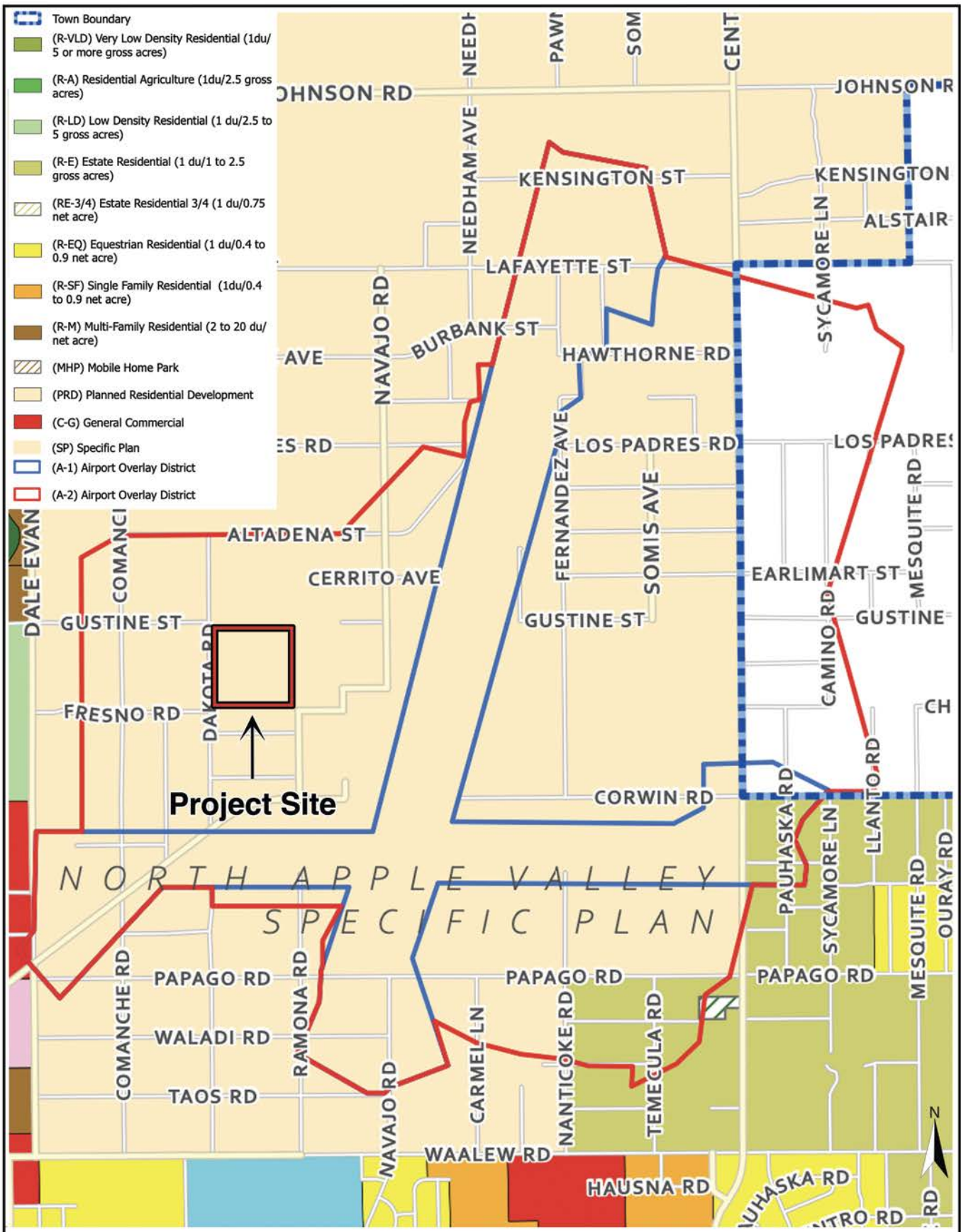
- 1** CONCRETE TILT UP PANEL WITH REVEALS AS SHOWN, PAINTED SHERWIN WILLIAMS: SW 7652 - MINERAL DEPOSIT
- 2** CONCRETE TILT UP PANEL WITH REVEALS AS SHOWN, PAINTED SHERWIN WILLIAMS: SW 7071 - GRAY SCREEN
- 3** CONCRETE TILT UP PANEL WITH REVEALS AS SHOWN, PAINTED SHERWIN WILLIAMS: SW 7622 - HOMBURG GRAY
- 4** ANODIZED ALUMINUM STOREFRONT SYSTEM WITH HIGH PERFORMANCE INSULATED GLAZING
- 5** SPANDREL GLASS
- 6** METAL CANOPY
- 7** TENANT SIGNAGE



Source: Ware Malcomb, 07.25.2024

10.21.24

Elevations
Lecangs Dakota Warehouse
Apple Valley, California



Source: Town of Apple Valley Zoning Map, last amended 11.28.2022

10.24.24



**Apple Valley Airport Overlay Districts
Lecangs Dakota Warehouse
Apple Valley, California**

Environmental Factors Potentially Affected:

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/ Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and 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 | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/ Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

CHAPTER 2: ENVIRONMENTAL ANALYSIS AND DETERMINATION

DETERMINATION: The Town of Apple Valley Planning Department finds

On the basis of this initial evaluation:

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

Nicole Montano

June 5, 2025

Nicole Montano
Assistant Planner
Town of Apple Valley

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

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

Sources: Town of Apple Valley General Plan Environmental Impact Report (2009); Town of Apple Valley General Plan (2009); Town of Apple Valley Development Code; North Apple Valley Industrial Specific Plan; Caltrans California State Scenic Highway System Map.

Environmental Setting

The Project site is vacant, undeveloped and has retained a natural state although signs of disturbance are present such as tire tracks from off-road vehicle use, debris, and an excessive amount of non-native groundcover grows throughout the parcel. There is no lighting onsite. The site is surrounded by predominantly vacant, desert lands except for the Apple Valley Airport approximately 700 feet to the east and scattered industrial development approximately 0.25 miles to the southwest and 0.65 miles to the north. From the Project site there are distant views of the upper Turtle and Black Mountains to the north, Fairview Mountain to the northeast, the Granite Mountains to the southeast, San Bernardino mountains to the south, and Bell Mountain approximately 0.7 miles to the west.

GP EIR

The GP EIR found that the conversion of vacant rural land uses to industrial, commercial and more intense residential uses would increase the levels of illumination and glare, and change the open, semi-rural visual character of much of the planning area. The GP EIR found that although the build out of the General Plan within Town limits and within both Annexation areas would result in aesthetic impacts, implementation of the Town's General Plan policies and design performance standards, together with mitigation measures, would reduce potentially detrimental impacts to visual resources to less than significant levels.

In order to ensure that impacts to visual resources were reduced to less than significant levels, the GP EIR provided the following mitigation measures. (GP EIR Section III.A, page III-1 et.seq., Mitigation Measures ages III-4 through -5 of the GP EIR)

1. Signage shall be in compliance with the Town's sign ordinance and shall be limited to the minimum size, scale and number needed to provide functional information, thereby minimizing impacts on traffic safety, streetscape, scenic viewsheds and the aesthetic character of the area.
2. Compliance with the Town's performance and design standards for landscaping, building coverage and setbacks, building design and height, architectural finishes, walls, fences and utility structures will be required of all development and redevelopment projects.
3. The Town shall maintain and implement design standards which protect scenic viewsheds and enhance community cohesion. Development standards shall address signage, landscaping, setbacks, building facades, vehicular and pedestrian access and related issues.
4. The Town's performance and design standards for lighting shall be maintained and implemented.
5. In addition to being in compliance with the Town's lighting ordinance, supplementary lighting recommendations include:
 - External lighting shall be limited to the minimum height, fewest number and lowest intensity required to provide effective levels of illumination.
 - Every reasonable effort shall be made to reduce spillage, both to protect residential use areas from excessive levels of illumination and to preserve dark skies at nighttime.
 - Elevated lighting, including but not limited to parking lot lighting, shall be full-cutoff fixtures.
 - Lighting fixtures in the vicinity of the airport shall be compatible with airport operations.
6. Overhead utility lines shall be undergrounded to the greatest extent possible through the maintenance of an undergrounding program.
7. The Town shall coordinate with utility providers to assure that utility infrastructure, including water wells, substations and switching/control facilities, are effectively screened to preserve scenic viewsheds and limit visual clutter.
8. Planning and design of residential neighborhoods and street corridors shall provide distinctive and characteristic design elements, such as entry monuments and landscaping, which preserve and enhance viewsheds enjoyed from these areas
9. All development proposed within scenic viewsheds shall be regulated to minimize adverse impacts to views and vistas.

Proposed Project Impacts

- a) Less Than Significant Impact.** A significant impact may occur if the Project introduces incompatible visual elements within a field of view containing a scenic vista or substantially blocks views of a scenic vista. Scenic vistas are generally described in two ways: panoramic views (visual access to a large geographic area, for which the field of view can be wide and extend into the distance) and focal views (visual access to a particular object, scene, or feature of interest).

Lands immediately adjacent to the site are currently vacant. All lands within a mile of the site are designated for industrial or commercial uses in the NAVISP. The nearest occupied structures are the Apple Valley Airport, located approximately 700 feet to the east, and scattered industrial development approximately 0.25 miles to the southwest and 0.65 miles to the north.

Construction of the proposed warehouse would require the use of heavy equipment for grading, paving and excavation. Construction activities would be visible from the surrounding streets and industrial developments; however, impacts from construction are temporary, would involve equipment and building materials up to 50 feet in height erected over time, and would be limited by distance.

From the Project site there are distant views of the upper Turtle and Black Mountains to the north, Fairview Mountain to the northeast, the Granite mountains to the southeast, and San Bernardino mountains to the south. Views to the north, east and south are either diminished by distance or obstructed by intervening development. Lower and upper views of Bell Mountain are unobstructed to the west. Construction of the proposed Project would not obstruct western or northerly views from public vantage points. Travelers on Gustine would experience blockage of the distant views of Granite and San Bernardino mountains to the south and southeast, for a short time, but the views are limited by intervening development and distance under current conditions. Views to the east would be unaffected for travelers on Gustine and Fresno.

Views from the Apple Valley Airport, east of the site, looking west towards the Project site may have views of the lower elevations of Bell Mountain partially obstructed by the Project, but upper views would remain. In addition, the nearest airport structures are located 750 feet east of the Project property line, a distance which would lessen these impacts. Future viewers from the north, west and south looking towards the Project site may experience partially blocked views of the mountains; however, views are already diminished by distance and obstructed by intervening development. Impacts associated with scenic resources will be less than significant, consistent with the conclusions of the GP EIR.

- b) No Impact.** A significant impact would occur only if scenic resources would be damaged and/or removed by development of a project. There are no scenic resources such as trees, rock outcroppings, or historical buildings onsite. There are no existing or proposed state scenic highways within Apple Valley. No impact will occur as result of the Project. There will be no impact to scenic resources, and site-specific impacts will be less than those of the GP EIR, which were identified as less than significant.

- c) Less Than Significant Impact.** The Project is in a largely undeveloped area experiencing scattered industrial urbanization. A significant impact would occur if the Project would substantially degrade the existing visual character or quality of public views of the site and its surroundings. As previously discussed in response to I.a, above, the proposed Project would allow for similar land uses, patterns of development, and range of building heights as currently occur in the Project area, with comparable landscaping, architectural features, and other amenities.

The Project proposes one industrial warehouse building with a maximum building height of 50 feet, with heights ranging from 46 to 49 feet to the top of parapet (Exhibit 5). The proposed Project would allow for similar land uses, patterns of development, and range of building heights as currently occur in the Project area and NAVISP, with comparable landscaping, architectural features, and other amenities. The Project has been designed consistent with the development standards set forth in the NAVISP for Industrial land uses (I-SP) located within Airport Influence Area (A-2), including a maximum building height of 50 feet, 25-foot building setbacks from roadways, 45 percent maximum building coverage, and minimum 10 percent required landscaping.

Therefore, the Project will not degrade the existing visual character or quality of public views, consistent with the conclusions of the GP EIR. Impacts will be less than significant.

- d) Less Than Significant Impact.** A significant impact may occur if the Project introduces new sources of light or glare on or from the project site which would be incompatible with the areas surrounding the Project, or which pose a safety hazard to motorists utilizing adjacent streets or freeways.

The Project site is currently vacant and there is no lighting onsite. No substantial amount of lighting would be expected during construction, because the Town limits construction hours to 7 AM to 7 PM on weekdays and Saturdays.

Build out of the site can be expected to generate increased levels of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the area. The types and sources of lighting under the proposed land use designations would be the same as those anticipated in the GP EIR and NAVISP and would be required to comply with the development standards contained in the NAVISP, as is the case with all projects within its boundaries. The Project is located within the Apple Valley Airport Overlay Zone (A-2) and shall also comply with the exterior lighting requirements set forth in the Town's Municipal Code § 9.65080(C), that states all exterior lighting needs to have sharp cut-off reflectors in which virtually no light leaves the fixture above an angle of about 70 degrees.

Lighting and glare levels are not expected to exceed typical levels for an urban environment and will be regulated by the Town's night sky policies and Municipal Code and NAVISP lighting standards. Impacts associated with light and glare will be less than significant, consistent with the conclusions of the GP EIR.

Mitigation Measures: None Required.

Monitoring: None Required.

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

Sources: Town of Apple Valley General Plan (2009); California Department of Conservation Important Farmland Finder.

Environmental Setting

Although ranching and crop farming formed much of the Town's history, the lack of reliable irrigation water led to a sharp decline in agricultural production followed by increased urbanization. Equestrian activities and animal keeping have largely replaced much of the agricultural activities since the 1960s. The 2009 General Plan Land Use element permits agriculture and ranching in the land use areas of Very Low Density Residential, Low Density Residential, Estate Residential and Estate Residential ¾. The farmlands identified by the California Department of Conservation occur in Single Family Residential, Specific Plan, Public Facilities and Low Density Residential areas. The Project site is designated for industrial uses in the NAVISP, which does not permit agricultural uses.

GP EIR

The 2009 General Plan was anticipated to result in the loss of approximately 100 acres of Farmland of Statewide Importance, as designated by the California Department of Conservation. The acreage occurred in Single Family Residential, Specific Plan, Public Facilities and Low Density Residential land uses and was considered to be marginally, at best, productive agricultural lands. Thus, the impacts of the 2009 General Plan were deemed to be less than significant. Mitigation measures were established by the GP EIR to protect remaining agricultural lands and activities.

2009 Mitigation Measures

In order to protect lands in agricultural and equestrian activities in Town, the GP EIR included the following Mitigation Measures. (GP EIR Section III.B, page III-7 et.seq., Mitigation Measures page III-9 of the GP EIR)

1. The Town's Development Code shall include buffers between Very Low Density, Low Density and Estate Residential land use designations and more intense lands, in order to provide for the preservation or creation of ranching or animal raising activities in the Deep Creek area.
2. The Town shall coordinate with the Department of Conservation, Farmland Mapping and Monitoring Program, to accurately reflect farmed and farmable lands within the Town limits.

Proposed Project Impacts

a-b) No Impacts.

Conversion of farmland: The 40.1-acre Project site occurs in the NAVISP which is designated for industrial land use. Agriculture and forestry uses are not permitted in this area. Furthermore, there are no agriculture or forestry resources in the NAVISP or in the lands surrounding the NAVISP area, and likewise, there are no prime farmlands, unique farmlands, or farmlands of statewide importance within the Project site or vicinity. The California Department of Conservation DLRP Important Farmland Finder labels the Project site and surrounding land as Grazing Land, and the Project site contains sparse creosote scrub vegetation consistent with conditions of the high desert.

Williamson Act: The Project site does not have a Williamson Act contract, nor is the site located adjacent to a parcel having a Williamson Act contract. One Williamson Act contract exists in the Town and is held by the Apple Valley Ranchos Water Company (AVR).

The Project would not convert farmland to non-agricultural use and would not conflict with an existing Williamson Act contract. There would be no impacts.

c-e) No Impacts.

Forest Land: The Town of Apple Valley does not contain any forests or any timberland production zones. The Project site is a vacant, undeveloped parcel that contains creosote scrub vegetation and there are no forest lands or agricultural lands on or around the parcel. Therefore, the Project would not result in the loss of forest land, timberland production, and would not convert agricultural land to non-agricultural uses. There will be no impacts.

Mitigation Measures: None required.

Monitoring: None required.

III. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
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?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Sources: MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (February 2020); Air Quality and Greenhouse Gas Report, Lecangs Dakota Warehouse, Terra Nova Planning & Research, October 2024; California Department of Finance Table E-5 Population and Housing Estimates for Cities, Counties, and the State, 2021-2024; Connect SoCal 2024, Demographics and Growth Forecast Technical Report, Adopted April 4, 2024, Southern California Association of Governments.

Environmental Setting

The Project is located in the Western Mojave Desert region within the Mojave Desert Air Basin (MDAB). The MDAB is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). MDAQMD is responsible for monitoring criteria air pollutant concentrations and establishing management policies for the MDAB. All development within the MDAB, including the proposed Project, is subject to all applicable air quality management plans that establish control strategies and guidance on regional emission reductions for air pollutants, including but not limited to ozone attainment plans and PM₁₀ reduction plans.

Criteria air pollutants are contaminants for which state and federal air quality standards have been established. Depending on whether or not air quality standards are met or exceeded, the Basin is classified as being in “attainment” or “nonattainment.” The West Mojave Desert is designated as being in nonattainment for regional levels of particulate matter (PM₁₀) and ozone (O₃). Under the federal Clean Air Act, the MDAB is designated as being in “moderate” ozone non-attainment.

The MDAQMD has also established construction and operation thresholds for criteria air pollutants, as shown in the table below. If exceeded, these thresholds indicate that a project has significant impacts to air quality.

Table 2
MDAQMD Emissions Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO _x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO _x)	25	137
Particulate Matter (PM ₁₀)	15	82
Fine Particulate Matter (PM _{2.5})	12	65
Hydrogen Sulfide (H ₂ S)	10	54
Lead (Pb)	0.6	3

Source: MDAQMD CEQA Guidelines (February 2020).

GP EIR

The following tables summarizes pollutant emissions generated at build out of the General Plan and Annexation areas, including emissions from the use of consumer products, electricity, and natural gas, and emissions from vehicle exhaust for residential, commercial, office, and industrial land use designations as set forth in the General Plan Land Use Tables.

For buildout of the General Plan, all criteria pollutant thresholds were projected to be exceeded without the application of mitigation measures, as shown in the table below. Although emissions could be mitigated to a certain degree, the GP EIR (GP EIR Section III.C, page III-10 et.seq.) determined that significant and unavoidable impacts to air quality would occur as a result of development of the General Plan. Therefore, as required under CEQA, Findings and a Statement of Overriding Considerations were adopted. Regardless of mitigation measures, development of the General Plan was found to contribute to cumulative air quality impacts locally and regionally.

EIR Table III-16
Projected Daily Emissions: 2009 General Plan Build Out
(lbs./day)

Criteria Pollutant	Stationary Source Emissions			Moving Source Emissions	Total Project Emissions	Threshold Criteria*
	Consumer Products	Power Plant	Natural Gas	All Vehicles	Lbs./Day	Lbs./Day
CO	-	991	1,641	42,503	45,135	548
NO _x	-	5,696	2,492	4,960	13,148	137
SO _x	-	594	0.026	135	729	137
PM ₁₀	-	198	4.61	1,229	1,431	82
PM _{2.5}	-	-	4.61	820	824	55
ROGs	3,333	50	186	5,440	5,676	137
CO ₂	-	-	3,073,667	14,007,469	17,081,136	N/A

Source: Table III-16 of 2009 GP EIR.

*Threshold criteria offered by the Mojave Desert Air Quality Management District for determining the significance of air quality impacts. Source: "CEQA and Federal Conformity Guidelines," MDAQMD, June 2007 and URBEMIS 2007 Version 9.2.4 default emissions.

According to the GP EIR, a wide range of mitigation measures could be applied to new development and redevelopment projects to reduce project-related criteria pollutant and greenhouse gas emissions at General Plan build out, and build out of the Annexation areas. The following Mitigation Measures are from pages III-34 through -39 of the GP EIR. As previously stated, the reductions which these mitigation measures offered could not be effectively quantified. The GP EIR determined that impacts associated with GHG emissions would be significant and unavoidable.

1. Grading and development permits shall be reviewed and conditioned to require the provision of all available methods and technologies to assure minimal air quality emissions from development. See EIR Table III-21 below.

**EIR Table III-21
Available Emission Reduction Technologies**

Diesel Equipment	Daily Emission Reduction Factors				
	CO	NOx	SOx	PM ₁₀	ROG
Aqueous Fuel	0%	14%	0%	63%	0%
Diesel Particle Filter	0%	0%	0%	80%	0%
Cooled Exhaust Gas Recirculation	90%	40%	0%	85%	90%
Lean NOx Catalyst	0%	20%	0%	0%	0%
Diesel Oxidation Catalyst	0%	20%	0%	0%	0%
Worker Trips	CO	NOx	SOx	PM ₁₀	ROG
Use of Shuttle or Ride Sharing	1.3%	1.3%	1.3%	1.3%	1%

Source: Urban Emissions Model (URBEMIS2002) version 8.7.0 April 2005; developed by the California Air Resources Board (CARB) as a modeling tool to assist local public agencies with estimating air quality impacts from land use projects when preparing a CEQA environmental analysis.

2. As part of the grading permit process, developers shall concurrently submit a dust control plan as required by MDAQMD in compliance with Rule 403 (see EIR Table III-22 below).

**EIR Table III-22
Fugitive Dust Control Methods**

Daily PM₁₀ Reduction	
Apply Soil Stabilizers to Inactive Areas	30%
Replace Ground Cover in Disturbed Areas Quickly	15%
Water Exposed Surfaces 2 Times Daily	34%
Water Exposed Surfaces 3 Times Daily	50%

Source: Urban Emissions Model (URBEMIS2002) version 8.7.0, April 2005.

3. Prior to grading activities, a wind erosion control plan that among other things addresses soil stabilization techniques shall be submitted to the Apple Valley Building Division to assure that dust control is realized for all projects.
4. The Town shall conduct an initial study for all projects that are expected to exceed any of the MDAQMD pollutant emission threshold criteria, and shall require detailed air quality analyses for all development applications that have the potential to adversely affect air

quality including quantification of greenhouse gas emissions. Until new factors are developed the use of the CEQA Handbook prepared by SCAQMD or other appropriate modelling tools such as URBAMIS shall be utilized.

5. All construction activities within the Town of Apple Valley shall be subject to Rule 401 Visible Emissions, Rule 402 Nuisance, and Rule 403 Fugitive Dust in accordance with the Mojave Desert Planning Area PM10 Attainment Plan.¹
6. Setbacks and buffer zones shall be provided between sensitive receptors (residences, schools, daycare centers, playgrounds and medical facilities) and point source emitters, such as highways, hazardous materials sites, and industrial development. Projects proposed for sites located within the specified distance to an existing or planned (zoned) sensitive receptor land use shall be evaluated to determine impacts to sensitive receptors including a health risk assessment for the following projects:

Any industrial project within 1000 feet;

A distribution center (40 or more trucks per day) within 1000 feet;

A transportation project with 50,000 or more vehicles per day within 1000 feet;

A dry cleaner using perchloroethylene within 500 feet;

A gasoline dispensing facility within 300 feet.

7. The General Plan Land Use Plan shall be routinely updated to assure that air pollution point sources, such as those described above, are located a sufficient distance residential areas and other sensitive receptors, to the greatest extent practical.
8. The Town shall encourage the phasing of development projects and the staging of construction equipment to assure the lowest construction-related pollutant emission levels practical.
9. The Town shall strive to maintain a balance between housing, commercial, and industrial development, and shall encourage mixed-use development to reduce the length of vehicle trips and associated moving vehicle emissions.
10. The Town shall promote the development of pedestrian-oriented retail centers, community-wide trails, and dedicated bike lanes to encourage alternatives to vehicle travel. These components shall be integrated and periodically updated in the General Plan Circulation Element.
11. The Town shall pursue programs that create a diversified transportation system that minimizes vehicle miles traveled and associated air quality emissions.
12. The Town shall encourage the incorporation of energy-efficient design measures in site plans, including appropriate site orientation to assure solar access, and the use of shade and windbreak trees to enhance the use of alternative energy systems and reduce the need for excessive heating and cooling.
13. The Town shall encourage the use of clean burning energy sources for transportation, heating and cooling. Pilot studies and/or demonstration programs shall be initiated by the Town and/or local agencies to promote these uses. The following programs shall be pursued:
 - Replace Town and County vehicle fleet with alternative vehicles
 - Initiate ride sharing programs for employees and of telecommuter options
 - Utilize Town building rooftops for placement of Solar equipment

¹ "Final Mojave Desert Planning Area Federal Particulate Matter (PM10) Attainment Plan," prepared by the Mojave Desert Air Quality Management District, July 31, 1995.

14. The Town shall continue to develop and coordinate mass transit services that link residential, commercial, shopping and industrial centers, and shall coordinate with regional transportation authorities to facilitate public transport outside Town limits.
15. As requested, the Town shall participate, through the San Bernardino Associated Governments and MDAQMD, in the routine monitoring of all pollutants of regional concern, and shall maintain records of regional air quality trends.
16. The Town shall create staff positions that emphasis the Town's commitment towards building a green and sustainable community including LEED certified personnel and interagency liaisons that work directly with the Town and utility providers to increase efficiency, initiate programs, and develop incentives for water and energy conservation and reducing air quality emissions.
17. The Town shall coordinate with MDAQMD and the nearby SCAQMD in providing air quality management training to staff and volunteers.
18. The Town shall review individual projects under CEQA using the control efficiencies provided on pages 11-13 through 11-32 of the 1993 SCAQMD "CEQA Air Quality Handbook" to determine the effectiveness of proposed air quality mitigation measures for specific projects.
19. A PM₁₀ Management Plan for construction operations shall be submitted with all development proposal applications. Plans shall include dust management controls, which can reduce PM emission as shown in the table below:

**EIR Table III-23
Particulate Matter Emission Reduction Techniques**

Mitigation Measure	Daily Reduction Factor for PM ₁₀
Apply non-toxic soil stabilizers to graded construction areas that are inactive for 10 days or more	30-65%
Replace ground cover immediately through seeding and watering	15-49%
Enclose, cover, water twice daily or apply soil binders to exposed piles with more than 5% silt content	30-74%
Water active site at least twice a day	34-68%
Water active site at least three times daily	45-85%
Cover soil haul trucks or maintain at least two feet of freeboard	7-14%
Conduct street sweeps at the end of each day	25-60%
Install wheel washers where vehicles enter and exist unpaved roads or wash off equipment leaving the site	40-70%
Enforce maximum speeds of less than 15 mph on all unpaved roads	40-70%
Pave construction roads that have more than 50 daily construction equipment trips or 150 total daily trips	92.5%
Pave construction site access roads at least 100 feet on to the site from the main road	92.5%
Pave construction roads that have less than 50 daily trips	92.5%
Source: "CEQA Air Quality Handbook," prepared by SCAQMD, 1993.	

20. To reduce construction-related traffic congestion, developers and contractors shall implement the following mitigation measures:
 - configure construction equipment parking to minimize traffic disturbance
 - minimize obstruction of through-traffic lanes
 - provide a flag person to ensure safety at construction sites, as necessary
 - schedule operations affecting roadways for off-peak traffic hours
 - provide rideshare incentives to construction personnel
21. To minimize construction equipment emissions, developers shall implement the following measures:
 - wash off trucks leaving the site
 - require trucks to maintain two feet of freeboard
 - properly tune and maintain construction equipment
 - use low sulfur fuel for construction equipment
22. To minimize indirect-source emissions, developers may:
 - implement energy conservation measures beyond state and local requirements
 - install low-polluting, high-efficiency appliances
 - install solar pool and water heaters, where feasible
 - landscape with appropriate drought-tolerant species to reduce water consumption and provide passive solar benefits
 - install energy-efficient street lighting
23. To minimize building energy consumption, developers shall be encouraged to implement the following:
 - improve the thermal integrity of buildings
 - utilize window glazing, wall insulation, and efficient ventilation methods
 - introduce efficient heating and appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units
 - incorporate appropriate passive solar design and solar heaters
 - use devices that minimize the combustion of fossil fuels

Proposed Project Impacts

A Project-specific air quality report was prepared for the proposed Project, and is provided in Appendix A². The following summarizes the findings of this report.

- a) Less Than Significant Impact.** According to the MDAQMD CEQA Guidelines, a project is considered non-conforming if it conflicts with or may delay the implementation of any applicable attainment or maintenance plan. According to the guidelines, a project is considered conforming if it “complies with all proposed control measures that are not yet adopted from the applicable plan(s) and is consistent with the growth forecasts in the applicable plan(s).”

The MDAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, and local governments, and cooperates actively with all state and federal government agencies. SCAG adopted the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (2024 RTP/SCS) to comply with metropolitan planning organization (MPO) requirements under the

² “Air Quality and Greenhouse Gas Report, Lecangs Dakota Warehouse,” prepared by Terra Nova Planning & Research, October 2024.

Sustainable Communities and Climate Protection Act. The Growth Management chapter of the RTP/SCS forms the basis of land use and transportation controls of air quality plans. The 2024 SCAG RTP/SCS forecasts that by 2050, the Town of Apple Valley will have 38,700 households. According to the California Department of Finance, the Town has an average household size of 2.83 persons.³ Therefore, the Town is projected to have a 2050 population of 109,521 persons. According to the Town's General Plan, Apple Valley has the potential to accommodate 31,716 additional dwelling units and 96,829 additional residents in the Town boundaries through buildout of the General Plan.

MDAQMD states that conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. The Project site located in the NAVISP planning area and is designated as Industrial – Specific Plan, which allows for “a broad range of clean manufacturing and warehousing uses... [including] warehouse distribution facilities.” The Project, which proposes the development of a warehouse distribution facility, is consistent with the land use and zoning designation established in the NAVISP and will comply with the policies and regulations applicable to this designation. According to the MDAQMD CEQA Guidelines, given that the Project is consistent with the land use plan used to generate the growth forecast, it can be assumed that the Project is conforms with the growth forecast itself.

The MDAQMD CEQA Guidelines also state that a project is considered conforming if it complies with all proposed control measures. According to the Apple Valley General Plan, the Town is subject to the provisions of the MDAQMD Rule Book, which establishes policies and other measures designed to help the District reach federal and state attainment standards. In accordance with the Town's policies, the proposed Project shall comply with the provisions of the MDAQMD Rule Book. These actions include the implementation of fugitive dust control measures (Rule 403) and the use of low VOC content architectural coatings (Rule 1113). Furthermore, the Project will be subject to Rule 201, which requires a permit from the Air Pollution Control Office prior to any construction activities, and Rule XIII, which requires preconstruction review of all new facilities to ensure they don't interfere with the attainment and maintenance of ambient air quality standards. Compliance with the MDAQMD's requirements will ensure that the Project does not conflict with applicable air quality plans. Impacts would be less than significant.

It should be noted that the GP EIR quantified maximum daily emissions for buildout of the General Plan and found impacts from criteria pollutants to be significant and unavoidable, and mitigation measures were provided requiring project-level air quality analysis to determine if future development project impacts would be managed and mitigated accordingly on a case-by-case basis. A project-level air quality and greenhouse gas analysis was prepared for the Project that found impacts to be less than significant. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the certified EIR.

³ State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State-January 1, 2021-2024. Sacramento, California

b) Less Than Significant Impact. A project is considered to have significant impacts if there is a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. The West Mojave Desert is designated as being in nonattainment for regional levels of particulate matter (PM₁₀) and ozone (O₃). Therefore, if the Project's construction and/or operational emissions exceed MDAQMD thresholds for PM₁₀ and ozone precursors, which include carbon monoxide (CO), nitrous oxides (NO_x), and volatile/reactive organic compounds/gases (VOC or ROG), then impacts would be cumulatively considerable and significant.

The California Emissions Estimator Model (CalEEMod) Version 2022.1) was used to project air quality emissions that will be generated by the proposed Project (Appendix A). Criteria air pollutants will be released during both the construction and operational phases of the Project, as shown in Tables 3 and 4. Table 3 summarizes short-term construction-related emissions, and Table 4 summarizes ongoing emissions generated during operation.

Construction Emissions

Project buildout is anticipated to take 18 months with a 2026/2027 buildout. The construction period includes all aspects of Project development, including site preparation, grading, paving, building construction, and application of architectural coatings.

As shown in Table 3, emissions generated by construction activities will not exceed MDAQMD thresholds for any criteria pollutant. It is anticipated that materials will balance on site during grading, however for analysis purposes it is assumed that up to 10,000 cubic yards (CY) of dirt/soil material may be exported per the Project engineers. Applicable standard requirements and best management practices include, but are not limited to, the implementation of fugitive dust control measures (Rule 403) and the use of low VOC content architectural coatings (Rule 1113).

**Table 3
Maximum Daily Construction-Related Emissions Summary
(pounds per day)**

Construction Emissions¹	CO	NO_x	ROG	SO₂	PM₁₀	PM_{2.5}
Daily Maximum	45.7	31.9	50.2	0.07	9.26	5.25
SCAQMD Thresholds	548	137	137	137	82	65
Exceeds?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.1.28 (output tables provided in Appendix A).

Given that criteria pollutant thresholds will not be exceeded, and standard best management practices, including Rule 403 relating to fugitive dust management and Rule 1113 relating to the use of low VOC paints, will be applied during construction, impacts will be less than significant.

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the Project. They include area source emissions, emissions from energy demand (electricity), and mobile source (vehicle) emissions.

According to the Project traffic impact analysis (Appendix H), the Project will generate approximately 401 daily long haul truck trips and 934 daily passenger vehicle trips (see Section XVII, Transportation). Assuming that warehouse developments generate longer truck trips associated with product delivery/distribution, trip lengths for long-haul truck trips assumed a 40-mile trip length derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.⁴

Table 4 summarizes projected emissions during operation of the Project at build out. As shown, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants for operations. Impacts will be less than significant.

Table 4
Maximum Daily Operational-Related Emissions Summary
(pounds per day)

Operational Emissions¹	CO	NO_x	ROG	SO₂	PM₁₀	PM_{2.5}
Daily Maximum	79.2	47.9	22.6	0.57	25.8	7.57
SCAQMD Thresholds	548	137	137	137	82	65
Exceeds?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.1.28 (output tables provided in Appendix A).

Cumulative Contribution

A significant impact could occur if the Project would make a considerable cumulative contribution to federal or state non-attainment pollutants. As previously described, the West Mojave Desert portion of the Mojave Desert Air Basin is a designated non-attainment region for PM₁₀ and ozone. Any development resulting in emissions of PM₁₀, ozone, or ozone precursors will, to some extent, contribute to the existing regional non-attainment.

The MDAQMD does not currently provide thresholds of significance for the cumulative emissions of multiple projects. A project's potential cumulative contributions can instead be analyzed using the criteria for project-specific impacts, assuming that if an individual development generates less than significant construction and operational emissions, then it would not generate a cumulatively considerable increase in non-attainment criteria pollutants.

The Project is located in a non-attainment area for PM₁₀ as well as ozone, for which precursors include CO, NO_x, and ROG. As shown in Tables 3 and 4, Project emissions will fall below threshold of what MDAQMD considers to be cumulatively considerable.

⁴ South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.

Emissions of PM₁₀, CO, NO_x and ROG related to the Project are also projected to be below the MDAQMD thresholds.

Standard best practices will be applied during construction, including dust control measures in accordance with MDAQMD Rule 403, as well as the use of low VOC content architectural coatings per MDAQMD Rule 1113. Therefore, while the Project will contribute to incremental increases in emissions, the impacts on regional PM₁₀ and ozone levels are not anticipated to be cumulatively considerable.

Summary

As shown above, both construction and operation of the Project will result in criteria emissions below the MDAQMD significance thresholds, and neither would violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to construction and operation will be less than significant and are not cumulatively considerable from a non-attainment standpoint.

The GP EIR quantified maximum daily emissions for buildout of the General Plan and found impacts from criteria pollutants and greenhouse gas emissions to be significant and unavoidable, and mitigation measures were provided requiring project-level air quality analysis to determine if future development project impacts would be managed and mitigated accordingly on a case-by-case basis. A project-level air quality and greenhouse gas analysis was prepared for the Project that found impacts to be less than significant. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the certified EIR.

- c) Less Than Significant Impact.** The MDAQMD considers residences, schools, daycare centers, playground, and medical facilities as sensitive receptor land uses. According to the MDAQMD CEQA Guidelines, certain project types on sites within a specified distance of a sensitive receptor must be evaluated using significance threshold criteria number 4:

(4) [A project is significant if it] *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 threshold distances that specific project types must be from sensitive receptors, as specified by the MDAQMA, are as follows:

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicle per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.⁵

The proposed Project is considered an industrial land use and proposes a warehouse distribution center with more than 40 truck trips projected per day. The Project is located

⁵ MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (February 2020).

within the North Apple Valley Industrial Specific Plan area and is not within 1,000 feet of any sensitive receptor land uses. The nearest sensitive receptor land uses are scattered residences located approximately 0.87 miles (4,614 feet) south of the Project site.

Given that the Project is well beyond the specified distance from any sensitive receptor land uses, it does not need to be evaluated using significance criteria number 4, stated above.

Health Impacts

According to the MDAQMD CEQA Guidelines, the District does not currently have a methodology to correlate the expected air quality emissions of a project to the likely health consequences of those emissions consistently and meaningfully.⁶ With the technology available today, there are several factors that make it scientifically impossible to calculate the degree to which an individual's health would be impacted by exposure to various levels of criteria pollutant emissions:

- Differing medical histories mean that not all individuals would be affected equally. Some individuals may have medical pre-dispositions, and diet and exercise levels vary across a population.
- Due to the dispersing nature of pollutants, it is difficult to locate and identify which individuals will be impacted, either directly or indirectly.
- There are currently no agreed upon methodologies or studies upon which to base assumptions, such as baseline health levels or emissions level-to-health risk ratios.

While the District, and the field of study in general, do not have methodologies available to analyze the specific health consequences of a project's emissions, MDAQMD does recommend using of tools such as CalEEMod for the purposes of project evaluation.

Given these limitations, the extent to which the proposed Project poses a health risk is uncertain, but unavoidable. However, the results of the CalEEMod projections indicate that the Project's emissions are below the MDAQMD thresholds, and the application of the MDAQMD sensitive receptor guidelines also indicate that the Project is not within the threshold distance. Based on these findings, it is therefore anticipated that the Project's impacts and associated health effects resulting from criteria pollutants will overall be less than significant.

- d) Less Than Significant Impact.** Land uses which are likely to generate odors, other than agricultural operations which are exempted, include chemical plants, composting operations, dairies, fiberglass molding, landfills, refineries, rail yards, and wastewater treatment plants.

The Project proposes the development of a distribution warehouse facility, which will not include any industrial production or processing activity onsite. While the proposed warehouse may produce some odors, it is not anticipated to produce any objectionable odors long term. While some odors may be generated on site during the construction process, their production will be short term. Any odors generated on site during

⁶ Ibid.

construction or operations are expected to disperse quickly with distances. In addition, there are no sensitive receptors in the immediate vicinity of the proposed Project that would be impacted by any nuisance related to odors. As such, impacts from objectionable odors are expected to be less than significant.

Mitigation Measures: None Required.

Monitoring: None Required.

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

Sources: "Biological Resources Assessment; Dakota and Fresno Road Project," WSP USA Environment and Infrastructure, Inc., September 6, 2024; "Jurisdictional Assessment of Wetlands and Waters Dakota Road Project," WSP, August 2, 2024; Notice of Preparation of an Environmental Impact Report for the Apple Valley Multispecies Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP), April 2, 2021; Town of Apple Valley General Plan Environmental Impact Report, August 11, 2009. Bird Nests, US Fish and Wildlife Service, accessed July 2024.

Environmental Setting

The Town of Apple Valley is one of four cities clustered within the Victor Valley region which is located just north of the San Bernardino National Forest. The Victor Valley lies within a high desert region known as the Mojave Desert Basin and Range Ecoregion. The ecoregion is characterized

by climate extremes, which can be witnessed most fully in Death Valley National Park, where summer temperatures exceed 120 degrees Fahrenheit and annual rainfall can be less than two inches. The Town sits within the southern edge of the Mojave Desert Basin at an elevation of 2,917 feet and experiences a milder desert climate with an average rainfall between six and seven inches, and average temperatures ranging from a low of 30 degrees Fahrenheit in the winter to a high of 98 degrees Fahrenheit in the summer. Creosote scrub is the dominate plant community of the lower elevations of the Mojave Desert Basin and Range Ecoregion which includes the Town of Apple Valley.

The Project site consists of 40.1 acres of vacant undeveloped land in the north section of the Town that is designated as the North Apple Valley Industrial Specific Plan (NAVISP), and has a land use designation of Industrial (I-SP). Aside from two larger distribution centers north of the proposed Project and the Apple Valley Airport, the NAVISP encompasses a combination of rural and urbanizing land, and the Project site is immediately surrounded by vacant and undeveloped parcels. To the east approximately 0.4 miles lies the Apple Valley Airport runway, which puts the Project site within the Town's Airport Overlay Zone (A-2).

Throughout the Project site, the dominant vegetation community is the creosote scrub community, but extensive groundcover consists of non-native grasses. During the Project site survey, the biologists noted signs of disturbance such as tire tracks from off-road vehicle use and debris that had been dumped on the site. No endangered or special status species were observed on the Project site during the site survey.

Multispecies Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP)

The Town of Apple Valley and the County of San Bernardino are collaborating with the California Department of Fish and Wildlife (CDFW) and the Bureau of Land Management (BLM) on the development of a Multiple Species Habitat Conservation Plan (MSHCP) and a Natural Community Conservation Plan (NCCP) which will guide landscape-level conservation efforts for the Town and adjacent County lands. The MSHCP is authorized by the federal Endangered Species Act while the NCCP is authorized by the California Endangered Species Act. For a period of 30 years, this multi-agency document would provide incidental take permits of covered species for authorized development in addition to requiring mitigation measures to minimize and offset potential impacts from development activities.⁷

Town of Apple Valley Plant Protection and Management Ordinance

Per the Town's Plant Protection and Management ordinance (§9.76.010-040) a removal permit is required for the removal of native trees and plants that are listed in the code: smoketree (*Dalea spinosa*), Mojave yucca (*Yucca schidigera*), Lords candle (*Yucca whipplei*), barrel cactus (*Ferocactus acanthodes*), all species of mesquites (*Prosopis*), creosote (*Larrea tridentata*) rings ten feet or wider in diameter, and Joshua tree species (*Yucca brevifolia* and *Yucca brevifolia jaegeriana*).

West Mojave Habitat Conservation Plan and Conservation Banking Program (West Mojave Plan)

In 2004 the Bureau of Land Management developed the West Mojave Plan as an amendment to the prior Desert Conservation Area Plan. The purpose was to establish conservation strategies for the desert tortoise, the Mojave ground squirrel, and 100+ other sensitive plant and animal

⁷ Notice of Preparation of an Environmental Impact Report for the Apple Valley Multispecies Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP), April 2, 2021.

species throughout the 9,359,070-acre planning area that extends across much of San Bernardino County and into eastern parts of Los Angeles County and Kern County, southern Inyo County and a small portion of northern Riverside County.

GP EIR

Analysis of potential impacts to biological resources in the General Plan included literature reviews of various records and databases, a review of the Town's draft Multiple Species Habitat Conservation Plan, a review of the West Mojave Habitat Conservation Plan and Conservation Banking Program, and a field survey of the Town conducted by a qualified biologist. The research affirmed that the Town hosts nine natural communities within which a variety of both common and sensitive plants, invertebrates, amphibians, reptiles, birds and mammals occur. The NAVISP area, where the proposed Project is sited, is dominated by the creosote bush scrub natural community and the saltbush scrub community is found in the southern portion.

General Plan Impacts to Sensitive Species

Several sensitive species would be significantly impacted by the General Plan buildout without the implementation of recommended mitigation measures.

Three plant species:

- Desert Cymopterus
- Southern Skullcap
- Booth's Evening Primrose

Two invertebrates:

- San Emigdio Butterfly
- Victorville Shoulderband snail

Four amphibians and reptiles:

- California Red-legged Frog
- Common Chuckwalla
- Western Pond Turtle
- Desert Tortoise (associated with creosote scrub habitat)

Fourteen birds

- Swainson's Hawk
- Golden Eagle
- Cooper's Hawk
- Burrowing Owl
- Prairie Falcon
- California Condor
- Loggerhead Shrike
- Bendire's Thrasher
- Least Bell's Vireo
- LeConte's Thrasher
- California Thrasher
- Southwestern Willow Flycatcher
- Lawrence's Goldfinch
- Costa's Hummingbird

Four mammals:

- Mojave River Mole
- Pallid San Diego Pocket Mouse
- Hoary Bat
- Mojave Ground Squirrel

General Plan Impacts to Riparian Habitats, Wetlands, and Sensitive Natural Communities

Several riparian areas and sensitive native communities were identified throughout the Town and were anticipated to potentially be significantly impacted without the implementation of protective mitigation measures. The General Plan designation of Open Space land use of certain sensitive areas would help ensure the long-term preservation of such areas. Protection of the Mojave River area would also reduce impacts to wildlife movement and nursery sites as the river is a critical biological resource area for many species traveling through the high desert region.

Riparian Areas:

- Mojave River (includes associated wetlands)
- Knolls Wash
- Bell Mountain Wash

Sensitive Native Communities:

- Mojave Riparian Forest
- Joshua Tree Woodland
- Native communities associated with dry washes and streambeds

GP EIR Mitigation Measures

The following Mitigation Measures are from pages III-68 - 71 of the GP EIR. Continued participation in local and regional plans and policies relating to the protection of biological resources would help to reduce General Plan build out impacts. The mitigation measures below outline an a variety of such tactics and additional tactics to reduce impacts to less than significant.

1. (a) The Town shall aid the County of San Bernardino and other participating federal, state, and local agencies in the preparation of a private lands counterpart to the West Mojave Habitat Conservation Plan.
(b) The Town shall participate in the provision of biological resources data and/or surveys relevant to open space areas within its jurisdiction and sphere of influence that may have biological resources value and shall participate in the preparation of a Habitat Conservation Plan that addresses the needs of the Town with regard to regional biological resources.
(c) If a Habitat Conservation Plan is formulated by the participating federal, state, and local agencies that allows for the conservation of biological resources, the Town shall implement it.
2. The Town shall complete the preparation of the Apple Valley MSHCP, in conjunction with the California Department of Fish & Game ("CDFG") and the U.S. Fish and Wildlife Service ("USFWS"). Upon the completion of the MSHCP to the satisfaction of all three parties, the Town shall proceed to implement it according to its terms and the authorization for take of special status species granted by CDFG and USFWS.

3. (a) The Town shall require that biological resources evaluations be performed prior to development actions, including site-specific surveys utilizing specified survey parameters as required for all special status species in identified habitat areas, and especially within or adjacent to linkage corridors or special survey areas and potential jurisdictional areas.
(b) As required by CEQA, if biological resources are present that would be significantly impacted by a project, mitigation shall be imposed on the project to reduce the impact to a level of less than significant, to the extent feasible.
(c) At the General Plan-level, it is not practical to formulate or list the entire range of specific mitigation measures that can be required for individual projects. Therefore, this identification can only be done at the project-level, based on the Town's judgment of the individual circumstances of the project before it as a lead agency under CEQA. However, it can be generally stated that the Town shall require mitigation pursuant to species- or resource-specific protocols established by CDFG, USFWS, and/or the U.S. Army Corps of Engineers. The Town can also require, as appropriate, transplantation or seed collection programs, trapping and removal of wildlife, preservation of offsite habitat, recreation of habitat, or participation in a mitigation bank.
4. The Town shall ensure that land actions require site-specific nest surveys for the presence of migratory birds in accordance with established protocols and requirements of the Migratory Bird Treaty Act, prior to site disturbance. If protected migratory birds and/or raptors are found to be nesting onsite, construction activities will not be allowed within a radius of the nest determined by a qualified biologist, until the young have fledged and left the nest.
5. Biological surveys for Burrowing Owls and Prairie Falcons shall be performed for any site proposed for development wherever sufficient open space and suitable habitat is present. Coordination with California Department of Fish and Game is required when survey results are positive.
6. Biological surveys for bats shall be performed prior to disturbance on projects involving reconstruction of bridges, demolition of abandoned buildings, and/or have the potential to contain old mines, in order to determine if significant roosts are present. If roosts are present, projects shall comply with applicable protocols of the Department of Fish and Game or US Wildlife Service, and the recommendations of qualified biologists.
7. The Town shall utilize land use designations that provide for Open Space in order to protect viable habitat within the Town. On lands not already designated as Open Space where viable habitat occurs, such lands shall be considered for an open space land use designation as appropriate. Open Space lands shall be managed as warranted for the preservation and protection of their biological and natural resources.
8. The Town shall retain the Open Space designation along the Mojave River to ensure that important riparian habitat and linkages are conserved.
9. To conserve the natural state of existing hillsides and slopes, land greater than 15% slope shall not be built upon and shall be used as open space.
10. Open space land shall be protected in perpetuity.
11. Development proposals adjacent to open space lands shall provide buffers and linkages to maintain natural resource values.
12. Groundwater shall be conserved to reduce overdraft and retain or increase the depth of the water table along the Mojave River, which will help to preserve and restore plant communities within and adjacent to the waterway.
13. Development projects proposing to alter or impact major drainages (blueline streams) including ephemeral streams, shall consult with the appropriate state and/or federal

regulatory agency. Such alteration may require permits from the U.S. Army Corps of Engineers, Lahonton Regional Water Quality Control Board, and/or the California Department of Fish and Game. Compliance with such permits will ensure that impacts to riparian habitat are mitigated by either restoration or replacement, and that impacts to water quality are avoided by compliance with Section 401 of the Clean Water Act requirements.

14. The Town shall promote the use of native vegetation for landscaping to enhance and create viable habitat for local species. The Town shall periodically update a comprehensive list of plant materials that are complementary with the local environment. This list shall include native and non-native, drought tolerant trees, shrubs and groundcover. The Town shall also maintain a list of prohibited plant materials. Both lists shall be made available to developers and residents. The use of native vegetation in project submissions shall be given preference over water-intensive landscaping during project design review.
15. The Town shall require developers to recover, preserve, or utilize native vegetation within their project or shall require that viable vegetation is transplanted to other appropriate sites in conformance with its Native Plant Ordinance. The Town shall make information on salvaging and transplanting native species available to developers.
16. The Town shall provide and maintain a comprehensive interconnected recreational trail system suitable for bicycles, equestrians and/or pedestrians. This will encourage the reduction of vehicle miles traveled and also provide corridors for animal migration between habitat areas. The Town shall encourage multiple use corridors through the drainage channels and utility easements, thereby encouraging the connectivity of natural communities.
17. The Town shall continue to promote biodiversity by protecting natural communities with high habitat value, protecting habitat linkages to prevent further fragmentation, and encouraging an appreciation for the natural environment and bio resources.

Proposed Project Impacts

The following analysis is based on the Biological Resources Assessment for the Project site prepared by WSP USA Environment and Infrastructure, Inc. (Appendix B). The Assessment includes an exhaustive literature review and records search to ascertain whether any special status species occur on the Project site and within the Project vicinity, a five-mile radius of the Project site. The Biological Resources Assessment also includes a pedestrian site survey, and an evaluation of jurisdictional waters and wetlands conducted on July 3, 2024. Finally, the Assessment provides analysis of the ability of the Project site to act as a wildlife corridor. A copy of the Biological Resources Assessment is attached as Appendix B, and a copy of the Jurisdictional Assessment of Wetlands and Waters is attached as Appendix C.

- a) **Less Than Significant with Mitigation Incorporated.** The Project site does not contain any critical habitat designated for listed species. The nearest official critical habitat designation, targeted for the desert tortoise, occurs 15 miles northeast.

The site survey found that the dominant shrub present is creosote bush (*Larrea tridentata*). Other native shrub species include Nevada ephedra (*Ephedra nevadensis*), rubber rabbit bush (*Ericameria nauseosa*), and Anderson thornbush (*Lycium andersonii*). Non-native annual species observed include red brome (*Bromus rubens*), red stemmed filaree

(*Erodium cicutarium*), old han schismus (*Schismus barbatus*), and cheatgrass (*Bromus tectorum*). Wildlife identified during the field survey included species common to southern California deserts, including Brewer's sparrow (*Spizella breweri*), Great Basin whiptail (*Aspidoscelis tigris tigris*), and black-tailed jackrabbit (*Lepus californicus*).

The site survey yielded a list of native and non-native plant and animal species that were observed on the site (see Table 5 below for the full list). However, because a one-time site survey is limited in its ability to take a full account of a location's biological resources, the literature review revealed a more extensive list of native species that are known to have occurred within in the Project vicinity, a five-mile radius around the Project site. Altogether, the research generated a list of 30 special status species that are known from the Project vicinity.

**Table 5
Species Observed**

Plant Species Observed	Vertebrate Species Observed
Sunflower Family (<i>Asteraceae</i>) • Annual bur-sage (<i>Ambrosia acanthicarpa</i>) • Cobweb thistle (<i>Cirsium occidentale</i>) • Rubber rabbitbush (<i>Ericameria nauseosa</i>)	Reptiles (Squamata) • Great Basin whiptail (<i>Aspidoscelis tigris tigris</i>)
Mustard Family (<i>Brassicaceae</i>) • Shortpod mustard (<i>Hirschfeldia incana</i>) • Perennial pepperweed (<i>Lepidium latifolium</i>)	Birds (Passerines) • Brewer's sparrow (<i>Spizella breweri</i>)
Cactus Family (<i>Cactaceae</i>) • Branched pencil cholla (<i>Cylindropuntia ramosissima</i>)	Mammals (Lagomorphs) • Black-tailed jackrabbit (<i>Lepus californicus</i>)
Spurge Family (<i>Commelinaceae</i>) • Croton setiger	
Ephedra Family (<i>Ephedraceae</i>) • Nevada ephedra (<i>Ephedra nevadensis</i>)	
Spurge Family (<i>Euphorbiaceae</i>) • Euphorbia maculatum*	
Geraniaceae Legume Family • Red stemmed stork bill (<i>Erodium cicutarium</i>)*	
Malvaceae Mallow Family • Desert globemallow	
Onagraceae Primrose Family Brown-eyed primrose (<i>Camissonia claviformis</i>)	
Polemoniaceae Phlox Family	

**Table 5
Species Observed**

Plant Species Observed	Vertebrate Species Observed
<ul style="list-style-type: none"> • Sapphire woollystar (<i>Eriastrum sapphirinum</i>) 	
Solanaceae Nightshade Family Anderson boxthorn (<i>Lycium andersonii</i>)	
Zygophyllaceae Caltrop Family • Creosote bush (<i>Larrea tridentata</i>)	
Poaceae Grass Family • Red brome (<i>Bromus rubens</i>)* • Cheatgrass (<i>Bromus tectorum</i>)* • Old han schusmus (<i>Schismus barbatus</i>)*	
Key: * = non-native species	

Plants

Of the thirteen special status plant species known to occur in the Project vicinity, only eight have the potential to occur on the Project site due to habitat suitability, although none were observed during the July 2024 site survey. These species include: white pygmy poppy, desert cymopterus, Mojave monkeyflower, Barstow woolly sunflower, solitary blazing star, beaver dam breadroot, and Mojave fish-hook cactus. Absence from the Project site during the site survey does not preclude the species from occurring there as most of these plants do not bloom in July. However, the site is extensively covered in non-native grasses and has been disturbed by off-road vehicles, which reduces their potential to occur. None of these species are listed as endangered federally or by the state. Impacts of the Project would not significantly impact the populations of these plants.

Wildlife

Research for the Project site and vicinity determined that sixteen special status wildlife species are known to occur or have occurred in the area. Although none were observed during the Project site survey, several of these species could potentially move through, forage, or nest in the Project site.

Insects

Two special status insects include the Crotch bumblebee and the monarch butterfly. Crotch bumblebee was recently listed by CDFW as a candidate species for listing. The species tends to be very active in the spring and relies on a variety of flowering plants, which are not as available during the summer months. While there is low probability that Crotch bumblebee would nest on the Project site, it could move through and forage on the Project site, and to avoid impacts to the species should construction occur during the spring months, a preconstruction survey for bumblebees conducted by a qualified biologist is provided to reduce potential impacts to the species (see Mitigation Measure BIO-1). The monarch butterfly is a candidate for federal listing, and the main threat is the lack of native milkweed plants. Since there were no milkweeds observed on the Project site, there is low probability that monarch butterflies would occur on the Project site, the Project would have a less than significant impact on monarch butterfly populations.

Desert Tortoise

The desert tortoise is found throughout the Mojave Desert in a variety of habitats such as desert scrub (particularly creosote scrub), desert wash, alluvial fans, rocky hillsides, and Joshua tree forests. The species is a federal and state listed threatened species and is also protected by the MSHCP/NCCP. Incidental take permits are not issued for desert tortoises. Neither any desert tortoises nor signs of tortoises inhabiting the Project site such as burrows, scat, rainwater catchment depressions, or mating circles were detected during the site survey. However, two past recorded observations of desert tortoises from 1990 occurred within three miles of the Project site. A pre-construction survey will assure that the species does not move onto the site prior to the initiation of construction. Should a desert tortoise move onto the Project site, the US Fish and Wildlife Service and the CDFW will be consulted, as provided in Mitigation Measure BIO-4.

Birds

Seven special status bird species may occur or forage on the Project site including golden eagle, burrowing owl, Swainson's hawk, Costa's hummingbird, prairie falcon, loggerhead shrike and Le Conte's thrasher. All species but the Costa's hummingbird are covered by the MSHCP/NCCP. The golden eagle, Swainson's hawk, and prairie falcon are not known to nest on the Project site due to the lack of suitable nesting sites, but if they are present during construction, they should be avoided. Costa's hummingbird, loggerhead shrike, and Le Conte's thrasher could potentially nest on the Project site, therefore, per the Migratory Bird Treaty Act and State Fish and Game Code, mitigation measure BIO-2, which requires a pre-construction survey for nesting birds, must be applied to ensure there are no impacts to nesting birds.

Burrowing Owl

The burrowing owl requires additional actions for protection from impacts due to its ground nesting and roosting behavior which increases its vulnerability to development and therefore receives protection under the federal Migratory Bird Treaty Act (MBTA) and the state Fish and Game Commission (FGC). The Project site survey found that there were no suitable burrows on the site, no signs of burrowing owl on the parcel, and the nearest observation was made in 2007 about one mile away. Although no further surveys are required, BIO-2, which requires pre-construction surveys for nesting birds, would also identify burrowing owl, should they move onto the site. Implementation of this mitigation measure will assure that impacts to the species are reduced to less than significant levels.

Mammals

Two mammal species are known to have occurred in the Project vicinity but were not detected on the Project site during the site survey: desert kit fox and Mojave ground squirrel. According to the Biological Resources Assessment (Appendix B), the Mojave ground squirrel is presumed to be extirpated from the Project vicinity, and the Project site is not located in or near the current known range of the species, therefore no further actions are required to reduce potential impacts to the Mojave ground squirrel. The desert kit fox is covered by the MSHCP/NCCP although it is not a state-designated special status species. Although there were not kit foxes observed on the Project site, if a den is noted prior to construction, the CDFW and/or the Town must be notified as described in Mitigation Measure BIO-3. Implementation of the measure will reduce impacts to the species to less than significant levels.

Summary

The plant and animal species that were observed on the Project site are commonly found within California deserts and are not designated as candidate, sensitive, or special status species in local or regional policies and regulations, or by the CDFW or USFWS. Implementation of the recommended mitigation measures described below would reduce Project impacts to potentially occurring special status species to less than significant levels.

The proposed Project will result in impacts to biological resources which are equivalent to those identified in the GP EIR. Mitigation measures proposed for the Project are consistent with the findings of the GP EIR and would have been imposed on the Project as they were recommended in the GP EIR. No changes to the environment that result in any new or more significant impacts would result from development of the proposed Project.

- b, c) No Impact.** The Project site does not contain any sensitive natural community. Throughout the Project parcel, creosote scrub vegetation is dominant, and is not considered to be a sensitive community. Moreover, the creosote vegetation on the site has been disturbed and is invaded by non-native grasses. There would be no impacts on sensitive natural communities.

A jurisdictional delineation was conducted for the Project site, and is provided in Appendix C. Although the National Wetland Inventory indicates that remnant riverine features may occur on the Project site and aerial photos show possible signs of washes, the site survey and jurisdictional delineation revealed that wetland features such as riparian vegetation, hydric plants and soils, and defined bed and bank features from episodic flooding do not occur on the Project site.

The soils on the site consist of the Helendale series with very deep, well drained soils that formed in alluvium from granitoid rocks. The two riverine features mapped within the project site in the National Wetland Inventory are areas of bare soil and appeared to be washes from an aerial view. After field investigation, no OHWM or evidence of any recent flows were observed. Soil pits were dug at several locations and indicated that there were no observable differences in soil profile or texture from the upland slopes and the bottom of the hill contour and no indicators of hydric soils. There was no difference in surface soil texture or sorting. No wetland indicator or hydric plants were observed associated with the features. In several locations, annual grasses were growing in the bottom of the features which also indicates a lack of flow. It was determined that the stream-like features had resulted from upland erosion and do not meet the requirements to be considered jurisdictional waters. No wetlands, marshes, vernal pools, or other riparian habitats occur on the Project site. Therefore, the Project will not impact any such natural community.

- d) No Impact.** The site occurs adjacent to the Apple Valley Airport, which provides an effective barrier for wildlife corridors, and this Project site is not considered to be a wildlife corridor. The proposed Project would not impede the movement of native wildlife species or interfere with wildlife nursery sites. The Project would not result in any impacts to resident or migratory wildlife corridors or wildlife movement through the area.

- e) **No Impact.** The Project is subject to the Town's Plant Protection and Management ordinance (§9.76.010-040) and would be required to obtain a permit for the removal of the following native trees and plants that are listed in the code: smoketree, Mojave yucca, Lords candle, barrel cactus, all species of mesquites, creosote rings ten feet or wider in diameter, and Joshua tree species. With the exception of creosote bush, none of these species occur on the Project site. The creosote bushes on the Project site do not meet the description of ancient creosote rings of ten feet or wider. Therefore, due to the absence of these plants, the Project would not impact plant species protected by the Town's ordinance.
- f) **Less Than Significant with Mitigation Incorporated.** The Town of Apple Valley is working with the County of San Bernardino and the Bureau of Land Management to draft new MSHCP/NCCP which is still under review and not yet adopted. The site survey conducted for the Biological Resources Assessment Report inspected the Project site for habitat suitability for species covered by MSHCP/NCCP.

Per the Town's GP EIR, the Project will include the use of native plants in the landscaping plan and will implement biological resource mitigation measures as necessary and as described in the following section. Given the Town's participation in the regional MSHCP/NCCP and the conservation measures prescribed in the GP EIR, the Project would not conflict with adopted Habitat Conservation Plan, Natural Community Conservation Plan, or with other approved local, regional, or state habitat conservation plans, and there would be no impact.

Mitigation Measures

- BIO-1** A pre-construction survey by qualified biologists survey shall be completed for Crotch bumblebee nests (if any) for avoidance. Any bumblebee nest shall be avoided. If unavoidable, and determined to be occupied by Crotch bumblebees, the CDFW shall be consulted for guidance and potential incidental take permits, if impacts cannot be avoided.
- BIO-2** Bird nesting season for resident birds in the Project area occurs between February 1 and September 15, and between March 15 and August 31 for migrating bird species. To avoid impacts to resident and migratory nesting birds, all vegetation clearing, ground disturbance, and construction activity should be scheduled between September 16 and January 31 if possible. If ground disturbance occurs during the nesting season, a certified avian biologist must conduct a pre-construction nesting bird survey (NBS) immediately prior to scheduled construction activity. If active nests be identified, the biologist will demarcate a no-work buffer zone(s) around the active nest(s) and check the nest site(s) weekly until the young birds fledge and the nest(s) become inactive. The buffer zone size would be based on the nesting species, its sensitivity to disturbance, nesting stage and the expected intensity and duration of disturbance. No ground or vegetation disturbance shall occur within the nest site buffer zone(s) until the qualified biologist determines that the young have successfully fledged, and the nest is inactive. Per CDFW recommendations, a buffer of 500 feet shall be set for listed species and birds of prey, and a buffer of 100 to 300 feet shall be set for unlisted songbirds.

- BIO-3** Desert kit fox could potentially use the Project site as a foraging ground even if no dens have been recorded on the site. To avoid impacts to desert kit foxes that may potentially move onto the site between the time of the site survey and Project construction, if active burrows are observed during the pre-construction surveys required in BIO-1, BIO-2 and BIO-4, they will not be disturbed and the biologist will make recommendations on their protection based on standard protocols.
- BIO-4** A pre-construction survey shall be conducted for desert tortoise prior to the commencement of any ground disturbance on the Project site. A biologist approved by CDFW shall conduct a protocol level presence or absence survey within the project area, access route(s), staging area(s), stockpile(s), and 50-foot buffer zone. The surveys shall be conducted no more than 48 hours prior to all project activities in accordance with the U.S. Fish and Wildlife Service 2010 desert tortoise survey methodology. A Workers' Education Program shall be conducted by the biologist prior to the initiation of construction to educate personnel on the species, including covering open trenches at the end of the workday, checking under vehicles prior to moving them, and other protocols as needed to protect the species. The biologist shall periodically monitor site grading to assure that the species has not moved onto the site. If the survey or monitoring confirm presence, the applicant may not commence or continue project activities. If the Project, including project construction results in take of CESA-listed or ESA-listed species, an incidental take permit (ITP) or other appropriate authorization shall be required.

Monitoring

- BIO-A** The Project applicant shall complete preconstruction surveys and provide the survey reports to the Town prior to the issuance of any permit allowing ground disturbance on the Project site. Results of the preconstruction surveys are to be kept on file at Town Hall.

Responsible Parties: Project applicant, project biologist, Planning Department, Town Engineer.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Sources: "Historical/Archaeological Resources Survey Report for Assessor's Parcel Number 0463-372-21" prepared by CRM Tech, September 7 ,2024.

Environmental Setting

The Victor Valley region is part of the homeland of the Serrano people, which is centered in the San Bernardino Mountains but also includes part of the San Gabriel Mountains, much of the San Bernardino Valley, and the southern portion of the Mojave Desert. Prior to European contact, Serrano subsistence was defined by the surrounding landscape and primarily based on the gathering of wild and cultivated foods and hunting, exploiting nearly all the resources available. Their long-term settlements were located mostly on elevated terraces, hills, and finger ridges near reliable sources of water, especially in foothills and along major rivers.

Although contact with Europeans may have occurred as early as 1771 or 1772, Spanish influence on Serrano lifeways was minimal until the 1810s. Between then and the end of the mission era in 1834, most of the Serrano in the western portion of their traditional territory were removed to the nearby missions. In the eastern portion, a series of punitive expeditions in 1866-1870 resulted in the death or displacement of almost all remaining Serrano population in the San Bernardino Mountains. Today, most Serrano descendants are affiliated with the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians), the Morongo Band of Mission Indians, or the Serrano Nation of Indians.

Apple Valley was first settled by Europeans in the 1860s, and a land boom occurred in the 1880s. Consistent with its name, apple orchards were established in the area in the 1890s, after the Appleton Land and Water Company built an irrigation system to support them. Agriculture and ranching remained the primary economic activities through the 1940s. Following World War Two, the Apple Valley Ranchos company began development of modern-day Apple Valley by developing a western-themed town.

GP EIR

The GP EIR (Section III.E, page III-72 et.seq) determined that build out of the General Plan had the potential to impact historic resources, prehistoric resources, tribal resources, buried remains, and paleontological resources as development occurs and lands are disturbed. The GP EIR concluded that with implementation of mitigation measures, impacts to historic resources would be reduced to less than significant levels.

The following Mitigation Measures are from page III-80 of the GP EIR.

1. Cultural resource studies shall be required prior to development for all lands identified as having high potential for historic or archaeological resources, as identified in Exhibit III-4 (in the GP EIR). The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.
2. Paleontological resource studies shall be required prior to development for all lands identified as having high potential for paleontological resources, as identified in Exhibit III-5 (in the GP EIR). The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.
3. The Town shall establish and maintain a confidential inventory of archaeological and historical resources within the Planning area, including those identified in focused cultural resources studies.
4. The Town shall protect sensitive archaeological and historic resources from vandalism and illegal collection, to the greatest extent possible.

Proposed Project Impacts

Section 15064.5 of the CEQA Guidelines defines a historic resource as a resource that is: (1) listed in, or determined to be eligible for listing in the California Register of Historical Resources (California Register); (2) included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code); or (3) identified as significant in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code). Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register. The California Register automatically includes all properties listed in the National Register of Historic Places (National Register) and those formally determined to be eligible for listing in the National Register.

Section 15064.5(a)(3)(D) of the CEQA Guidelines defines archaeological resources as any resource that "has yielded, or may be likely to yield, information important in prehistory or history." Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

A Historical/Archaeological Resources Survey Report was prepared for the proposed Project in September of 2024 (Appendix D), consistent with GP EIR Mitigation Measure 1, because the Project site is located in an area identified as having the potential to harbor prehistoric resources. The study included several records searches, general research and a field inspection.

The study included a records search of the South Central Coastal Information Center (SCCIC), the designated records depository for San Bernardino County. SCCIC records indicate that there have been nine (9) other studies conducted within a one-mile radius of the site, but the site itself had not been studied, except as part of the overall analysis conducted for the NAVISP, which did not include site specific field investigations. As a result of these studies, 18 cultural resources have been identified and recorded in the Project area. Five (5) were prehistoric in nature, and the remaining 13 dated to the historic period and consisted mostly of refuse items

and possible structural remains. Closest to the project area among these 13 were a wood-lined pit and a wood-lined depression recorded near the Apple Valley Airport, about a quarter mile east of the project area.

In addition, a sacred lands file search was requested of the State's Native American Heritage Commission (NAHC), and historic research of published literature and maps was conducted. The NAHC reports in a letter dated July 8, 2024, that the Sacred Lands File identified no Native American cultural resources in the Project vicinity. Noting that the absence of specific information does not necessarily indicate the absence of such resources, however, the NAHC recommended that local Native American groups be consulted for further information and provided a referral list of potential tribal contacts. (See Section XVIII Tribal Resources).

CRM TECH archaeologists also conducted a field inspection on July 17, 2024. The survey was conducted on foot by walking a series of parallel north-south transects at 15-meter (approximately 50-foot) intervals.

a) Less Than Significant Impact. CRM TECH reviewed archival sources that indicated the Project area was part of an 80-acre homestead claim patented to Minnie B. Connell, widow of John A. Connell, on June 11, 1918. Prior to that, however, the Project area was included in another claim filed by an African American member of the Bell Mountain community between 1908 and 1910. There were four land claim contests filed by Connell against his African American neighbors, all of which ruled in Connell's favor. CRM TECH found it is likely that the homestead claim including the project area was one of those involved in John Connell's contests, but sources offer no definitive proof to establish that connection. It is also unconfirmed if the Connells resided in the Project area or on the adjacent 40 acres to the east prior to John Connell's death. If there was an occupancy in the Project area, the occupancy was short-lived since historical maps from the 1920s-1930s and the 1950s show no building or other human-made features anywhere on the 80-acre homestead. By the 1950s-1960s, the desert landscape in the Project area retained no signs of any settlement or development activities in the past.

During the field survey, a group of historic-period refuse deposits and an isolated prehistoric lithic artifact were discovered in the Project area and recorded under the temporary designations, pending assignment of permanent identification numbers in the California Historical Resources Inventory by the SCCIC. Artifacts observed at the site include porcelain fragments, shards of glass bottles and jars of various colors, lumber fragments, metal cans (including hole-in-top and bi-metal cans), and other metal fragments consistent with the timeframe of John and Minnie Connell's homestead claim and the prior claim by the unnamed member of the Bell Mountain African American settlement. However, according to the Historical/Archaeological Resources Survey Report (Appendix D), neither of these connections could be positively established on the basis of available sources, nor would Connell qualify as a person of recognized historic significance. The refuse deposits found at the site do not show a distinct, significant, or especially strong connection to the history of the Bell Mountain settlement, nor do they offer potential for valuable historical or archaeological insights, particularly given their looted and disturbed state today.

The isolate was of a single, large lithic tool made of basalt, which was evidently used as either a hammerstone or a chopper. Per the California Office of Historic Preservation guidelines, isolates with fewer than three artifacts per location do not meet the criteria for archaeological sites, as they lack sufficient depositional and contextual integrity. As such, the isolate found at the site does not constitute a potential "historical resource."

In summary, CRM TECH determined the group of historic-era refuse deposits and the prehistoric lithic artifact identified during the field inspection do not meet the criteria for listing in California Register of Historical Resources and thus do not qualify as a "historical resource" or archaeological site for CEQA purposes.

- b) Less Than Significant with Mitigation Incorporated.** As described above, an isolate, likely a large lithic tool made of basalt, was identified on the site, but was determined to not qualify as a historic resource as defined by CEQA. The archaeologist did conclude that buried cultural materials may be discovered inadvertently during earth-moving operations associated with the project, in which case all work within 60 feet of the discovery should be halted or diverted until a qualified archaeologist and/or Tribal monitor can evaluate the nature and significance of the finds. This is reflected in Mitigation Measure CUL-1 and CUL-2, which will reduce these impacts to less than significant levels.

In summary, only two cultural resources were identified within or adjacent to the Project area, and neither of them constitutes a "historical resource" per CEQA guidelines. No further cultural resources investigation will be necessary for the Project unless construction plans undergo such changes as to include areas not covered by the study. With implementation of CUL-1 and CUL-2, potential impacts associated with archaeological resources will be reduced to less than significant levels.

The proposed Project will result in impacts to cultural resources which are equivalent to those identified in the GP EIR. No resources are known to occur on the Project site, nor were any identified in the GP EIR. Mitigation measures proposed for the Project are consistent with the findings of the GP EIR and would have been imposed on the Project as they were recommended in the GP EIR. No changes to the environment that result in any new or more significant impacts would result from development of the proposed Project.

- c) Less Than Significant.** There is no evidence to suggest the site has been previous used as human burial site. It is unlikely that human remains will be uncovered during the Project's development. However, should human remains be uncovered, California law requires that all activity cease immediately, and local law enforcement and the coroner be notified to determine the nature of the remains and whether Native American consultation is needed. This requirement of law assures that there will be no impact to cemeteries or human remains.

There have been no changes to the environment since drafting of the GP EIR that result in any new or more significant impacts from development of the proposed Project. In accordance with California law, no adverse or significant impact will occur to any human remain found onsite and therefore, no substantial change from the previous analysis will occur.

Mitigation Measures:

- CUL-1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- CUL-2** If significant pre-contact cultural resources, as defined by CEQA, are discovered and avoidance cannot be ensured, the archaeologist shall develop a Cultural Resources Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Monitoring:

- CUL-A** The archaeological and/or tribal monitor shall provide the Town and the Tribe with a report of findings within 30 days of completion of earth moving activities.
Responsible Parties: Project applicant, Project archaeologist, Tribal monitor, Planning Department.
- CUL-B** The archaeologist shall provide the cultural resource Monitoring and Treatment Plan to YSMN and the Town for review and approval prior to the restart of construction.
Responsible Parties: Project applicant, Project archaeologist, YSMN, Planning Department.

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

Sources: California Energy Emissions Model 2022.1; California Energy Commission Total System Electric Generation; Southwest Gas Holdings 2023 Sustainability Report.

Environmental Setting

Electricity

In California, 58% of the total power generated in-state and imported from out of state includes a mix of renewable sources such as solar, wind, hydroelectricity, geothermal, biomass and nuclear. The remaining 42% is generated by natural gas, coal, and oil.⁸ According to the Town of Apple Valley Climate Action Plan 2019 Update, total electricity demand in Apple Valley in 2019 was 329,848,695 kilowatt-hours (kWh). Industrial/Agricultural sector alone consumed 38,785,029 kWh annually.

In Apple Valley, consumers receive electricity via two options. First, Southern California Edison (SCE) delivers all electricity, manages and maintains the electrical grid, and provides billing and customer service. Southern California Edison (SCE) is among the state's largest energy utility providers, covering eastern and southern California, including San Bernardino County. SCE's service area is approximately 50,000 square-miles, encompassing a population of more than 15 million people. In addition, all Apple Valley consumers are automatically enrolled in a separate program called the Apple Valley Choice Energy program (AVCE). AVCE is an electrical municipal provider, managed by the Town, who procures electricity from producers with higher renewable energy content and contracts with SCE to deliver that electricity. Consumers may remain opted-in to the AVCE program and receive electricity from SCE with a higher portion being produced from renewable sources, or consumers may opt out of the program and receive electricity only from SCE contracted producers.

Natural Gas

Southwest Gas Corporation (Southwest Gas) purchases, distributes and transports natural gas to more than 2 million customers in Arizona, California and Nevada. Southwest Gas is the largest distributor of natural gas in Arizona and Nevada, and also serves customers in portions of California, including the high desert and mountain areas in San Bernardino County. Southwest gas maintains 1,416 miles of transmission lines to residential, commercial, and industrial customers.

⁸ 2023 Total System Electric Generation, California Energy Commission, <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2023-total-system-electric-generation>.

According to the Town of Apple Valley Climate Action Plan 2019 Update, Town-wide natural gas demand in Apple Valley in 2019 was 15,526,732 therms.

GP EIR

Electricity Impacts

As discussed in the GP EIR (Section III.M, page III-243 et.seq), Southern California Edison (SCE) provides electrical service to the General Plan and annexation areas and had four major electric transmission corridors in the region, each with 115kV lines, at the time the GP EIR.

The GP EIR found that build out of the proposed General Plan and Annexation areas was estimated to result in electrical consumption of 1,807,978,891 kilowatt-hours per year (kwh/year). Of this amount, 353,683,749 kwh/year would be for residential uses, 924,262,572 kwh/year would be for commercial uses, and 525,032,571 kwh/year would be used by industrial establishments.

The GP EIR determined the expansion of electricity services was expected to occur over time, and SCE's rate structures include expansion of facilities, therefore no significant impact would occur and no mitigation measures were required.

Section III.M, page III-243 et.seq

Natural Gas Impacts

Southwest Gas Company provides natural gas service to the Town and its planning area through a series of pipelines of differing sizes and pressure capabilities. In 2009, natural gas was not provided in some areas within the planning area; these include those without existing facility extensions, undeveloped areas, or extreme rural areas. Southwest Gas Company had indicated that it would accommodate new development in the planning area by working closely with developers to build extensions for build out areas. Where natural gas services and facilities were not available, propane was utilized as an alternative source of fuel.

The GP EIR found that total development at General Plan build out is projected to consume about 779,089,325 cubic feet per month, including residential, commercial and industrial uses. This figure represented both existing and future development in the General Plan and annexation areas in 2009.

The GP EIR determined the expansion of natural gas services was expected to occur over time, and Southwest Gas Company's rate structures include expansion of facilities, therefore no significant impact would occur and no mitigation measures were required.

Section III.M, page III-244 et.seq

Discussion of Impacts

a, b) Less Than Significant Impact.

Electricity

Southern California Edison (SCE) will deliver electricity to the Project site. The Project will require off-site improvements and involve the installation of electrical connections to serve the

proposed development. Construction of these off-site improvements will be required to comply with SCE's guidelines and requirements to ensure that the Project takes the appropriate steps in installing the infrastructure and limiting any environmental impacts associated with grading, construction and development within SCE easements.

Construction Electricity Demand

Construction of the Project would consume electricity for activities such as powering outdoor security or worksite lighting, hand tools and other equipment, operation and charging of electronic equipment, and powering temporary worksite office/trailers. The levels of electricity consumed during construction would fluctuate throughout the process depending on the activities being performed. Electricity is not the primary energy source used during construction – equipment fuels such as diesel and gasoline will be the primary sources during this phase. Overall, electricity demand during the construction of the Project would be temporary, nominal, and would cease upon Project buildout. Compliance with guidelines and requirements from SCE as well as the Town's General Plan and CAP will ensure that the use of electricity during Project construction would not be wasteful, inefficient, or unnecessary. Impacts related to the Project's electricity use during construction would therefore be less than significant.

Operational Electricity Demand

CalEEMod default energy demand factors for parking lot lighting, industrial park uses, and unrefrigerated warehouse uses were used to calculate electricity usage at buildout.

Table 6 below provides details regarding the estimated annual electricity consumption by the Project during the operation phase. The Project's estimated annual use of 4,341,692 kilowatts per year of electricity represents an increase of approximately 1.31 percent increase over the total 329,848,695 kilowatt-hours used by the Town in 2019.⁹

Table 6
Project Operational Electricity Consumption

Land Use	Electricity Use (kWh/yr)
Industrial Park	985,124
Unrefrigerated Warehouse	2,636,134
Parking Lot Lighting	720,434
Total	4,341,692

Source: CalEEMod 2022.1 (see Appendix A for full detailed output reports).

Per the Town's CAP, the Project will be required to comply with applicable standards in the California Building Code and Energy Code Title 24 Energy Efficiency Standards. This includes meeting or exceeding the state performance standards for water heating and space heating and cooling. Furthermore, in accordance with §140.10 of Part 6 of Title 24, the Project will be required to install a photovoltaic system on the building's roof, and will also be required to have a battery storage system. Given that the Project will be generating and storing electricity on-site, it can be assumed that its electricity consumption from external sources will be significantly

⁹ Town of Apple Valley 2019 Climate Action Plan Update.

lower than estimated above. Furthermore, the Renewables Portfolio Standard requires that electricity providers procure 60 percent of electricity from renewable sources by 2030 and 100 percent by 2045.¹⁰ As a result, any operational electricity needs not met by the Project's on-site photovoltaic system will be sourced from an increasing share of renewable sources. Overall, compliance with state requirements will ensure that the Project's electricity consumption is not wasteful, inefficient, or unnecessary.

The proposed Project would be designed, built, and operated in accordance with all applicable state and local regulations that would reduce the energy demand of the Project. Compliance with these regulations would ensure that the Project does not conflict with any applicable energy standards efficiency and conservation standards. Such standards and regulations include the Part 6 and Part 11 of Title 24 of the California Code of Regulations. As stated above, the Project will be required to comply with §140.10 of the Energy Code, which requires the installation of photovoltaic systems and batteries. The Project would also be subject to all applicable policies in the Town of Apple Valley General Plan Energy and Mineral Resources Element, as well as the Town's 2019 Climate Action Plan. Adherence to the applicable state standards and compliance with Town policies would ensure that the Project does not conflict with or obstruct any applicable plans for renewable energy or energy efficiency. Impacts would be less than significant.

Natural Gas

The Project will require off-site improvements and involve the installation of new natural gas connections to serve the proposed development. Construction impacts associated with the installation of natural gas line and connections are expected to be limited to the trenching required to lay the lines underground. Prior to ground disturbance, the Project contractors will notify and coordinate with Southwest Gas to identify the location and depth of any existing gas lines to avoid impacts to these and other underground infrastructure.

Construction Natural Gas Demand

Construction of the Project would not involve the consumption of natural gas. It will therefore not be wasteful, inefficient, or unnecessary in its use of natural gas during the construction phase, and no impact would result.

Operational Natural Gas Demand

CalEEMod default energy demand factors for parking lot lighting, industrial park uses and unrefrigerated warehouse uses were used to calculate natural gas usage at buildout. As shown in Table 7, the Project is estimated to consume a total of 12,399,317 kBtu (124,022 therms) per year of natural gas.

¹⁰ Senate Bill 100 Joint Agency Report, Achieving 100 Percent Clean Electricity in California (2021).

Table 7
Project Operational Natural Gas Consumption

Land Use	Natural Gas Use (kBtu/yr)
Industrial Park	1,548,934
Unrefrigerated Warehouse	10,850,383
Parking Lot Lighting	0
Total	12,399,317

Source: CalEEMod 2022.1 (see Appendix A for full detailed output reports).

Operation of the proposed Project is estimated to use approximately 12,399,317 kBtu, or 124,022 therms per year of natural gas. This represents an increase of approximately 0.79 percent over the Town's total 2019 natural gas usage of 15,526,732 therms.¹¹ As previously stated, compliance with the Title 24 Energy Efficiency Standard will ensure that the Project is not wasteful, inefficient, or unnecessary in its consumption of natural gas during operations. Impacts would therefore be less than significant.

The proposed Project would be designed, built, and operated in accordance with all applicable state and local regulations that would reduce the energy demand of the Project. Compliance with these regulations would ensure that the Project does not conflict with any applicable energy standards efficiency and conservation standards. Such standards and regulations include the Part 6 and Part 11 of Title 24 of the California Code of Regulations. As stated above, the Project will be required to comply with §120.6 of the Energy Code, which imposes performance requirements for warehouses. The Project would also be subject to all applicable policies in the Town of Apple Valley General Plan Energy and Mineral Resources Element, as well as the Town's 2019 Climate Action Plan. Adherence to the applicable state standards and compliance with Town policies would ensure that the Project does not conflict with or obstruct any applicable plans for renewable energy or energy efficiency. Impacts would be less than significant.

Conclusion

The Project would not result in a significant relocation or construction of utility infrastructure as most of these services already occur along the Project site's west and south boundaries and only require a connection or on-site extension. Environmental impacts from establishing connections to services are expected to be less than significant. Buildout of the site would be subject to the same General Plan policies and programs analyzed in the GP EIR. The Project must also comply with the current Energy and Building Codes which impose more stringent energy efficiency performance standards than those imposed in 2009. Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impacts as analyzed in the EIR. Overall impacts are expected to be less than those identified in the EIR due to the increased energy efficiency resulting from current energy and building codes. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

Mitigation Measures: None required.

Monitoring: None required.

¹¹ Town of Apple Valley 2019 Climate Action Plan Update, Table 5.

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

Sources: "Geotechnical Investigation Report for Proposed Warehouse, APN 0463-372-21" prepared by Merrell Johnson Geotechnical, Inc., July 26, 2024; Environmental Hazards Element and Environmental Resources Element, Town of Apple Valley General Plan (2009); California Earthquake Hazards Zone Application; Apple Valley Geologic Hazards Overlay, San Bernardino County Land Use Plan, 2007.

Environmental Setting

Geologic Setting

In California there are eleven distinct geomorphic provinces and each one displays unique topographic features and corresponding climatic features. Faults, relief and geologic layers

comprise the defining characteristics of each province. The Town and the Project site are located within the Mojave Desert geomorphic province, a broad wedge-shaped interior province containing mountain ranges that are isolated by vast expanses of desert plains. The Mojave Desert geomorphic province boundaries are formed by the northwest-southeast trending San Andreas fault zone and the east-west Transverse Ranges along the west-southwest boundary, the east-west trending Garlock Fault forming the northern boundary, the Colorado River and the state of Nevada form the eastern boundary.¹² Interior hydrologic drainage is a key feature of this province, and the Mojave River, which flows above and below ground from the San Bernardino Mountains northeast to Soda Lake is a prominent drainage corridor.

The region consists of three main geologic rock divisions: Crystalline rocks of pre-Tertiary age; sediments and volcanic rocks of Tertiary age; sediments and basalt flows of Quaternary age. The Project site is located on a large alluvial plain and underlain by Quaternary-age and older alluvium that eroded out from highlands approximately 2.5 miles to the northeast along Sidewinder Valley. Underlying the Project site is alluvium of late Pleistocene-age and comprised of fine- to medium-grained sand and fine- to medium gravel of inactive alluvial fans.

Seismicity and Faulting

Most earthquakes that occur in southern California result from the strike-slip motion between the North American and Pacific tectonic plates. At a rate of about one inch per year, the North American plate is sliding southwest while the Pacific plate is sliding northwest at a rate of three to four inches per year. The San Andreas Fault, an 800-mile fault extending from Bombay Beach on the east shore of the Salton Sea to Cape Mendocino on the northern California coast, facilitates about 70% of this tectonic movement.

In the Town of Apple Valley, there are no mapped faults, but there are two faults within the Town's Sphere of Influence: The North Frontal Fault southeast of the Town's border and the Helendale Fault which crosses the northeast portion of the Sphere of Influence and is the closest to the Project site. The North Frontal Fault is an active fault based on evidence that it has moved within the last 10,000 years and is thought to uplift the San Bernardino Mountains at a rate of about one millimeter per year. The West segment could potentially produce a 7.2 magnitude earthquake, which converts to XI on the Modified Mercalli intensity scale, and the East segment could generate a 6.7 magnitude earthquake which converts to Modified Mercalli intensities between VIII and XI.

None of these active faults crosses the Project site. Furthermore, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.

Landslide and Slope Instability

The Town contains approximately 1,792.4 acres of mountainous and hillside terrain. Since the Town has some residential and commercial development at the bases of steep slopes, there are risks of slope failure, landslides, and rockfalls. The Project site is not located in proximity to any slopes or hillsides.

¹² California Geomorphic Provinces, California Geological Survey, California Department of Conservation, revised 2002.

Soils

The Project site is undeveloped and covered in desert vegetation and non-native grasses. The Project site has an inclination rate of 1.0% toward the northwest, and past erosion from rain events has created a shallow wash from the northwest toward the south boundary. To a depth of 40 feet, the soil present across the Project site is composed of medium- to very dense silty sand (SM) and traces of caliche are present. Beneath the silty sand to a 50-foot depth is dense poorly graded sand mixed with silt¹³.

Compressible soils are those geologic units that condense under the heavy weight of embankments. Compressible soils in the Town are those associated with the Holocene deposits and active stream channels.

Collapsible soils are those geologic units that settle under relatively light loads and when inundated with water. Very young Holocene-age alluvial sediments in the Town are susceptible to collapse.

Expansive soils contain clay and are susceptible to either shrinking when they give up water or swelling when they absorb water. In the Town, expansive soils are associated with older deposits.

Soil erosion is a condition that commonly occurs where soil particles easily wash away due to topographic relief, wind, and human ground disturbance activity. The Town is susceptible to high amounts of soil erosion due to strong winds, and dry, finely grained topsoil.

Ground Subsidence

The gradual settling or sinking of the ground surface can occur as smaller local collapses or broader regional lowering of the ground occurs. A diverse range of causes commonly stem from both natural phenomenon such as earthquakes, and human activities such as construction, water and mineral extraction, as is common in southern California.

Underneath the Town of Apple Valley and extending for approximately 1,400 miles throughout the surrounding vicinity is the Mojave River Groundwater Basin. The estimated storage capacity is nearly 5,000,000 acre feet, and the annual extraction of water has exceeded the natural replenishment capacity, resulting in a state of overdraft and dropping the groundwater level by 130 feet. According to the Town's GP EIR, subsidence has not been detected in the Town's limits although subsidence has been detected seven miles northwest of the Town. As groundwater extraction would be the main source of potential subsidence for the Town, active water conservation measures and engineered replenishment efforts have been able to prevent more serious overdraft of the groundwater basin.

Ground Failure and Liquefaction

Liquefaction occurs when seismic ground shaking causes groundwater pressure to increase and fully saturate the the upper layers of soil causing the soil to become a fluid-like mass which loses stability or bearing strength. This occurs within the upper 50 feet of the ground surface in loose fine-grained to medium-grained sandy/silty soils. Ramifications can include damage to buildings and structures and subsurface infrastructure. Liquefaction leads to other ground failure conditions such as lateral spreading, flow failure, ground oscillation, and ground lurching.

¹³ "Geotechnical Investigation Report for Proposed Warehouse, APN 0463-372-21" prepared by Merrell Johnson Geotechnical, Inc., July 26, 2024

Three geologic conditions need to be present for liquefaction to occur: long duration of ground shaking; the presence of young, loose, unconsolidated sediments; and the presence of groundwater within 50 feet of the surface. These conditions are present within the the Mojave River floodplain that extends along the southwest boundary of the Town but are not present at the Project site or surrounding vicinity.

Paleontological Resources

Paleontological resources are fossilized remains or signs such as imprints and traces of prehistoric organisms found in the Earth's crust. Potential for existing paleontological resources is typically measured by discoveries in nearby rock and sediment formations of the same age. While surface deposits are the easiest way to detect the presence of fossils, most often fossils are discovered beneath the surface and are unknown until the ground is disturbed. Throughout the Town and the Sphere of Influence, soil deposits are mostly comprised of younger Quaternary alluvium in which no paleontological resources have been discovered. Therefore, the potential for significant paleontological resources to occur at the Project site is low due to the young alluvium present and the lack of previously identified resources within the Town.

GP EIR

The GP EIR (Section III.F, page III-81 et.seq.) reviewed the above-described seismicity, faulting and geologic hazards that affect the Town and the development plans described in the General Plan. To avoid significant impacts, development in the Town is required to comply with the Uniform Building Code (UBC), which would prevent structures from succumbing to major earthquakes, although structural damage could occur. Also, site-specific geotechnical and soils studies would be required to evaluate geologic conditions for each prospective development project.

GP EIR Mitigation Measures

Mitigation Measures prescribed by the GP EIR would ensure that potentially significant impacts from geologic conditions and hazards would be reduced to less than significant. The following Mitigation Measures are from pages III-105 through -108 of the GP EIR.

1. The Town shall establish and maintain an information database containing maps and other information that describes seismic and other geotechnical hazards occurring within the General Plan Area. Consult and coordinate with surrounding communities, the California Division of Mines and Geology, San Bernardino County, other applicable state and federal agencies, and professional engineering geologists to establish, improve, and routinely update the database.
2. Future development proposals shall require the preparation of a site-specific soils and/or geotechnical analysis that include an evaluation of seismic and soil conditions and provide recommendations that mitigate soils and geotechnical hazards or constraints.
3. Proper structural engineering, which takes into account the forces that will be applied to structures by anticipated ground motions, shall provide mitigation for ground shaking hazards. Seismic design shall be in accordance with the most recently adopted editions of the Uniform Building Code and the seismic design parameters of the Structural Engineers' Association of California.

4. Establish a cooperative agreement with the County Geologist, State Geologist, contract state-certified geologist, or contract geological engineer, to review and determine the adequacy of geotechnical and fault hazard studies prepared within the Town.
5. Design elements, such as baffles, shall be required to reduce the potential for seiches in tanks, open reservoirs, and ponds where overflow or structural failure may cause damage to nearby properties. Criteria for seismic design of water tanks shall be in accordance with the American Water Works Association (AWWA) Standards for Design of Steel Water Tanks.
6. New development shall not be placed within natural flow paths or result in substantial changes to drainage patterns offsite. (Also see Hydrology Section III-D)
7. Development on wind or stream-deposited sediment or young alluvium on the valley floor should include site-specific subsurface geotechnical investigations that address the potential for seismic settlement, collapsible and expansive soils, and liquefaction. These hazards can be mitigated by proper excavation, compaction, backfilling, and foundation design.
8. Site-specific geotechnical analyses shall be conducted where new development is proposed adjacent to or in close proximity to steep slopes. Analyses shall evaluate the potential for landslides, rock falls, and/or slope failure, and set forth mitigation measures to minimize these hazards such as the use of setbacks, retaining walls, and vegetation buffers.
9. Retaining walls shall be constructed to adopted building code standards, include an adequate sub-drain system at the base to prevent excessive hydrostatic pressure, and be evaluated by the Building Inspector.
10. All existing vegetation and debris shall be removed from areas that are to receive compacted fill. Removal of trees shall include a minimum of 95% of the root systems. Excavation to depths ranging from 2 to 4 feet or more below the existing site grade may be required.
11. Encourage consultation and coordination between the Town of Apple Valley Public Works Division, Apple Valley Ranchos Water Company, Mojave Water Agency, U.S. Geological Survey, and other appropriate agencies in order to routinely monitor groundwater levels and surface elevations in the Town.
12. The Town shall actively support and participate in local and regional efforts to conserve water in an effort to mitigate potential ground subsidence resulting from over extraction of groundwater. Preventive measures include the use of water efficient appliances and faucets indoors, desert tolerant landscaping, and increased use of reclaimed water, storm water, or imported water. (Also see Water Resources in Section III-I)
13. Maintain working relationships and strategies between the Public Works Division, Apple Valley Fire Protection District, and other appropriate agencies to strengthen or relocate utility or service facilities including the expedient retrofitting of weak or damaged service structures, enforce fire and building codes, and take other appropriate measures to safeguard major utility distribution systems in preparation of a seismic event.
14. The Town shall coordinate and cooperate with public and quasi-public agencies to encourage education and earthquake preparedness so that residents can be self-sufficient after a seismic event.
15. All grading permit requests shall include a soil erosion prevention plan. Blowing dust and sand during grading operation shall be mitigated by maintaining moist surface soils, limiting the area of dry exposed soils, planting stabilizing vegetation, establishing windbreaks with non-invasive vegetation or perimeter block walls, applying chemical soil

- stabilizers, and adequately watering construction sites prior to and during grading and site disturbance. (Also see Air Quality in Section III-C)
16. Proposed development within a designated Alquist-Priolo Earthquake Fault Zone shall require site-specific geotechnical investigation including fault trenching and other Alquist-Priolo Fault Zoning Act guidelines.
 17. The Town shall require that development applications include plans indicating the location of leach fields, seepage pits, drainage facilities, and water-dependent landscaping so that staff may evaluate the potential for ground saturation and assure that structural foundation are located an appropriate distance away to minimize the potential for localized soil collapse.
 18. Imported and onsite fill soils for future development shall be approved by the project's soils engineer. Prior to placement as compaction fill the soils engineer shall assure that all fill materials are free of vegetation, organic material, cobbles and boulders greater than 6 inches in diameter, and other debris. Approved soil shall be placed in horizontal lifts or appropriate thickness as prescribed by the soils engineer and watered or aerated as necessary to obtain near-optimum moisture-content.
 19. Fill materials shall be uniformly compacted to no less than 90% of the laboratory maximum density, by either over-filling and cutting back to expose a compacted core or by approved mechanical methods, as determined by American Society for Testing and Materials (ASTM) test method D-1557-78. The project soils engineer shall observe the placement of fill and take sufficient tests to verify the moisture content, uniformity, and degree of compaction obtained. In-place soil density measurements should be determined by the sand-cone method, in accordance with ASTM Test Method D-1556-64 (74), or equivalent test method acceptable to the Town's Building and Safety Department.
 20. In general, finish cut slopes shall not be inclined steeper than 2:1 (horizontal to vertical). Attempts to excavate near-vertical temporary cuts for retaining walls or utility installations in excess of 5 feet may result in failure of the slope, which has the potential to damage equipment and injure workers. All cut slopes must be inspected by the project engineer during grading to provide additional recommendations for safe construction.
 21. Foundation systems that utilize continuous and spread footings are recommended for the support of one and two-story structures. Foundations for higher structures must be evaluated based on structure design and on-site soil conditions.
 22. Positive site drainage shall be established during finish grading. Finish lot grading shall include a minimum positive gradient of 2% away from structures for a minimum distance of three (3) feet and a minimum gradient of 1% to the street or other approved drainage course.
 23. Utility trench excavations in slope areas or within the zone of influence of structures should be properly backfilled in accordance with the following recommendations:
 - (a) Pipes shall be bedded with a minimum of 6 inches of pea gravel or approved granular soil. Similar material shall be used to provide a cover of at least 1 foot over the pipe. This backfill shall then be uniformly compacted by mechanical means or jetted to a firm and unyielding condition.
 - (b) Remaining backfill may be fine-grained soils. It shall be placed in lifts not exceeding 6 inches in thickness or as determined appropriate, watered or aerated to near optimum moisture content, and mechanically compacted to a minimum of 90% of the laboratory maximum density.

(c) Pipes in trenches within 5 feet of the top of slopes or on the face of slopes shall be bedded and backfilled with pea gravel or approved granular soils as described above. The remainder of the trench backfill shall comprise typical on-site fill soil mechanically compacted as described in the previous paragraph.

Proposed Project Impacts

The following analysis is primarily based on the Geotechnical Investigation Report (referred to as "Geotechnical Report") prepared for the Project by Merrell Johnson Geotechnical, Inc. (Appendix E). The Report was generated with results from the field exploration of the Project site, laboratory tests of test borings, and research on the local area's geologic conditions.

a, i) No Impact. Fault rupture occurs when movement along a fault zone deep within the Earth breaks through to the surface. There are two nearby faults that occur within the Town's Sphere of Influence, and there are a total of 35 potentially active and active faults within a 62-mile radius of the Project site, which indicate that the Victor Valley region is seismically active. However, the Town and the Project site are not located within an Alquist-Priolo Earthquake Fault Zone, and, according to the San Bernardino County Geologic Hazards Overlay Map, the Project site is not located within a seismic hazard area. Because there are no faults running through the Project site or surrounding parcels, and the Project site and Town are not within an Alquist-Priolo earthquake fault zone, fault rupture is not expected to occur on the Project site and there would be no impacts.

a, ii) Less Than Significant Impact. The Helendale-South Lockhart fault is located between three and five miles northeast of the Project site and has the potential to generate a 7.3 magnitude event which could result in Modified Mercalli intensities of IX to XI. Approximately 10 miles southeast of the Project site lies the North Frontal Fault. Less data has been recorded about this fault zone, but research indicates that it could potentially generate an earthquake with significant ground shaking.

While a fault rupture on the Project site is not anticipated, severe ground shaking could potentially occur, and for this reason the Project would be required to implement seismic design measures in accordance with the most recent California Building Code standards. Because the upper 100 feet of the subsurface is underlain with "stiff soil," and the average shear-wave velocities would be 600-1,200 feet per second, the Geotechnical Report classifies the Project site as a Seismic Design Class "D." The Project will be designed to meet these standards.

The Project will implement proper structural engineering which accommodates forces encountered by structures due to seismically induced ground shaking. Seismic design measures include specifications for earthwork, grading, foundation design, site drainage, utility excavation and installation. In addition, appropriate seismic design coefficients will be determined by the Project's structural engineer and based on the most recent design parameters of the Structural Engineers Association of California.

Mitigation measures are not required as the Project's compliance with the most current state and local design standards ensures that potential impacts to the Project associated with ground shaking would be less than significant.

- a, iii) **No Impact.** Liquefaction occurs when seismic ground shaking causes groundwater pressure to increase and fully saturate the the upper layers of soil causing the soil to become a fluid-like mass and lose stability or bearing strength. This occurs within the upper 50 feet of the ground surface in loose fine-grained to medium-grained sandy/silty soils.

The Geotechnical Report determined that the soils on the Project site are medium dense to dense and would adequately support the proposed facilities. The groundwater level is deeper than 50 feet, which suggests that the potential for liquefaction to occur is very low. No impacts are anticipated.

- a, iv) **No Impact.** The generally flat terrain across the Project site ascends at an inclination rate of 1.0% toward the northwest corner. The site is surrounded by similarly flat terrain. Exhibit IV-2 of the Town's General Plan shows that the Project site is not located in an area that is susceptible to landslides or other slope instability hazards. For these reasons, no impacts from landslide events or lateral spreading are expected to occur.

- b) **Less Than Significant Impact.** The Town's General Plan explains that the Town is susceptible to erosional processes such as runoff, sedimentation and wind erosion due to the topography, climate, soil, and types of rock throughout the area. Natural erosion processes are exacerbated by land development activities. Soil compaction, cut and fill, and the increase of impermeable surfaces can alter natural drainage pathways and potentially increase flooding and sedimentation downstream or downslope. Likewise, land development, as previously described, can increase the amount of sediment carried by the wind and create particulate pollution for downwind areas.

The Project would be required to comply with standard measures required by the Town and the MDAQMD to reduce the potential impacts of soil erosion from the Project site. The Town's General Plan stipulates that wind erosion can be reduced with the use of wind barriers, watering of construction sites and vegetative ground cover. Program 2.A.1 of the Open Space and Conservation Element of the General Plan requires projects to include erosion control measures and Best Management Practices in the grading plans. Finally, MDAQMD Rule 403 requires projects to implement a dust control plan. Application of these standard measures would reduce potential impacts of soil erosion or loss of topsoil to less than significant levels.

- c) **No Impact.** The Project site is not susceptible to geologic hazards including landslides, lateral spreading, subsidence, liquefaction, and collapse. The Geotechnical Report for the Project describes the soil deposits at the Project site as being medium dense to dense from the surface down to about three feet, and below three feet the soil is generally dense and is sufficiently able to support the proposed warehouse. As discussed above, due to the flatness of the terrain, landslides are not a risk. The groundwater depth is greater than 50 feet, and the soil deposits are compact such that conditions for liquefaction are not present on the Project site. Subsidence has not been detected in the Town and on-going efforts, guided by the Town's General Plan, to conserve and replenish groundwater have been effective in reducing this potential risk.

The Geotechnical Report provides extensive details for earthwork, reinforcement of the foundation, resistance to lateral loading, construction of the building floor slabs, surface drainage design, and subgrade preparation for concrete and asphalt application. Implementation of these geotechnical design parameters, and application of the Town's, County's and State's standard requirements for grading and earthwork ensure that site soils would remain stable and potential impacts would be less than significant.

- d) No Impact.** Expansion occurs in soils with water-absorbing potential, particularly those with high clay content. Clay can expand in size as the amount of moisture increases in the soil. Expansion can cause the ground to swell which can result in damage to buildings, structures, roadways, and other surface features.

The soil found on the Project site surface and subsurface is composed of silty sand and sand with silt, respectively. The results of an expansion index test conducted by the geotechnical investigation yielded a soil expansion index of zero. The soil composition of the Project site is not prone to expansion therefore, impacts are not expected to occur.

- e) No Impact.** The Project will connect to the Town's wastewater treatment system via an existing sewer line under Dakota Road along the west boundary of the Project site. Septic tanks or other alternative wastewater disposal system will not be constructed. There will be no impacts.

- f) No Impact.** Throughout the Town, the soil deposits primarily date from the Quaternary age (1.8 million year ago to current) and the potential to discover fossilized remains is low due to the recent age of the deposits. To date, there are no records of paleontological resources being discovered within the Town. Presence of fossils in the Project site is not anticipated, and the Project is not expected to destroy or damage any paleontological resources. There will be no impacts.

Mitigation Measures: None required.

Monitoring: None required

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

Sources: CalEEMod Version 2022.1; MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (February 2020); Town of Apple Valley 2019 Climate Action Plan Update; Town of Apple Valley General Plan (2009).

Environmental Setting

Certain gases, known as greenhouse gases (GHGs), allow solar radiation into the earth's atmosphere but prevent heat from escaping. The principle GHGs are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and fluorinated compounds (hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride). These gases are produced from natural processes and human activities, but their production increased significantly in the last century, resulting in climate change.

The California Global Warming Solutions Act of 2006 (AB 32) required California to adopt regulations in order to reduce their GHG emissions to 1990 levels by 2020. This represents reductions of approximately 15 percent below the emissions projected in a "business as usual" scenario. The California Air Resources Board (CARB) prepared a Scoping Plan (2008) and Update (2014) to establish the state's strategy to meet the targets set forth by AB 32. CARB reported that 1990 GHG emissions totaled 431 million metric tons (MMT) for the state of California. In 2020, statewide GHG emissions totaled 369.2 MMT of CO₂e, which is 61.8 MMTCO₂e below the 2020 GHG limit pursuant to AB 32.¹⁴ Moving forward, AB 32 requires California to maintain and continue reductions beyond 2020 and continues to require CARB to update the Scoping Plan every 5 years.

The 2022 Scoping Plan provides CARB's update to the 2017 Plan. Pursuant to SB 32, the plan sets forth the state's plan to stay on track towards reducing GHG emission by at least 40% below 1990 levels by 2030. The 2022 Plan Update expands on earlier targets, establishing a new goal of reducing GHG emissions to 85% below 1990 levels by 2045. Additionally, the 2022 Plan Update establishes a path for the state to achieve carbon neutrality by 2045 through technologically feasible, cost-effective means.¹⁵

The Town of Apple Valley approved its Climate Action Plan (CAP) update in 2019, establishing its strategies to meet state GHG reduction targets. The CAP found that Town-wide CO₂e emissions in 2019 were approximately 597,681 MTCO₂e. In order to achieve its 2030 target of 40%

¹⁴ California Air Resources Board, California Greenhouse Gas Emissions for 2000 to 2020 (October 2022).

¹⁵ California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality (November 2022).

below 2005 emissions levels, Town-wide emissions would need to be reduced by an additional 299,565 MTCO_{2e}.

Apple Valley is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The District's threshold to evaluate the significance of project-related GHG emissions is 100,000 tons per year or 548,00 pounds per day.

GP EIR

The discussion and analysis of greenhouse gas emissions was provided in Section III-C Air Quality of the GP EIR (Section III.C, page III-10 et.seq). CEQA had not established significance thresholds for greenhouse gas emissions when the GP EIR was drafted, thus there is not a standalone Section.

The GP EIR assumed that development activities and operations that interfered with the objectives of AB 32 would be considered to have a significant impact. AB 32 requires a coordinated effort to curb greenhouse gas emissions within the state of California. Specifically, the Bill requires the state board to adopt a statewide greenhouse gas emissions limit, so that by the year 2020 GHG emissions are at or below 1990 emission levels.

Build out of the General Plan was estimated to generate 3.2227 million metric tons of carbon dioxide equivalent per year, or 19.49 million pounds per day, as shown in Table 6. The GP EIR compared the total carbon dioxide equivalent emissions in California for the year 1990 to buildout of the General Plan. According to the EIR, 1990 CO_{2e} emissions in California were estimated to be 427 million metric tons. The EIR found that build out the Town of Apple Valley would contribute approximately 0.756 percent of the total California emissions limit for 2020 as established by CARB. In 2005 the total carbon dioxide equivalent emissions for the United States was estimated at 7,260.4 million metric tons. The General Plan represents 0.044 percent of the total emissions for the U.S. as estimated in year 2005.

**GP EIR Table III-15
Annual GHG Summary: 2009 General Plan Buildout**

Emission Source	CO2 Equivalent Metric Tons	CO2 Equivalent Million Metric Tons	Million Pounds Per Day
Electricity	660,712.98	0.661	3,990,747.31
Natural Gas	511,838.54	0.512	3,091,536.47
Moving Source	2,054,443.56	2.054	12,408,966.31
Total	3,226,995.08	3.227	19,491,250.10

Source: Table III-15 of 2009 GP EIR

The GP EIR determined that build out of the General Plan and Annexation areas would increase emissions over 1990 levels, resulting in a significant impact. Mitigation measures were provided in the EIR. However, the reductions which these mitigation measures offered could not be effectively quantified. Therefore, the GP EIR determined that impacts associated with GHG emissions would be significant and unavoidable.

The following greenhouse gas mitigation measures are from GP EIR Section III.C, page III-39 et.seq.

1. Design and implement land uses that encourage job/housing proximity or easy access to transit opportunities including high density development along transit corridors, compact mixed-use projects, and urban villages that maximize affordable housing and encourage biking, walking, and the use of public transit. This can be accomplished through the implementation of the goals, policies and programs of the Medium Density Residential and Mixed-Use land use designations and as appropriate, implementation of specific plans in targeted areas where the opportunities for such development can be created through advance planning. Transit corridors to be focused on high density development are along Bear Valley Road, Highway 18, Dale Evans Parkway, Apple Valley Road, Navajo Road, Central Road, and Kiowa Road. Furthermore, high density development will be targeted for the future High Desert Corridor.
2. Encourage infill, redevelopment, mixed use, and higher density development in appropriate areas of the Town where existing development can serve as the foundation for the creation of new urban villages. Such development would be focused around the southern portion of the Town near the major intersections of Bear Valley Road, such as its intersections with Apple Valley Road, Kiowa Road and Navajo Road. Other areas targeted for development include those along Highway 18 and Dale Evans Parkway.
3. In order to reduce vehicle miles traveled and greenhouse gas emissions, mixed use projects with a maximum density of 30 dwelling units per acre shall be developed in the core of Apple Valley on infill lots and/or adjacent to transportation corridors (such as Bear Valley Road, Highway 18, and Dale Evans Parkway) and existing and future job centers.
4. Incentive programs shall be offered for affordable Medium Density Residential infill projects (maximum 20 dwelling units per acre) within the core of Apple Valley and/or adjacent to transportation corridors and existing and proposed job centers. This will help to reduce the vehicle miles traveled and greenhouse gas emissions.
5. Infill in the Mountain Vista Neighborhood is encouraged, and incentives shall be offered by the Town for projects greater than 20 units in size. Infill and higher densities in this existing neighborhood will reduce the amount of vehicle miles traveled.
6. Mobile Home Park development shall be encouraged through the creation of the Mobile Home Park Land Use Designation. This will encourage higher density residential development along transportation corridors and adjacent to existing and future job centers. As a result, this should help reduce vehicle miles traveled and greenhouse gas emissions.
7. The Town shall encourage and promote the development of the North Apple Valley Industrial Specific Plan to create a job center with productive industries, which will reduce the vehicle miles traveled of high desert residents that typically have to drive to employment centers in the San Bernardino Valley, as well as the Riverside City and County portions of the Inland Empire for work. The Town shall reduce the approval time for entitlements and permit process for industrial projects within this area. The industrial development also supports a broad-based economy and encourages a jobs housing balance.
8. The Town shall permit childcare facilities in single-family and multi-family residential zones, as well as, in the commercial and industrial areas where employment is concentrated. This will encourage the reduction of vehicle miles traveled.

9. New developments shall be encouraged to include housing, recreational, and retail amenities, so as to limit the number of vehicle miles traveled by providing accessible and desirable amenities onsite.
10. All new development shall be required to install infrastructure prior to occupancy, which will encourage a well-planned, orderly development pattern.
11. Advanced technology systems and effective management strategies shall be employed in order to improve the operational efficiency of transportation systems and the movement of people, goods, and services including synchronization of traffic lights and signals. New development that requires roadway and/or intersection improvements will be required to install such improvements such that these advanced traffic management systems may be easily implemented by the Town.
12. New projects shall incorporate design parameters that allow for frequent, reliable, and convenient public transit.
13. The Town shall expand and develop an integrated and comprehensive bikeway, walking path and trail system. The expansion of a regional trail system shall be in consultation with neighboring communities to improve the overall Victor Valley system.
14. Street and travel corridors shall be monitored and maintained to assure that congested areas and intersections are rectified.
15. Idling time for commercial, delivery, and construction vehicles shall be regulated and limited.
16. Landscaping designs shall use trees and other vegetation to maximize the shading of buildings in order to reduce energy requirements for heating and cooling.
17. Planting and preserving existing trees shall be utilized as means of providing carbon storage. Preserving existing trees shall be encouraged during the development review of new projects. The Town shall formulate minimum tree planting standards to be applied during the development review of a project.
18. Tree planting in parks and open spaces will be encouraged. Tree planting programs shall be implemented by the Town. These programs shall include an educational component that emphasizes the importance of trees as means of providing carbon storage.
19. The Town shall promote the use of LEED (Leadership in Energy and Environmental Design) building practices for public and private development by considering the utilization of such building practices as a factor favoring project approval during the entitlement process. Sustainable or "green" building standards similar to LEED shall also be considered favorably. Alternative energy systems such as solar, thermal, photovoltaics and other clean energy systems shall be integrated in building design. Building design shall take advantage of shade, prevailing winds and sun screen to promote energy efficiency.
20. The Town shall encourage the use of energy saving measures beyond the requirements of Title 24 for residential and commercial projects. The incorporation of such measures shall be considered as a factor in favor of project approval during the entitlement process. An incentive program shall be developed for projects that exceed Title 24 requirements by 15% and/or achieve LEED certification or similar performance standards for building design. Incentives such as fee reductions or waivers of certain development standards shall be considered.
21. Promote the use of facilities for low/zero carbon fueled vehicles in new developments, such as the charging of electric vehicles from green electricity sources.

22. The Town will encourage and facilitate the exploitation of local renewable resources by supporting public and private initiatives to develop and operate alternative systems of electricity generation, using wind, solar and other renewable energies.
23. Promote educational programs directed at the public, schools, professional associations, businesses, and industries that offer strategies for reducing GHG emissions.
24. Initiate a program to replace existing traffic lights, street lights, and other electrical uses to energy efficient bulbs and appliances. Encourage new lighting to be energy efficient. The Town shall require that lighting in all Town facilities be replaced with energy efficient fixtures as existing fixtures fail and require replacement.
25. Utilize Energy Star equipment and appliances for new development and encourage replacement appliances to be energy efficient. The voluntary commitment to such a requirement by project applicants shall be considered a factor in favor of project approval.
26. Promote the use of on-site renewable energy production including installation of photovoltaic cells or other solar options. The Town shall encourage the use of solar cells in private development and consider such project features favorably during project review. The Town shall investigate the cost effectiveness of installing such solar cells on Town buildings for the purposes of powering Town facilities and possibly selling excess "clean" energy back to the SCE power grid, pursuant to state law.
27. Consider an Energy Savings Performance Contract with a private entity to retrofit public buildings, which will allow the private entity to fund all energy improvements in exchange for a share of the energy savings over a period of time.
28. Utilize the Collaborative for High Performance Schools (CHPS) best practices for school design, building, and operation.
29. Replace or retrofit municipal water and wastewater systems with energy efficient motors, pumps, and other equipment, and recover wastewater treatment methane for energy production.
30. Capture and utilize landfill gas for use as an energy source including fuel for vehicles, operating equipment, and heating buildings.
31. Promote the use of vehicles and buses that use alternative fuels or technologies such as hybrids, biodiesel, and ethanol. The Town's vehicle fleet shall be transitioned to alternative fuels to the extent economically feasible.
32. The Town shall promote the use of mass transit services, coordinating with all agencies to link residential and commercial businesses and employment centers within the Town's residential neighborhoods and nearby communities. Mass transit services shall be expanded as needed within the context of economic feasibility.
33. Ride sharing, carpooling, flexible work scheduling, telecommuting and Park & Ride programs shall be encouraged for public and private employers.
34. The Town shall assess the local transportation system annually with a view to gaining greater efficiency in the movement of people and goods through the community. Opportunities to expand the public transit system, using buses equipped with bicycle racks and fueled by compressed natural gas or hydrogen will be maximized. Widespread use of pedestrian pathways and alternative means of transportation, such as bicycles and electric hybrid vehicles will be facilitated and encouraged.
35. Offer incentives to private businesses for developing energy and water efficient features and building materials, such as expedited plan checks and reduced permit fees.
36. Offer rebates and low interest loans to residents that make energy saving improvements on their homes, including but not limited to the installation of solar cells and panels.

37. Incentives shall be provided for rehabilitation and remodeling of existing development. Assistance from the Town shall be provided through the Residential Rehabilitation Loan Program to improve energy efficiency of existing residences. Educational materials shall be provided to the public advising them of energy efficiency through available appliance programs and other energy conservation improvements that are eligible for the Residential Rehabilitation Loan Program.
38. The Town shall consider incentive programs, rebates and refunds for the use of energy efficient appliances, windows and building designs for new and remodeled structures. The incentive program could also include incentives for the use of recycled materials.
39. Encourage bicycle lanes and walking paths directed to the location of schools, parks, and other destination points. The provision of such facilities will be considered favorably during project review pursuant to the General Plan's Circulation Element.
40. The Town will implement a program to install photo voltaic systems on the buildings and carports located at the Public Works facility and Town Hall/Police Department, which will provide electricity for the Civic Center and the Public Works/Animal Control facilities. This will improve the energy efficiency of these facilities
41. Prior to July 15, 2010, the Town shall develop and adopt a Climate Action Plan ("CAP") that enhances the General Plan's goals, policies and programs relating to meeting the greenhouse gas emission targets established in the California Global Warming Solutions Act, including reducing emissions to 1990 levels by including an emissions inventory; emission targets that apply at reasonable intervals through the life of the plan; enforceable GHG control measures; monitoring and reporting; and mechanisms to allow for the revision of the plan, if necessary, to stay on target. The goal of the CAP shall be to reduce greenhouse gas emissions within the Town's control the achieve the emission reduction goals required by AB 32, as further developed and quantified by the California Air Resources Board. The CAP shall quantify the approximate greenhouse gas emissions reductions of each measure developed with the CAP, and shall consider the mechanisms, strategies and techniques included above.

Proposed Project Impacts

a,b) Less Than Significant with Mitigation. The Project will generate GHG emissions during both construction and operation. As previously discussed in Section III (Air Quality), an air quality report was prepared using the California Emission Estimator Model (CalEEMod) Version 2022.1 to quantify air quality projections, including greenhouse gas emissions (Appendix A).

Construction:

Development of the Project is estimated to require a buildout period of 18 months, during which onsite construction activities will include those typically associated with site preparation, grading, building construction, paving, and architectural coating. Sources of emissions during construction are likely to including operation of construction equipment, worker commute, material hauling, and other ground disturbance activities. Emissions will occur temporarily and cease once the construction period has finished. At buildout, the Project construction would emit a total of 1,651 MTCO₂e. There is no set GHG emission threshold for the construction of industrial warehouses. Construction emissions are amortized over a 30-year period to address GHG emissions as part of the operational GHG reduction strategies (See Table 8).

Operation:

Sources of operational emissions for the proposed warehouse are likely to include mobile and stationary sources such as vehicle mile (VMT) generation, energy (electricity) consumption, water usage, solid waste disposal, and area emissions (pavement and architectural coating off-gassing). Table 8 provides a summary of the projected short-term construction and annual operational GHG generation associated with buildout of the proposed Project.

**Table 8
Projected GHG Emissions Summary
(Metric Tons)**

Phase	CO ₂ e (MT/YR)
Construction	
2025	601
2026	1,050
Construction Total	1,651
Operation	
Area	9.19
Energy	1,345
Mobile	9,067
Waste	189
Water	8.46
Refrigerants	2.46
Construction: 30-year amortized ¹	50.03
Total Operational	10,671.14
MDAQMD Annual Threshold	100,000
Exceeds?	No

1. Buildout construction GHG emissions were amortized over 30-years then added to buildout operational GHG emissions. $1,651/30 = 50.03$
Source: CalEEMod Version 2022.1

According to the MDAQMD CEQA Guidelines, a project is considered significant if it generates total emissions (direct or indirect) that exceed the applicable threshold. As shown in Table 8, the Project's annual CO₂e emissions will not exceed the MDAQMD's significance threshold of 100,000 metric tons of CO₂e per year. However, because the MDAQMD threshold has not been formally adopted, the Project's GHG emissions were also analyzed using the SCAQMD significance thresholds.

The SCAQMD provides a series of "tiered" tests, based on staff recommendations, to determine whether a project's greenhouse gas emissions would be considered significant. In order to be considered less than significant, a project should comply with one of the following tiers:

- Tier 1: Is there an applicable exemption?

- Tier 2: Is the project compliant with a greenhouse gas reduction plan that is, at a minimum, consistent with the goals of AB 32?
- Tier 3: Is the project below an absolute threshold (10,000 MTCO₂e/yr for industrial projects; 3,000 MTCO₂e/yr for residential and commercial projects)?
- Tier 4: Is the project below a (yet to be set) performance threshold?
- Tier 5: Would the project achieve a screening level with off-site mitigation?

On the basis of this tiered system, the proposed Project was analyzed to determine its level of impact:

Tier 1: The Project is not eligible for an exemption. This tier does not apply.

Tier 2: Tier 2 is applicable. The Project is subject to the Town of Apple Valley's 2019 Climate Action Plan (CAP) Update, a comprehensive GHG emissions reduction plan. Pursuant to SB 32 and AB 32, the CAP aims to ensure that the Town continues to meet its GHG emissions reductions targets of 15% below 2005 levels by 2020 and 40% below 2005 levels by 2030.¹⁶ The Town has regularly updated its CAP every three years, which was last updated in 2021. The 2019 CAP is the third update to the original document, which underwent CEQA review and was adopted in 2010. Given that the Town's CAP is regularly updated, formally adopted, and consistent with the goals of AB 32, under SCAQMD's Tier 2 it provides suitable targets against which to evaluate the Project's GHG emissions.

Tier 3: This tier does not apply to the Project. Tier 3 provides the following quantitative thresholds for analyzing of CO₂e emissions for projects under SCAQMD's permitting jurisdiction:

- 10,000 MTCO₂e per year for industrial projects (stationary sources only)
- 3,000 MTCO₂e per year for residential and commercial

While the proposed development is an industrial project, it will be used as a warehouse, not as a manufacturing plant or other heavy industrial uses. As a result, most of its GHG emissions are expected to be produced by mobile sources, particularly from heavy duty trucks making regional distribution trips. It would therefore not be appropriate to analyze the Project's annual emissions of 10,671.14 MTCO₂e against the SCAQMD threshold of 10,000 MTCO₂e per year for industrial projects because this tier applies to stationary sources only.

The 3,000 MTCO₂e threshold is also not suitable for the Project because it is intended for residential and commercial uses, neither of which are proposed for the Project. The Project proposes a ±627,000 square feet of warehouse space.

Tier 4: There are no applicable performance thresholds against which to evaluate the Project. This tier does not apply.

Tier 5: There are no applicable off-site mitigation measures. This tier does not apply.

¹⁶ Town of Apple Valley 2019 Climate Action Plan Update (May 2021).

Based on the tiered tests provided by SCAQMD and given that only Tier 2 applies to the Project, the following analysis will consider whether the Project is compliant with the Apple Valley 2019 Climate Action Plan. According to Tier 2, if the Project is determined to be compliant with the applicable greenhouse gas reduction plan, then impacts related to the greenhouse gas emissions resulting from that Project should be considered less than significant.

According to the CAP, the Town aims to meet the GHG emissions reduction target of 40% below 2005 levels by 2030. Based on growth forecasts in the SCAG 2020-2045 Regional Transportation Plan/SCS, the CAP forecasts that the Town will have a population of 84,535 in 2030. To meet the 40% below baseline target, the Town-wide GHG emissions in 2030 would need to be 449,347 MTCO₂e, or 5.32 MTCO₂e per capita.

As demonstrated in Table 8, above, based on projections made using CalEEMod Version 2022.1, the Project is expected to generate 10,671.14 metric tons of CO₂e per year. Given the existing demand for jobs in the Town, it is likely that all of the jobs created by the Project would be filled by existing residents of Apple Valley. It is therefore assumed that the Town's 2030 population, including buildout of the Project, would be 84,535 as analyzed in the CAP.

Based on a population of 84,535, Table 9 shows that in order for the Town to meet the 2030 emissions reduction target, it would have to meet 5.32 tons per capita. The table also shows that with implementation of the CAP reduction measures, the Town expects to go beyond the established emissions target, reducing forecasted emissions to 410,922 MTCO₂e per year or 4.86 tons per capita. The 2030 emissions forecast with CAP measures accounts for community emissions, including industrial projects. The Project's estimated annual emissions of 10,671.14 MTCO₂e would already be covered by the 2030 emissions forecast. However, assuming an industrial development like the proposed Project was not accounted for in the CAP 2030 forecast, and to ensure a conservative analysis, the Project's emissions were added to the existing forecast. As shown in Table 9, the total annual emissions from the Project and existing 2030 forecast would be 421,593.1 MTCO₂e, or 4.99 tons per capita. Both the total and per capita emissions meet the CAP target for 2030 of 40% below the 2005 baseline. The Town-wide emissions in 2030, including the Project, would therefore meet the CAP greenhouse gas emissions reduction target.

Table 9
Project emissions and CAP reduction target

Target/Scenario	Forecast (MTCO₂e)	Population	Per Capita
CAP 2030 forecast w/CAP measures	410,922.00	84,535	4.86
Project emissions (per year)	10,671.14	84,535	--
Total	421,593.10	84,535	4.99
CAP 2030 target (40% below baseline)	449,347.00 ¹	84,535	5.32
Exceeds?			No

¹ Forecasted town-wide emissions for 2030.

In order to ensure that the Project's GHG emissions are reduced to the greatest extent possible, the Project will be subject to applicable reduction measures from the CAP. The Project's consistency with applicable reduction measures is shown in the following table. Where necessary to ensure compliance, the applicable CAP reduction measure has been included as a mitigation measure below.

Table 10
Project consistency with CAP reduction measures

Reduction Measure	Consistency
CO-4: Establish an employee carpooling program, including incentives (preferred parking, flex time incentives, etc.) for participating employees.	Consistent: Per mitigation measure GHG-1 , the Project will establish an employee carpooling program, including incentives for participating employees.
CO-5: Provide employees with free or discounted public transit passes.	Consistent: Per mitigation measure GHG-2 , the Project will provide employees with free or discounted public transit passes.
ND-6: For projects within the North Apple Valley Industrial Specific Plan, develop employee housing within one mile of the industrial project.	Consistent: The area 0.5 miles west of the Project site, on the west side of Dale Evans, is designated for Low Density Housing and Multi-Family Residential. Development of these sites would provide housing within one mile of the Project site.
ND-12: Building and site plan designs shall ensure that the project energy efficiencies meet applicable California Title 24 Energy Efficiency Standards.	Consistent: The Project design will comply with all requirements in the California Building Code, including the Title 24 Energy Efficiency Standards.

Source: Town of Apple Valley 2019 Climate Action Plan Update

In addition to measures provided in the CAP, future emissions reductions are expected to result from regulations passed since the 2019 CAP Update, as well as forthcoming regulatory or technological improvements. For example, the 2022 California Building Code, including the California Energy Code and California Green Building Standards Code (CALGreen), was made effective as of January 1, 2023, and has been adopted by the Town. The California Energy Commission estimates that increases in energy efficiency and on-site generation in the 2022 Energy Code could result in the reduction of 10 million metric tons of CO₂e over the next 30 years.¹⁷

Furthermore, given that a large portion of the Project's GHG emissions are expected to be from mobile sources, regulations from the California Air Resources Board pertaining to truck fleets would be expected to further reduce emissions. Such regulations include the 2021 Advanced Clean Truck regulation, which stipulates that manufacturers must sell an increasing proportion of zero emission vehicles from 2024 to 2035, and the Advanced Clean Fleet (ACF) regulation, which required that medium and heavy-duty fleets be 100% zero-emission vehicles by 2045.¹⁸ CARB projects that implementation of ACF would result in cumulative CO₂ emissions reductions of 307 million metric tons from 2024 to 2050.

¹⁷ 2022 Energy Code Title 24, Part 6 Fact Sheet, Ace Resources.

¹⁸ The proposed Advanced Clean Fleet Regulation would also require last mile delivery fleets must be fully converted to zero emission vehicles by 2035 and would ban manufacturers from selling any new fossil-fueled medium-duty and heavy-duty trucks by 2040.

Finally, the GHG emissions associated with the utilities provided to the Project would also be reduced. Under Senate Bill 350 (SB 350), the Renewable Portfolio Standard will require utilities and electric service providers to purchase 50% renewable energy resources by 2030.

Overall, given that the Project is both below the absolute CO₂e emissions threshold provided by MDAQMD and compliant with the SCAQMD Tier 2 test, it can be concluded that impacts would be less than significant.

It should be noted that the GP EIR quantified maximum daily emissions for buildout of the General Plan and found impacts from greenhouse gases to be significant and unavoidable, and mitigation measures were provided requiring project-level analysis to determine if future development project impacts would be managed and mitigated accordingly on a case-by-case basis. A project-level air quality and greenhouse gas analysis was prepared for the Project that found impacts to be less than significant with the implementation of the mitigation measures below. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.

Mitigation Measures: Consistent with and to assure compliance with existing Climate Action Plan reduction measures, the following mitigation measures shall be included as conditions of approval to the Project:

GHG-1 Establish an employee carpooling program, including incentives (preferred parking, flex time incentives, etc.) for participating employees.

GHG-2 Provide employees with free or discounted public transit passes.

Monitoring:

GHG-A Prior to the issuance of a building certificate of occupancy, the building tenant shall provide proof of the employee carpooling program and transit pass program to the Planning Department.

Responsible Parties: Project proponent/tenant, Planning Department.

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

Sources: Phase I Environmental Site Assessment Report, APN: 0463-372-21-0000, prepared by Partner Engineering and Science, Inc. December 26, 2023; California Department of Forestry and Fire Protection's Fire and Resources Assessment Program (FRAP) FHSZ Viewer, <https://egis.fire.ca.gov/FHSZ/>, (accessed December 2022); California Department of Toxic Substances Control EnviroStor Database (accessed October 2024); California State Waterboard GeoTracker Database (accessed October 2024).

Environmental Setting

Hazardous materials are items with the ability to cause harm to humans, animals, and/or the environment because of their physical (biological, chemical, radiological, or physical) state or interaction with other materials. Common daily-used items include household cleaners, bleach, spray paint, and rubbing alcohol. Industry-used examples include gasoline, solvents, and radioactive material. The EPA, along with the State and local agencies regulate the waste management system to prevent a public health and environmental crisis.

Hazardous materials are under the jurisdiction of various federal and state regulations and programs which regulate the use, storage, and transportation of hazardous materials. Regulations can be used to reduce or mitigate the danger that hazardous substances may pose to Apple Valley residents, businesses, and visitors, both in normal day-to-day conditions and as a result of a regional disaster, such as an earthquake or major flood.

The Medical Waste Management Program (California Health and Safety Code, Section 117600) protects the public and the environment from potentially hazardous medical waste by regulating the generation, handling, storage, and disposal of medical hazardous waste through the implementation of the Medical Waste Management Act (MWMA). The County of San Bernardino is the local enforcement agency for Apple Valley's medical hazardous waste generators.

The County Fire Department coordinates and facilitates household hazardous waste disposal. Under the authority of the County Fire Department's Household Hazardous Waste program, the Town operates a collection center located at the Town's Public Works Yard at 22411 South Outer Highway 18. Materials accepted for disposal at this location include pesticides, wood preservatives and solvents, automobile batteries, and small electronic items such as television sets and computer monitors, as well as other materials.

The Town of Apple Valley's Development Code includes standards and regulations to ensure that the use, handling, storage, and transportation of hazardous materials comply with all applicable requirements of the State Government Code Section 65850.2 and Health and Safety Code Section 25505, and Article 80 of the Uniform Fire Code.

The Town's Multi Hazard Functional Planning Guidance Document (Multi Hazard Plan) establishes contingency plans when an incident involving hazardous materials occurs. The Town works with the Hazardous Materials Division (HMD) of the San Bernardino County Fire Department, which has been designated by the State as the Certified Unified Program Agency for handling hazardous waste and materials in the High Desert. HMD performs compliance inspections of facilities that handle hazardous materials, which are defined by the California Code of Regulations (Title 22). The Apple Valley Fire District Duty Chief acts as the liaison with HMD in the event of a hazardous materials spill or leak.

There are three hazardous materials transportation corridors in the Town of Apple Valley: the Atchison Topeka & Santa Fe Railroad, U.S. Interstate 15, and State Route 18. These routes have the potential to be involved in the transport of hazardous materials and could thus be subject to the associated risks.

A Phase 1 Environmental Site Assessment was prepared for the Project by Partner Engineering and Science, Inc. in December 2023 (Appendix F). The Phase I reviewed historical aerial photographs of the subject property that found the property has remained vacant, unimproved land since at least 1948. The Phase I also reviewed regulatory records and found no records regarding hazardous substances use storage or releases, or the presence of underground storage tanks (USTs) and activity and use limitations (AULs) on the subject property with the Cal/EPA or the San Bernardino County Fire Protection District Hazardous Materials Divisions.

GP EIR

The GP EIR (Section III.G, page III-110 et.seq) found that uses and activities proposed or undertaken within the Town of Apple Valley as a result of the General Plan update could result in the use of hazardous materials or create a hazardous condition within the Town or annexation areas. Hazardous materials transport, storage and handling are highly regulated at the federal, state, regional and local level. The long-term build out of the General Plan and annexation areas was expected to continue to be regulated by multiple agencies.

While businesses are required by federal, state, and local regulations to properly transport, use, and dispose of hazardous materials in the Town and its Sphere of Influence, it is possible that upset or accidental conditions may arise which result in the release of hazardous materials into the environment. However, compliance with the Town's Multi Hazard Plan and the implementation of the uniform regulations to manage the risk associated with transportation of hazardous materials will function to minimize the hazard risks that may occur.

The EIR set forth the following mitigation measures to reduce the number and severity of hazardous materials incidents within the Town of Apple Valley and its Sphere of Influence, and to ensure the protection of future residents, visitors and lands from exposure to such materials. Impacts will be less than significant.

Mitigation Measures

The following Mitigation Measures are from pages III-121 through -122 of the GP EIR.

1. The Town will cooperate with regulators and encourage the enforcement of laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify such materials, and notify the appropriate county, state and/or federal agencies as required by law.
2. The Town shall maintain appropriately managed access routes to facilitate the transport of hazardous and toxic materials.
3. The Town will work with the County Sheriff's Department, Caltrans, and CHP, to regulate the transport of hazardous materials along local roadways, state highways and routes, and interstates in the Town or the vicinity.
4. The Town will coordinate with the Apple Valley Fire Protection District and the San Bernardino County Environmental Health Department to assure improved response to, and capability for, handling hazardous materials incidents.
5. Future development within the General Plan area shall be required to comply with all applicable federal, state, and regional permitting requirements for hazardous and toxic materials generation and handling, including but not limited to the following:

- a. If it is determined that hazardous wastes are, or will be, generated by any proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If so, the proposed facility shall obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- b. If hazardous wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from the Department of Toxic Substances Control (DTSC) may be required. If so, the proposed facility shall contact DTSC at (818) 551-2171 to initiate pre-application discussions and determine the permitting process applicable to the facility.
6. Developers shall submit for approval a detailed description of any hazardous materials use, as well as detailed plans for location of any hazardous materials storage and management facilities to the Apple Valley Fire Protection District.
7. The Town shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials or sites that use or contain potentially hazardous or toxic materials.
8. During project construction and implementation, the handling, storage, transport, and disposal of all chemicals, including herbicides and pesticides, runoff, hazardous materials and waste used on, or at, the project site, shall be in accordance with a project's BMP/Integrated Pest Management Plan, other relevant regulatory plans, and applicable County, state, and federal regulations.
9. The Town shall require all business that use, store, or produce hazardous material to comply with the County's Business Plan in addition to all Town regulations.
10. The Town shall annually update the SEMS Multihazard Functional Plan to ensure that emergency shelters and emergency evacuation routes are responsive to changing community needs.
11. The Town shall maintain documentation of known hazards to public health and safety and shall make this information available to government officials and organizations, emergency response personnel, and the general public.

Proposed Project Impacts

- a, b) Less Than Significant Impact.** Construction of the Project could involve the use of some hazardous and flammable substances, such as vehicle fuels and oils for the operation of heavy equipment. Other materials required for the potential emergency maintenance of heavy equipment may also be required on-site during construction, however such materials would not be in quantities or stored in a manner that would pose a significant hazard to the public because they would be subject to local, County and state regulations. All potentially hazardous materials used during construction of the proposed development must be stored, used, and disposed of in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations.

Once operational, the Project will likely use cleaners and solvents as part of daily cleaning and maintenance operations, but is not expected to transport, use or dispose of large quantities of hazardous materials. The Project may also require the use, storage, and potential transport of refrigerants. According to the U.S. EPA, while most refrigerants are toxic, flammable, and/or highly reactive, system design, engineering controls, and other strategies mitigate the risks associated with these substances, which are governed by County, State and federal law and regulations. In order to ensure the safe use and handling of refrigerants, the Project will be required to comply with Title 24 §605 Mechanical Refrigeration of the California Fire Code, in addition to applicable federal, State and local regulations, including the Hazardous Materials Transport Act, the Resource Conservation and Recovery Act (RCRA), California Occupational Safety and Health Administration, California Fire Code and Division 20, Chapter 6.5, of the Health and Safety Code, described above. Compliance with standard requirements and requirements of law will assure that impacts remain less than significant. No new or increased severity of impacts would occur compared to those identified in the GP EIR.

- c) **No Impact.** The Project is located on the northeast corner of Dakota Road and Fresno Road, approximately 2.75 miles northwest of Sycamore Rocks Elementary School, located at 23450 S Road. The site is at a distance greater than a quarter mile to an existing school, reducing the probability of negatively impacting a sensitive public area. As discussed above, the Project will not handle or store hazardous material in significant quantities to inflict public or environmental harm. Therefore, the development will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter miles of an existing or proposed school. There will be no impacts, and no new or increased severity of impacts would occur compared to those identified in the GP EIR.
- d) **No Impact.** A Phase I Environmental Site Assessment was prepared for the Project by Partner Engineering and Science, Inc. in December 2023 (Appendix F). The purpose of the Phase I was to identify existing or potential Recognized Environmental Conditions, as defined by ASTM Standards E1527-21, that may affect the Project site that: 1) constitute or result in a material violation or a potential material violation of any applicable environmental law; 2) impose any material constraints on the operation of the subject property or require a material change in the use thereof; 3) require clean-up, remedial action or other response with respect to Hazardous Substances or Petroleum Products on or affecting the subject property under any applicable environmental law; 4) may affect the value of the subject property; and 5) may require specific actions to be performed with regard to such conditions and circumstance.

The Phase I found no evidence of Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), Historical Recognized Environmental Conditions (HRECs) or Business Environmental Risks (BERs) in connection with the Project site.

The Project site is not listed in the California Department of Toxic Substance Control Hazardous Waste and Substance database, as required by CEQA and the Government Code §65962.5. In addition, the Project's site is not listed within a LUST Cleanup Site, Cleanup Program Site, or Military Cleanup Site, according to the State Water Resources

Board GeoTracker database. The Project will not contribute to existing or create new hazardous site. No impacts are anticipated, and no new or increased severity of impacts would occur compared to those identified in the GP EIR.

- e) **Less Than Significant Impact.** The Apple Valley Airport extends at a northeast to southwest angle east of the Project site. The Project site occurs within the Town's Airport Overlay District (A-2) and is subject to zoning restrictions set by this designation. Based upon the Apple Valley Comprehensive Airport Land Use Plan (AVCALUP), the subject property is located outside the airport's 65 CNEL noise compatibility contour (AVCALUP Figure 5-2). According to the General Plan, the 65 dBA noise contour for the airport has been identified as occurring within the Airport's property, and noise levels on surrounding lands are not significantly affected (AVGP Noise Element, pg. IV-49). No land use incompatibilities with the current or long-term operations of the airport are expected. Impacts will be less than significant. No new or increased severity of impacts would occur compared to those identified in the GP EIR.
- f) **Less Than Significant Impacts.** According to the Town's Local Hazard Mitigation Plan, interstates serve as major emergency response and evacuation routes.¹⁹ Dakota Road would connect the Project to Corwin Road and Dale Evans Parkway which connects to Interstate 15 and Interstate 18. The Project proposes the improvement of adjacent streets, but will not modify the Town's existing street grid. The proposed development would not impede access to major evacuation routes and impacts would be less than significant.

Apple Valley's Emergency Operations Plan integrates with the Town's General Plan, zoning regulations, and other plans. Given that the Project's proposed industrial land uses align with the policies established in the NAVISP, it can be assumed that the Project will not interfere with the Emergency Operations Plan and impacts would be less than significant. No new or increased severity of impacts would occur compared to those identified in the GP EIR.

- g) **No Impacts.** The California Department of Forestry and Fire Protection (CalFire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). There are no state responsibility areas or very high fire hazard severity zones in the Project vicinity. The nearest fire hazard severity zones are located miles away to the south, near Bear Valley Road and Central Road. Buildout of the site is subject to the same General Plan policies and fire department requirements on fire safety and emergency access. There would be no impact as a result of the proposed Project relating to wildfires. No new or increased severity of impacts would occur compared to those identified in the GP EIR.

Mitigation Measures: None required.

Monitoring: None required.

¹⁹ Town of Apple Valley Local Hazard Mitigation Plan 2017 Update, p.4-76.

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

Sources: American Water Works Association Research Foundation Commercial and Institutional End Uses of Water; Apple Valley General Plan EIR; Hydrology Study, Dakota & Gustine Warehouse, prepared by Merrell-Johnson Companies, September 3, 2024; Preliminary WQMP for Dakota Warehouse, prepared by Merrell-Johnson Companies, 2024; Liberty Utilities – Apple Valley Final 2020 Urban Water Management Plan, June 2020; Jurisdictional Assessment of Wetlands and Waters Dakota Road Project, prepared by WSP, August 2, 2024.

Environmental Setting

Apple Valley is located in the southern portion of the Mojave Desert with a climate characteristic of a high desert ecosystem, which experiences extreme fluctuations of daily temperature, strong seasonal winds, and receives less than 5 inches of annual precipitation. The region and the Town

are impacted by winter storms, local thunderstorms, and summer tropical storms, all of which have the potential to produce substantial precipitation. The Town has historically been subject to flooding and associated hazards, such as mudflows, during severe summer storm events.

The Project area is located within the South Lahontan Hydrologic Region and Upper Mojave River Valley Groundwater Basin. Recharge of the Upper Mojave River Valley Groundwater Basin occurs from direct percolation of precipitation, ephemeral stream flow, infrequent surface flow of the Mojave River, and underflow of the Mojave River into the basin from the southwest.

The Mojave Basin Area encompasses a total of 1,400 square miles and has an estimated total water storage capacity of nearly 5 million acre-feet. Pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA), the Upper Mojave River Valley Groundwater Basin was named as an adjudicated groundwater basin and is exempt from the SGMA requirement of developing a Groundwater Sustainability Plan (GSP). As part of the adjudication, the Mojave Water Agency (MWA) was appointed Watermaster of the Mojave Basin. For management purposes, the MWA splits the Mojave River watershed (and associated groundwater resources) into five distinct subareas, including: 1) Oeste, 2) Este, 3) Alto, 4) Centro, and 5) Baja. The Project area is in the Alto Subarea which is generally bounded on the south by the non-water-bearing rocks of the San Bernardino Mountains, by the non-water bearing rocks of the San Gabriel Mountains to the west, and by the Helendale Fault on the north-northeast.

Domestic Water

Liberty Utilities provides domestic water service to the majority of Apple Valley, including the Project site. The Liberty – Apple Valley system has 20,957 service connections and a total supply of 14,979 acre-feet (AF) as of 2020, with a projected water supply and demand of 18,538 AF in 2045.²⁰ The system currently sources 100% of its water from the Mojave groundwater basin from 18 deep wells located throughout the community.

Liberty Utilities does not use surface water or purchased imported water supplies to meet its water demands. However, the MWA imports water from the California State Water Project to spread in the Mojave River to help recharge the ground water. There are potential water supply projects and programs that may allow Liberty Utilities to enhance and augment existing water supplies, including water transfer opportunities and recycled water beneficial uses.

Water Quality

Water quality is generally good to excellent in the Town of Apple Valley. Exceptions are generally limited to zones of high mineral concentrations, particularly areas with older alluvium where the groundwater receives very little recharge and limited groundwater movement.

The US EPA sets drinking water standards to control the level of contamination in the nation's drinking water. The USEPA and the State Water Resources Control Board (SWRCB) are the agencies responsible for establishing drinking water quality standards in California. According to the annual Liberty Utilities Water Quality Report, there have been no contaminants detected that exceed any federal or state drinking water standards.²¹ Currently, water quality does not affect water supply reliability in the Liberty Utilities service area.

²⁰ Liberty Utilities – Apple Valley Final 2020 Urban Water Management Plan, June 2021.

²¹ Annual Water Quality Report: 2024 Consumer Confidence Report on Water Quality for 2023, prepared by Liberty Utilities.

Floodplain Management

The San Bernardino Flood Control District ("Flood Control District") implements broad management functions, including flood control planning, construction of drainage improvements for regional flood control facilities, and watershed and watercourse protection related to those facilities. The Town is responsible for local drainage management and requires development projects integrate on-site stormwater management and detention facilities to reduce the needed size of downstream facilities, create opportunities for groundwater recharge, and provide for enhanced open space and/or recreation areas.

GP EIR

Drainage and Stormwater

The GP EIR (Section III.H page III-123 et.seq.) found that future development under the General Plan update had the potential to alter existing drainage patterns and, in some areas, to result in the accumulation of a significant amount of debris during large storms. The General Plan update included goals, policies and programs designed to limit flood hazards and protect natural watersheds as well as lives and properties in areas subject to flooding. General provisions for flood hazard reduction are also provided in the Apple Valley Development Code, Grading Ordinance, and Subdivision Ordinance and apply to all lands in Areas of Special Flood Hazard.

The EIR set forth mitigation measures that requires site-specific analyses be conducted prior to development that identify potential hazards, and set forth effective mitigation measures and development standards that minimize impacts from structural failure and promote the health and safety of residents. With implementation of these mitigation measures, impacts would be reduced to less than significant levels.

Water Resources

Section III-I, Water Resources/Quality, of GP EIR determined that the General Plan Update would directly increase water consumption with the addition of 64,749 dwelling units. This represented an increase of approximately 13,696 units, or 27.4% over the previous General Plan, which planned for 50,053 units. Residential development in the General Plan area is expected to generate a population of approximately 194,931. The proposed Plan will also result in a proportional increase in commercial, industrial, public and other types of development.

All land uses within the Town limits and Annexation areas were expected to result in total water demand of 95,999.8 acre-feet per year at build out. Residential development associated with implementation of the proposed General Plan and the Annexations was estimated to result in water demand of 45,396.2 acre-feet per year at build out. Commercial, industrial and other land uses were expected to result in water demand of 50,603.6 acre-feet per year at build out. It was concluded that the 2005 AVRWC UWMP demonstrated that AVRWC had sufficient water supplies for its service area through year 2025 under normal and drought conditions. Nonetheless, the GP EIR determined that build out of the General Plan area, including the Annexations areas, would result in significant impacts to water resources without mitigation.

The GP EIR provided domestic water mitigation measures in Section I, Water Resources/Quality and Section M, Public Services. These mitigation measures are listed, below, and reduce impacts to less than significant levels.

Water Quality

The GP EIR determined that as the proposed General Plan and Annexation areas build out, the potential for groundwater contamination would increase. The GP EIR determined the General Plan goals, policies and programs would reduce impacts to water resources to less than significant levels, as well as to ensure that federal, state, local and all other applicable pollution control standards continue to be implemented.

The following Hydrology Mitigations Measures are from Section H, Hydrology, pages III-142 through -144 of the GP EIR.

1. The Town shall monitor its Master Plans of Drainage every five years to ensure that it reflects changes to local and regional drainage and flood conditions.
2. The Town shall upgrade its local and regional drainage system through proactive planning and coordination with other responsible agencies to ensure the provision of a comprehensive system of flood control facilities throughout the Town.
3. The Town shall continue to implement flood-warning systems, and shall maintain its public outreach and information programs to educate and inform the public of potential flood hazards and provide potential solutions made available to them.
4. The Town shall develop evacuation plans in the 100-year and 500-year flood zones where critical facilities, including but not limited to schools, hospitals and nursing homes are located.
5. To ensure that water storage tanks retain their structural integrity during an earthquake, and so that water demands after the earthquake can be met, the Town shall coordinate with all water purveyors in the planning area to evaluate and retrofit all above-ground water tanks in the Town as necessary, based on their vulnerability to seismic hazards, to ensure compliance with the most current water tank design criteria.
6. Major drainage facilities, including debris basins and flood control channels, shall be designed to maximize their use as multi-purpose recreational or open space sites, consistent with the functional requirements of these facilities.
7. The Town shall assure that adequate, safe all-weather crossings over drainage facilities and flood control channels are provided where necessary, and are maintained for passage during major storm events.
8. The Town shall continue to restrict development in those areas that are FEMA-mapped as being subject to flooding, and shall require site-specific hydrologic studies for future development to determine flooding potential for other areas.
9. Future development proposals shall be required to submit a hydrology study and mitigation plan which conforms to the Apple Valley Master Plan of Drainage or the Apple Valley West/Desert Knolls Master Plan of Drainage and other regional and local requirements, policies, and programs.
10. All new development shall be required to incorporate, at the developer's expense, adequate flood control mitigation, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains and to, as part of project development.
11. Future flood control plans required of developers shall include specific recommendations and/or designs regarding pollution control techniques to be applied to keep pollutants, including herbicides, pesticides, and other hydrocarbons out of surface and groundwaters. Mitigation measures may include specifically designed open space areas

such as artificial wetlands where nuisance and otherwise contaminated on-site runoff shall be retained separate from channels conveying off-site flows.

12. Bridging of General Plan roadways within new development projects shall be the responsibility of the developer on whose project the bridge occurs, and shall be included as a condition of approval.
13. Stormwater retention shall be enforced through the development review process and routine site inspection.
14. The Town shall pursue all credible sources of funding and continue to explore County funding, Cobey-Alquist Flood Plain Management Act, other State programs, and Federal funding options for local and regional drainage improvements needed for adequate flood control protection.
15. Capital Improvement Plans for drainage management and control shall be developed, updated and maintained and shall be based upon the Apple Valley Master Plan of Drainage and the Apple Valley West/Desert Knolls Master Plan of Drainage.
16. The Town shall consider the establishment of Fair Share Cost Allocations or Assessment Districts for purposes of funding necessary drainage improvements in particular geographic areas throughout Apple Valley.
17. In conjunction with SBFCD the Town shall coordinate and cooperate in the filing of appropriate FEMA application materials to incrementally secure amendments to the Flood Insurance Rate Maps of the Town, consistent with existing and proposed improvements.

The following Mitigations Measures are from Section I, Water Resources/Quality, pages III-166 through -168 of the GP EIR.

Water Conservation

Water conservation is an essential short and long-term resource management strategy, given increasing demands on water supplies in the General Plan area, including the Annexation lands. Efforts to reduce per capita consumption are a priority. The implementation of water-efficient landscaping design and management is among the best conservation opportunities. The Town's Water Conservation Plan ordinance includes water regulations that prohibit wasteful water practices, including washing driveways and walkways with water and excessive runoff of landscape irrigation water and washing driveways, and establishes penalties for violation of these regulations. MWA has established a goal of 10% municipal conservation by 2020. The proposed General Plan recommends that the Town follow the recently adopted MWA UWMP.

The Town will continue its involvement in the Alliance for Water Awareness and Conservation (AWAC). As noted previously, the AWAC has set goals to reduce regional water use by 10% gross per capita by 2010 and by 15% gross per capita by 2015.

General Mitigation Measures

Groundwater depletion and contamination are regional and local issues that affect groundwater subareas, which are not defined by jurisdictional boundaries. Conservation and efficient use of water will continue to be foundational to community planning and development in Southern California. Further, to help assure and optimize long-term natural recharge of the Mojave River Basin and the respective subareas, the region's major mountain watersheds must be protected. Effective stormwater management can also preserve and protect groundwater quality. The Town has an integral role in the protection and management of this finite, essential resource.

The General Plan update includes a variety of goals, policies, and programs that are intended to provide and maintain a dependable supply of safe, high-quality domestic water to meet the needs of all segments of the community. To reduce potential impacts to water resources associated with implementation of the General Plan and subject Annexations to less than significant levels, the following mitigation measures shall be implemented:

1. The Town shall coordinate and cooperate with the Mojave Water District, the Apple Valley Ranchos Water Company, Golden State Water Company and other water purveyors within the Town to strengthen and expand educational and public relations programs that convey the importance of water conservation and water-efficient landscaping.
2. The Town shall promote, encourage and participate in the development of water management and conservation strategies through the Alliance for Water Awareness and Conservation, the San Bernardino Association of Governments (SANBAG) and its member jurisdictions, as well as the Mojave Water Agency, Apple Valley Ranchos Water Company, Golden State Water Company, and other water purveyors in the Town, on water supply and conservation programs.
3. The Town shall continue to implement its Water Conservation Plan ordinance and comply with State Assembly Bill 325 (AB 325) by limiting turfed areas in new projects, and requiring the use of native and other drought-tolerant planting materials, installing efficient irrigation systems and monitoring existing systems to ensure maximum efficiency and conservation.
4. The Town shall require that all new developments use water conserving appliances and fixtures, including low-flush toilets and low-flow showerheads and faucets. The Town shall require the application of water-conserving technologies in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and applicable sections of Title 24 of the State Code.
5. The Town shall encourage the use of faucets, showerheads and appliances in new development that exceed Title 20 and Title 24 water efficiency requirements.
6. The Town shall require that future development in the General Plan area has an adopted Water Supply Assessment in compliance with AB 610 and 221 prior to approval of development plans.
7. The Town shall actively support and encourage the continuation and expansion of groundwater recharge efforts, and shall confer and coordinate with MWA and AVRWC regarding the possible future use of tertiary treated wastewater as a means of reducing demand for groundwater resources. To the greatest extent practicable, the Town shall direct new development to provide irrigation systems that are able to utilize reclaimed water, when available, for use in common area and streetscape landscaping.
8. The Town shall consider approaches and mechanisms that facilitate financing and construction of expanded wastewater collection facilities.
9. To the greatest extent practicable, the Town shall continue to require new development to connect to the community sewer system. Where sewer service is not available and lots are created of less than one (1) acre in size, the Town shall require the installation of "dry sewers" and the payment of connection fees for future sewer main extensions.
10. Consistent with community design standards and local and regional drainage plans, the Town shall provide development standards and guidelines for the construction of on-site storm water retention facilities.

11. The Town shall require that the development and maintenance of project-specific on-site stormwater retention/detention basins that implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and address applicable community design policies subject to all applicable regulations, standards and guidelines.
12. The Town shall evaluate the potential of all proposed land use and development plans to create groundwater contamination hazards from point and non-point sources. The Town shall confer and coordinate as necessary with appropriate water agencies and water purveyors to ensure adequate review.
13. The Town shall coordinate with Apple Valley Ranchos Water Company, Golden State Water Company, and other water purveyors that serve the Town and its Sphere of Influence to establish/continue incentive programs to encourage that existing development be retrofitted to utilize water conserving fixtures, and landscaping and irrigation materials and controllers.
14. The Town shall restrict the amount of turf planted on all new commercial, industrial, public facilities, multi-family and front yards of single-family residential projects to reduce the amount of water used for irrigation.
15. Irrigation design that reduces overspray and uses conservation techniques shall be required for all new commercial, industrial, public facilities and multi-family projects which will reduce the amount of water used and wasted on irrigation.
16. The Town shall confer and coordinate with the Victor Valley Wastewater Reclamation Authority to explore the possible future provision of recycled/reclaimed wastewater that can serve new and existing development.
17. The Town shall consider incentive programs for the removal of existing turf and replacing the turf with drought tolerant desert landscaping that requires less water.
18. The Town shall proceed with the agreement entered into with the City of Hesperia to design two (2) wastewater reclamation plants that will enable reclaimed water to be used to irrigate Town parks and the Apple Valley Country Club Golf Course.

The following Mitigation Measures are from Section M Public Services, page III-250 of the GP EIR.

1. All future development projects shall be subject to review by the Town and the applicable water purveyor to assess their potential impact on local groundwater supplies.
2. The Town and applicable water purveyor shall coordinate for the extension of infrastructure to serve future development in Annexations 2008-001 and 2008-002.
3. The use of drought tolerant landscaping shall be encouraged in public and private development.
4. Future development shall required to conform to standards set forth in Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601 (b), and applicable sections of Title 24 of the State Code. These measures include the installation of low-flush toilets, low-flow showerheads and faucets in all new construction.

Proposed Project Impacts

- a) **Less Than Significant Impact.** A project would have a significant impact on surface water quality if discharges associated with its development would create pollution, contamination, or nuisance as defined in Section 13050 of the California Water Code (CWC) or would cause regulatory standards to be violated, as defined in the applicable National Pollution Discharge Elimination System (NPDES) stormwater permit.

The Project will be required to connect to the sanitary sewer and domestic water systems. Liberty Utilities will provide water service, and the Victor Valley Wastewater Reclamation Authority will provide sanitary sewage treatment for the Project. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements that minimize impacts to regional groundwater quality.

Town and Regional Water Quality Control Board reviews and permitting will ensure that construction and operational best management practices (BMPs) satisfy local, state, and federal standards. BMPs typically include minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, incorporating trees and landscaping, and conserving natural areas. In addition, the Town will require preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the National Pollutant Discharge Elimination System (NPDES) prior to the issuance of grading permits.

Furthermore, the SWRCB has designated the Town of Apple Valley as a Traditional Small MS4. As part of Phase II regulations promulgated by the U.S. EPA, the SWRCB adopted the Small MS4 Permit, which requires MS4s serving populations of 100,000 people or less to develop and implement a stormwater management plan with the goal of reducing the discharge of pollutants to the maximum extent possible. A preliminary Water Quality Management Plan (WQMP) was prepared for the project to comply with Town requirements and the Phase II Small MS4 General Permit for the Mojave River Watershed that integrates source control BMPs and low impact development (LID) designs into the proposed Project to the maximum extent feasible to reduce the potential for pollutants to enter stormwater runoff. A final WQMP will be prepared for the proposed Project prior to the issuance of grading permits.

In summary, the implementation of existing regulations and standards will ensure that development in the Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts are expected to be less than significant.

- b) **Less Than Significant Impact.** The Project proposes 570,752 square feet of warehouse area, and 56,448 square feet of supporting office space for a total of 627,200 square feet. During construction, water use will be temporary and limited to site watering as required by the Project dust control plan (MDAQMD Rule 403), and the water would return to the aquifer via infiltration.

Water demand for the Project when operational was also calculated. The projected indoor commercial (office) operational water usage factor is based on the American

Water Works Associated Research Foundations (AWWARF's) Commercial and Industrial End Uses of Water. The operational water demand factor for the proposed warehouse area is based on the factor of 3.4 gallons per square foot per year provided in the U.S. Energy Information Administration 2012 Commercial Buildings Energy Survey. As shown in Table 11, the total projected indoor commercial and industrial water demand for the Project is projected to be 8.35 AFY.

**Table 11
Project Indoor Industrial Water Demand**

Use	Indoor Area (ft ²)	Water Demand Factor(gal/SF/year) ¹	Water Demand (gpd)	Water Demand (AFY)
Office ²	56,448	15	2,319.78	2.40
Warehouse	570,752	3.4	5,316.59	5.95
TOTAL	627,200	--	10,729.41	8.35

¹ Office water demand factor from AWWA Commercial and Industrial End Uses of Water; Warehouse water demand factor from U.S. Energy Information Administration 2012 Commercial Buildings Energy Consumption Survey, Water Consumption in Large Buildings Summary.

² Assumes 9% of gross floor space is office use, per site plan parking calculations.

The projected outdoor irrigation water usage is based on the Maximum Applied Water Allowance (MAWA) equation from the Town of Apple Valley Ordinance No. 479, which is compliant with the Department of Water Resources Code of Regulations Title 23, Division 2, Chapter 2.7 "Model Water Efficient Landscape Ordinance". The projected outdoor irrigation water allowance for the Project is 11.43 AFY as shown in Table 12 below.

**Table 12
Project Outdoor Irrigation Water Demand**

Use	Landscape d Area (ft ²)	ETo (in/yr) ¹	ETAF ²	Conversion Factor (gal/ft ²) ³	Water Demand (gpd)	Water Demand (AFY)
Landscaping	201,664	66.2	0.45	0.62	10,204.64	11.43

Water demand = Area (SF) x ETo x ETAF x 0.62

¹ Reference Evapotranspiration (ETo) from Town of Apple Valley Ordinance No. 479.

² Evapotranspiration Adjustment Factor (ETAF) from Town of Apple Valley Ordinance No. 479.

³ Conversation Factor from Town of Apple Valley Ordinance No. 479.

As shown in the tables above, the total projected water demand for the Project is 19.78 AFY. Liberty Utilities' actual domestic water demand for 2020 was 10,067 acre-feet (AF), and the projected water demand in 2045 is 18,538 AF.²² The Project's water demand of 19.78 AFY therefore accounts for approximately 0.1% percent of the expected total planned increase in demand by 2045.

According to Liberty Utilities' Urban Water Management Plan, the water provider has adequate water supplies to meet demand during normal, single-dry, and multiple dry years for at least the next 25 years. The Project is also consistent with the General Plan

²² Liberty Utilities Urban Water Management Plan (2020), Table 6-9.

land use designation for the property, on which Liberty Utilities based its water demand projections. Given that the Project's water demand would represent a small fraction of the provider's total supply, and that the land uses proposed were planned for in the Urban Water Management Plan, it can be assumed that adequate supply would be available for the Project without causing substantial decreases in groundwater supplies or interfering substantially with groundwater recharge. Impacts would be less than significant.

c i-iv) Less Than Significant Impact. There are no streams or rivers located onsite. A project-specific Jurisdictional Assessment of Wetlands and Waters was prepared by WSP in August 2024 (Appendix C). The field study was conducted on July 3, 2024, which found no ordinary high-water marks (OHWM) or evidence of any recent flows on site.

The Project will result in grading, excavation, and other modifications to the ground surface, and has the potential to result in erosion and/or siltation on- and off-site. In compliance with the National Pollutant Discharge Elimination System (NPDES) the Project will mitigate silt runoff from erosion and construction by implementing BMPs, which would include silt fencing, track out prevention, and other measures approved by the Town via the Project SWPPP and WQMP. These measures will prevent the Project from depositing silt on- and off-site. These regulations required by the NPDES permit, WQMP, and SWPPP will reduce the Project's impact on surface and groundwater quality to less than significant levels.

A project-specific Preliminary Hydrology Study was prepared by Merrell Johnson Companies in September 2024 (Appendix G). According to the Hydrology Study, stormwater currently flows from the north and from the east. Stormwater runoff from the north will be intercepted within the proposed street improvements of Gustine Street and conveyed around the proposed warehouse with a storm drain system in the proposed street right-of-way. The storm drain system will convey runoff flows to their historical flow location along the southern project boundary on Fresno Road. Stormwater runoff from the east will be intercepted within the street improvements of Ramona Road, and will also be conveyed around the warehouse facility within a storm drain system in the proposed street right-of-way to their historical flow location within Fresno Road. The two storm drains connect on the north side of Fresno Road and convey the storm runoff south of Fresno Road to an existing drainage swale where the runoff will bubble out into the swale following its historical flow path.

The proposed Project will be required to comply with the Town's storm water retention requirements, including the approval of a project-specific final hydrology study and water quality management plan prior to the issuance of grading permits. In addition, implementation of Town required BMPs will reduce pollutants of concern that may enter nearby receiving waters and help reduce short and long-term water quality impacts caused by the construction and operation of the proposed Project. Approval of the WQMP, SWPPP, and the required BMPs will reduce impacts to surface waters by reducing erosion, siltation, and eliminating pollutants in storm flows. With the implementation of this standard requirement, the impacts to downstream water bodies associated with surface water pollution will be less than significant.

Implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the GP EIR. Development of the site would increase the amount of impervious surfaces in the Town at buildout, but would not substantially change the amount or location of impervious surfaces, since the Project site is designated for industrial land uses. The Project will be required to comply with all Town regulations under the MS4 permit, including the implementation of BMPs and erosion control to prevent surface and ground water pollution, as described above. Buildout of the site is required to comply with applicable regulations, and policies set forth in the General Plan on protection of local hydrology and water quality. Implementation of the same regulatory framework and policies as analyzed in the GP EIR will ensure that overall impacts are similar to those previously identified in the GP EIR. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts identified in the EIR.

- d) Less Than Significant Impact.** The Project site is designated Zone D on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) (Map No. 06071C5830H). Zone D identifies areas of potential but undetermined flood hazards, as no analysis of flood hazards has been conducted. Therefore, the extent to which the Project area is at risk of flooding is unknown. The Project hydrology study, however, quantified on- and off-site flows to assure that the site's hydrology design could meet the Town's requirement to contain the 100 year storm, and demonstrates that the site will not flood under these conditions.

There is no risk of inundation resulting from dam failure as the Project site is outside of any dam inundation areas. The Cedar Springs and Mojave Dams in the San Bernardino National Forest southwest of Apple Valley have performed well during seismic events, neither has experienced failure, and neither is in the vicinity of the Project site. Any potential release of floodwaters from the dams is expected to be confined to the Mojave Riverbed (4± miles west of the Planning Area). The site is not near an ocean or river, in which tsunami and seiche zones would be a significant inundation hazard.

- e) Less Than Significant Impact.** Liberty Utilities will provide water service, and the Victor Valley Wastewater Reclamation Authority will provide sanitary sewage treatment for the Project. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements that minimize impacts to regional groundwater quality. As described above, the Town is not subject to SGMA, but the Liberty Utilities UWMP demonstrates the sufficiency of its water supplies, and the Project is consistent with the land use assumptions made in the UWMP. The Project will have less than significant impacts on water management plans.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: North Apple Valley Industrial Specific Plan (2006); Town of Apple Valley General Plan (2009); Town of Apple Valley Comprehensive, Airport Land Use Compatibility Plan (1995); Town of Apple Valley Development Code (as amended).

Environmental Setting

The Project site is located within the NAVISP and has a Specific Plan (SP) land use designation. The Specific Plan prescribes certain land use, zoning policies and development standards for projects within the NAVISP. Zoning for the Project site and adjacent parcels is Industrial – Specific Plan (I-SP), which permits a range of clean manufacturing and warehousing uses that must be conducted indoors and include perimeter landscaping that is complementary to surrounding streetscapes.

The Apple Valley Airport runway occurs 2,000± feet east of the Project site. As such, the Project site is situated within the Town's Airport Overlay District A-2 (see Exhibit 6). The perimeter of the A-2 zone is based on a 1,000-foot-wide flight path extended from the center line of the runway ends.²³ The Project is subject to the Land Use Compatibility Guidelines for the Airport Overlay District A-2 and is also subject to an airport compatibility review. Projects within an Airport Overlay District must comply with the zoning requirements of the underlying zone and the Airport Overlay District. When zoning guidelines conflict, the more restrictive guidelines take precedence.

Airport Overlay District restrictions and permitted uses are described in detail in the Town's Development Code Chapter 9.65. Uses that are considered to be hazardous and thus are prohibited are those that would generate smoke, water vapor or light interference which could impeded aircraft pilot's vision. Other prohibited uses include, but are not limited to, those that would attract a large number of birds such as a landfill, those that would reflect sunlight toward aircraft during takeoff, those that involve the manufacturing and/or storage of explosives, flammable and/or hazardous materials, and uses that generate electrical interference that could be detrimental to the operation of aircraft and aircraft instruments. The maximum permitted building height in the Airport Overlay District A-2 is 50 feet unless a lower maximum height is dictated by the underlying zone.

²³ "Comprehensive Airport Land Use Compatibility Plan," Town of Apple Valley, March 1995.

GP EIR

The Land Use Planning section was analyzed with the Population and Housing section (Section III.J, page III-169 et.seq.) in the GP EIR. Land Use Planning is analyzed here separately from Population and Housing (see section XIV below).

The GP EIR found that the General Plan Update, which included two annexations at the north end of Town, would increase the amount of residential, commercial, industrial, and public facility areas. Residential acreage would see an increase of 4,213.6 acres and would be able to accommodate an additional 11,230 units. Commercial space would increase by 23,198,699 square feet, and industrial space would increase by 17,101,238 square feet. Public Facilities areas would expand by 147.8 acres, and 40.3 acres would be added to Open Space land use areas.

Potential impacts to land uses within the existing Town limits were considered to be less than significant and would not affect or alter the Town's established pattern of development. However, the designation of Industrial land uses for Annexation 2008-001, located on the northwest region, would lead to significant and unavoidable impacts. The General Plan called for an increase in residential densities, an additional 773 acres of commercial lands, and 812.1 acres of industrial lands. These changes would significantly impact the character of the existing rural residential development despite the policies and programs that required buffers and other protections to separate non-residential uses from residential uses. The impacts of the land use changes in the Annexation area could not be mitigated to less than significant levels, and thus were declared significant and unavoidable. The Project site is located within Town limits, and not within Annexation 2008-001.

Annexation 2008-002, located in the northeast region, was a vacant mix of rural residential and industrial land uses, and would be changed to industrial use only. The GP EIR declared the General Plan land use changes would be less than significant since the land was vacant.

Land Use Planning Mitigation Measure

The General Plan includes policies and programs to address and mitigate land use incompatibilities. Even with these policies and programs, however, the impacts associated with land use in Annexation 2008-001 would remain significant and unavoidable. The GP EIR required the following mitigation measure to reduce impacts to the extent possible (page III-184 of GP EIR).

1. Individual project proposals, especially those involving a mix of residential and other uses, as well as those located near sensitive lands or uses, shall be fully evaluated during the project review process to assure that all land use compatibility issues are addressed and mitigated.

Proposed Project Impacts

- a) **No Impact.** Aside from the Apple Valley Airport to the east, two distribution centers north of Los Padres Road, and scattered businesses south of Papago Road, this area of the NAVISP is mostly undeveloped land. The nearest residences in the NAVISP area include

several rural single-family units 1 mile south near the intersection of Dale Evans Parkway and Taos Road. Residential General Plan land uses occur outside of the NAVISP boundary east of Dale Evans Parkway, south of Waalew Road, and east of Central Road. The Project aligns with the designated General Plan land use for the Project parcel and surrounding vicinity and would not divide an existing community. There will be no impacts.

- b) Less than Significant Impact.** Upon completion, the intended use of the Project would include the storage commercial goods for distribution. The proposed warehouse Project complies with the standards and restrictions defined by the Town's General Plan Specific Plan land use designation and by the Town's Specific Plan – Industrial zoning designation. Furthermore, the Project's design would comply with the Town's site development standards for I-SP land use. Due to the Project's location within the Airport Overlay District A-2, the Project would be subject to an airport compatibility review and would be required to meet all development standards for the Airport Overlay District A-2 prior to construction. Therefore, the Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation. Less than significant impacts are anticipated.

Mitigation Measures: None required.

Monitoring: None required.

XII. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Sources: Apple Valley General Plan (2009).

Environmental Setting

Within the Town, mineral resources are found primarily along or near the Mojave River or in the surrounding mountains, and include sand, gravel and stone deposits that are suitable as sources of concrete aggregate. There are no active mines on the Project site or in the vicinity. The nearest active mines are the Balanced Rock Mine and BGM Mine located approximately 17.2 miles and 13 miles south of the Project site, respectively. According to the GP EIR (Figure III-16), the Project site is located in an area designated Mineral Resource Zone 3a (MRZ-3a), which is an area containing known mineral occurrences of undetermined mineral resource significance.

GP EIR

According to the GP EIR (Section III.K, page III-185 et.seq.), the Town of Apple Valley designated 452.5 acres as mineral resource land use. Of this, approximately 111.56 acres were developed for mining and processing of aggregate materials, and an additional 340.95 acres were designated for the use and production of mineral resources. The EIR found mining activities may be incompatible with surrounding land uses, as for example, dust, noise, and heavy truck traffic may create conflicts with residential and commercial uses. The designation of mineral resources land use therefore had impacts on the potential uses of adjacent lands and development proposals could be submitted to the Town that may generate land use conflicts with aggregate and limestone quarries. However, the GP EIR determined that thoughtful application of the Town's land use policies, and adherence to the following mitigation measures, would reduce potential impacts from adjacent conflicting land uses to less than significant levels.

The following mitigation measures shall be implemented to reduce the impacts resulting from mineral resource extraction to acceptable levels (page III-190 to -191 of GP EIR).

1. The Town will allow aggregate, limestone and other mineral resource extractions only in cases where all residual hazards to public health and safety are effectively mitigated.
2. Development proposals adjacent to lands designated for Mineral Resources shall be reviewed to assure the inclusion of adequate buffering.
3. The Town shall cooperate with the Mojave Desert Air Quality Management District to ensure mineral extraction operations' compliance with air quality standards.

4. The Town shall coordinate closely with San Bernardino County and the State Department of Mines and Geology to assure that reclamation plans are current and adequately implemented at existing mining operations.

Proposed Project Impacts

a, b) No Impact. The Project does not propose mining activities and there are no mining land uses or activities in the vicinity. The Project site is in MRZ-3a where the significance of any mineral resource is considered speculative because no mining has historically occurred in the area. The Project site is not designated, used, or planned for mineral resource extraction or development. The proposed distribution warehouse is a permitted use under the industrial land use designation for the site in the General Plan and NAVISP. The development of the site will be in accordance with the requirements of the General Plan, NAVISP, Town Development Code, and other applicable regulations. Therefore, the Project would have no impact on mineral resources.

Mitigation Measures: None required.

Monitoring: None required.

XIII. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Generation of excessive groundborne vibration or groundborne 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?			✓	

Sources: Town of Apple Valley General Plan (2009); Town of Apple Valley Development Code Chapter 9.73 Noise Control.

Environmental Setting

Major noise sources in Apple Valley include vehicular traffic on highways and arterials, as well as aircraft, trains, and industrial operations. The primary noise source in the Specific Plan Planning Area is traffic, which includes trucks and buses. Warehouse and light industrial sites, can also generate noise from mechanical equipment, truck deliveries, loading and unloading operations, and trash compactors. The Project site is approximately 700 feet west of the Apple Valley Airport; therefore, aircraft noise is also considered a major noise source in the Project area. The Project site is 2.5± miles from the nearest rail line; therefore, rail is not a noise source in the Project area.

The Project site is currently vacant and undeveloped, and there are no noise sources on-site.

Apple Valley Noise Ordinance

Section 9.73 of the Town of Apple Valley Development Code establishes community-wide noise standards and emphasizes the value of an acceptable noise environment. It sets forth regulations for noise measurement and monitoring, special provisions and exemptions to the ordinance. It is intended to regulate excessive noise from existing uses and their activities. Violations are defined as a nuisance, and procedures, remedies and penalties to which violators are subject are included.

Section 9.73 also establishes standards for construction activities, which represent a temporary, but often disruptive, noise source. From 7 a.m. to 7 p.m. weekdays and on Saturdays, the maximum noise levels allowed for mobile and stationary equipment near single-family

residential development are 75 dBA Leq and 60 dBA Leq, respectively. These levels are reduced to 60 dBA Leq for mobile equipment, and 50 dBA Leq for stationary equipment during weekday nighttime hours between 7 p.m. to 7 a.m. and all day Sundays and holidays. These levels are increased by about 5 dBA Leq, across the board, for multi-family residential development, and by another 5 dBA Leq for areas characterized as “semi-residential/commercial.”

Section 9.73 prohibits operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or at one hundred fifty (150) feet (46 meters) from the source if on a public space or public right-of-way.

GP EIR

Permanent Noise Increases

The GP EIR considered noise levels at General Plan build out and found that noise levels would increase substantially over the ambient noise levels at the time, particularly along major Town roadways. Overall increases were determined to be significant and required mitigation. Mitigation Measures 6, 7 and 8, duplicated below, required the preparation of site-specific noise analyses for projects proposed adjacent to residential land uses, the siting of sensitive receptors away from noise generators, and the routing of traffic to major roadways to preserve residential neighborhoods' quiet environment, respectively.

The GP EIR also analyzed the location of truck routes and found that the majority of these routes were proposed in the area of the NAVISP, where land uses are proposed to be industrial and commercial, and thus less sensitive. Less than significant impacts were identified for truck routes.

Although no substantial change in rail traffic volume was anticipated as a result of General Plan build out, due to their being private rail lines for specific users, rail noise impacts were analyzed, and rail volume assumed to double by General Plan build out, to provide a conservative analysis. The results found that for the rail line adjacent to Quarry Road, noise levels of 49 dBA CNEL at 100 feet would be expected 4 to 8 times a day at build out of the General Plan. This level is below the Town's acceptable noise standards for all land uses.

Temporary Noise Increases

The GP EIR found that heavy construction equipment can generate noise levels of up to 100 dBA at 100 feet from the source, and that noise levels decrease at a rate of about 6 dBA with every doubling of distance. The GP EIR also found that noise reducing methods were available to reduce construction noise impacts, particularly noise generated adjacent to sensitive receptors. The GP EIR included Mitigation Measures 10 through 12, which required that construction equipment be equipped with mufflers, that stationary equipment be located away from sensitive receptors, and that construction hour limitations be enforced. The EIR found that with the implementation of these mitigation measures, construction impacts associated with build out of the General Plan would be reduced to less than significant levels.

Airport or Airstrip Noise Impacts

The GP EIR determined that there were no private airstrips in the General Plan area, but that the Apple Valley Airport would generate noise in the NAVISP area. The GP EIR analyzed the findings of the Airport's expansion plans and found that the 65 and 60 dBA CNEL noise levels were all

contained within the Airport property. In addition, the land uses proposed around the Airport in the NAVISP were less sensitive commercial and industrial uses. The GP EIR concluded that the Apple Valley Airport would have less than significant impacts on the Town's noise environment.

The following Mitigation Measures shall be implemented within the General Plan area to ensure the reduction of potential noise impacts to less than significant levels. Additional site-specific noise mitigation measures may also be required as appropriate for future development.

General Mitigation Measures

1. The Town shall continue to maintain and enforce its noise ordinance to ensure that noise impacts throughout the General Plan area are maintained at acceptable levels.
2. The Town shall continue to require that all project designs comply with Title 25 (California Noise Insulation Standards) by ensuring that interior noise levels for residential development do not exceed 45 dBA.
3. Final site plans for all proposed development projects in the General Plan area shall consider potential noise impacts, including residential site-orientation to shield outdoor living areas, incorporating additional setbacks from roadways, and constructing additional noise barriers where necessary.
4. All development shall be designed to include and comply with requirements of State Code for lateral and vertical unit-to-unit airborne sound isolation. For multi-family residential and hotel development, design shall include vertical impact sound isolation.
5. Project-specific development shall prepare construction drawings to determine exact specifications for window glass in buildings with unshielded first and second story windows.
6. The Town shall require an acoustical analysis for all commercial and industrial projects that are proposed adjacent to residential land uses or land use designations. The acoustical analysis shall evaluate potential noise impacts of the project and provide mitigation measures that are adequate to meet Town noise standards for residential land uses.
7. Sensitive receptors, which include schools, libraries and hospitals, shall, to the greatest extent feasible, be located always from major noise generators.

Off-Site Traffic Noise

8. The Town shall encourage a planning area-wide circulation pattern that loads primary traffic onto major arterials in order to limit local roadway traffic to the greatest extent feasible and thereby preserve local neighborhood noise environments.
9. The Town shall evaluate and monitor noise impacts associated with the addition of bus routes and bus stops near noise sensitive uses, in particular stops to be located along collector and local roads.

Construction Noise

10. All construction equipment operating in the General Plan area shall be equipped with properly operating and well-maintained mufflers to limit noise emissions.
11. To the greatest extent feasible, earth moving and hauling routes, and stockpiling and vehicle staging areas shall be situated away from existing residences.

12. Construction activities shall be conducted in compliance with the Town's Noise Ordinance to ensure that acceptable noise levels are achieved during sensitive time periods.

On-Site Stationary Noise Sources

13. Mechanical equipment for various buildings within the General Plan area shall be designed, selected and placed in consideration of the potential noise impacts on nearby residences within any development and in the surrounding community.
14. Appropriate sound barriers shall surround all public facilities generating disturbing levels of noise, such as water pumping stations.
15. Outdoor equipment such as cooling towers, air cooled condensers and refrigeration compressors and/or condenser units, as well as at air intake and discharge openings for building ventilation systems, shall be provided with silencers and/or barriers at or surrounding them, where necessary.

Proposed Project Impacts

- a) **Less Than Significant Impact.** The Project site is currently vacant, undeveloped and there are no noise sources on-site. The proposed Project is located along Dakota Road, which is secondary roadway (ultimate 88-foot right-of-way), in an area planned for industrial land uses. Lands within the NAVISP surround the Project site on all sides.

The main noise source in the area is aircraft noise from the Apple Valley Airport and vehicular traffic on neighboring roadways. The surrounding area mainly consists of vacant land and scattered industrial and commercial development. The nearest sensitive receptor land uses are scattered residences located approximately 0.87 miles (4,614 feet) south of the Project site.

Construction Noise

Project construction will temporarily increase ambient noise levels from the operation of heavy equipment and machinery. Grading, construction, paving, and other development activities will involve the operation of graders, excavators, bulldozers, dump trucks, and similar equipment. Heavy equipment can generate noise levels ranging from 70 to 90 dBA at 50 feet from the source.²⁴ However, such equipment will be mobile and will not create a source of constant noise at any one location on the site.

Noise from construction activities will be temporary and will cease once the Project is operational. The Town Development Code Section 9.73.060.F restricts allowable construction hours to between 7:00 a.m. and 7:00 p.m. on weekdays (with exceptions) and establishes noise restriction guidance where construction and demolition occur near residential areas. In addition, the nearest sensitive receptors are 1 mile south, and will experience noise levels well below the Town's standards because of distance and its attenuating effects. These restrictions, muffling of construction equipment, and other measures will reduce construction noise impacts on surrounding land uses. Adherence to

²⁴ US Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances (1971).

Town standards will ensure that construction-related impacts are compatible with the Municipal Code and less than significant.

Operational Noise

According to the General Plan, the noise level on Dakota Road south of Fresno Road is 67.7 dBA CNEL in the vicinity of the proposed Project (GP Table III-50). The Town's standard for exterior noise levels at industrial land uses is up to 75 dBA CNEL.

Operation of the proposed Project would occur within the enclosed building, with the exception of traffic on adjacent roadways, parking lot vehicle movements, as well as truck loading and unloading at designated loading bays. The Project building is proposed to be located 215 feet east of Dakota Road and south of Gustine Street, and 300 feet north of Fresno Road. HVAC units would be located on the roof of the proposed office portions of the building and would be screened by a 4- to 10-foot parapet. The parapet would be sufficiently tall to exceed the height of typical commercial HVAC and refrigeration units and would block these units from line of sight from adjacent properties.

According to the General Plan, the distance to the 65 and 70 dBA CNEL line on Dakota Road in proximity to the Project site is 138 feet and 70 feet, respectively. Within 140 feet of the centerline of Dakota Road, the only Project improvements will be landscaping and parking lots. Workers may be exposed to noise levels between 70 and 65 dBA in these areas, but their presence will be temporary, and the noise levels are acceptable for industrial uses. Impacts associated with noise from area traffic on the Project site are therefore expected to be less than significant.

The Project will generate traffic, and increase traffic noise as a result. However, the Project is consistent with the land uses allowed in the NAVISP, and those noise levels were therefore accounted for in the General Plan and its GP EIR. Noise from Project traffic would therefore contribute to the noise levels anticipated at General Plan build out on adjacent Project streets, and on roadways approaching the Project, including Dakota Road. However, since the land use proposed for the Project is consistent with that analyzed in the General Plan EIR and has therefore been included in the future noise projections for the area, the Project would not increase build out noise levels, and impacts would be consistent with those analyzed in the GP EIR.

Projects developed under the General Plan, including projects along surrounding roadways, will be required to comply with the Town's CNEL standards and Noise Ordinance, to assure that their on-site noise levels would not exceed Town standards. These requirements would be implemented with or without the proposed Project, based on development type and CNEL noise standard. Per Program 1.A.2 in the General Plan, the Town recommends design techniques to alleviate noise including building setbacks, sound walls, and earthen berms. Noise barriers, including walls and berms can provide noise level reductions ranging from approximately 5 dBA to 20 dBA,²⁵ depending on factors such as size, position, and material. The Project will conform to the Town's standards and include the required setbacks, walls and berms in the perimeter landscaping.

²⁵ Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol (2013).

The Project will also generate noise from stationary equipment such as HVAC units. As described above, these units are proposed to be located on the roof of the building and will be screened by a solid parapet. Solid walls generally provide up to 20 dBA in noise attenuation, and commercial-grade HVAC units generate about 80 dBA. Therefore, the noise generated by roof-mounted HVAC units would be 60 dBA immediately outside the building envelope, 50 feet above ground. Noise levels from HVAC units at ground level would be further reduced by distance. Therefore, the primary source of stationary noise on the project site will be substantially less than the acceptable 75 dBA level for industrial uses, and impacts will be less than significant.

Town standards and requirements and Project design will assure that impacts associated with Project noise remain less than significant.

Summary

Noise generated at and from the Project will not exceed acceptable noise levels for industrial uses. Implementation of the proposed Project would not result in any new significant impacts or increase the severity of a previously identified significant impact as analyzed in the GP EIR. Overall noise impacts are expected to be similar to those previously identified in the EIR. Therefore, implementation of the proposed Project would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the EIR.

- b) Less Than Significant Impact.** Ground-borne vibration and/or ground-borne noise will be produced by heavy equipment during the construction phase of the Project. Construction activities, such as excavating, earth-moving and trenching, could generate temporary and short-term ground-borne vibration and/or noise. The highest degree of ground-borne vibration is likely to be generated during paving due to the operation of a vibratory roller. Based on Federal Transit Administration (FTA) data, vibration velocities from vibratory rollers are estimated to be approximately 0.1980 inch-per-second PPV at 26 feet from the source of activity. As such, sensitive receptors greater than 26 feet from vibratory roller operations would not experience ground-borne vibration above the Caltrans significance thresholds (i.e. 0.3 inch-per-second PPV for structures and 0.2 inch-per-second PPV for human annoyance). The nearest sensitive receptor land uses are scattered residences located approximately 1 mile south of the Project site. Due to this distance, sensitive receptors would not be significantly impacted by ground-borne vibration and/or noise, and any such impacts would be temporary and would end once construction is complete.

Construction activities would be required to comply with all Noise Ordinance requirements for the control of construction vibration. The implementation of relevant General Plan policies and programs and compliance with the standard Town requirements will reduce potential vibration-related impacts to less than significant levels.

The Project does not propose land uses that would generate significant stationary sources of vibration, such as from heavy equipment operations. Operational-related vibration sources would be limited to electrical and mechanical equipment consistent with existing land uses in the area. In addition, Section 9.73 prohibits operating or permitting the operation of any device that creates a vibration which is above the vibration perception

threshold of an individual at or beyond the property boundary of the source if on private property, or at one hundred fifty (150) feet (46 meters) from the source if on a public space or public right-of-way. Therefore, operational vibration impacts are expected to be less than significant with adherence to Town standard requirements.

- c) Less Than Significant Impact.** The Apple Valley Airport extends at a northwest to southeast angle east of the Project site. The Project site sits within the Town's Airport Overlay District (A-2) and is subject to zoning restrictions set by this designation. According to the AVCALUP Figure 5-2, the project sits outside of the airport's 65 CNEL noise compatibility contours. According to the General Plan Noise Element, the 60 and 65 dBA noise contours for the airport occur entirely within its property boundary. Therefore, the proposed Project will not be impacted by airport noise. No new or increased severity of impacts would occur compared to those identified in the GP EIR.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: Town of Apple Valley General Plan (2009); 2010 and 2020 U.S. Census; California Department of Finance, E-5 Population and Housing Estimates for Cities and Counties; 2024 Demographics & Growth Forecast Technical Report for the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy; Employment Density Study Summary Report prepared for Southern Association of Governments, 2001.

Environmental Setting

The Town of Apple Valley encompasses 78 square miles in the high desert region of the Victor Valley in San Bernardino County. Between 2010 and 2020, Apple Valley's population increased by 9.6% percent, from 69,135 residents to 75,786. By July 2023, the population experienced a slight decrease to 75,036.²⁶ According to the California Department of Finance, the estimated average household size is 2.83 people.²⁷

The 2024 Demographics & Growth Forecast Technical Report for the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), projects the number of households to increase to 38,700 by 2050, and if the average household size remains at 2.83, the projected population for the Town by 2050 would be 109,521. The Town's General Plan estimates a buildout population size of 185,858.

In 2019, there were an estimated 20,700 jobs in the Town. By 2035, there could be 26,500 jobs, and by 2050, jobs could number 30,100.

GP EIR

At the time of the GP EIR, Population and Housing were analyzed with Land Use Planning (Section III.J, page III-169 et.seq.). In this report, Population and Housing are discussed in a separate section. See section XI above for the Land Use Planning analysis.

²⁶ Population Estimates, United States Census Bureau, accessed September 2024, <https://www.census.gov/quickfacts/fact/table/applevalleytowncalifornia/PST045221>.

²⁷ Table 2: E-5 City and County Population and Housing Estimates, January 1, 2024, State California Department of Finance.

The estimated build out population of the 2009 General Plan was compared against that of the prior Town General Plan. The General Plan build out population was estimated to be 152,813 residents. The land use changes proposed by the General Plan would add residential units and thus potentially increase the Town's population to 194,931. Impacts associated with this growth were deemed less than significant.

GP EIR Population and Housing Mitigation Measure

Although the impacts resulting from the estimated population increase were expected to be less than significant, the GP EIR provided the following Mitigation Measure to ensure that there would be no impacts to supporting infrastructure (page III-184 of GP EIR).

1. Development in currently undeveloped areas shall be controlled to assure adequate infrastructure, including roadways, water and wastewater systems.

Proposed Project Impacts

- a) Less Than Significant Impact.** Based on a study conducted for SCAG, the average number square feet per employee for a warehouse land use category in San Bernardino County is 1,195.²⁸ Based on this, the Project could potentially provide 525 jobs, or 2% of the 2035 projected number of jobs in the Town. Many of these jobs would likely be filled by people currently living in the Town of Apple Valley, and out-of-area- commuters. The Project may attract some new residents to the Town as well.

Infrastructure for water, sewer and electricity have already been extended to the Project site along Dakota Road. Roads bordering the Project site would be improved and thus would allow for an increase in vehicle mobility in the Project vicinity. Hence, the Project would result in a growth of road infrastructure, but utilities infrastructure already exists.

The Project may increase the number of jobs and thus bring a small increase in the Town's population size. These increases are well within the projected population, housing and job growth approved by the General Plan, and forecasted by the 2024 SCAG RTP/SCS, and would have the potential to reduce residents' commute trips, since over 30% of the Town's residents commute more than 30 minutes to work. The Project would not result in unplanned population growth and the impacts would be less than significant.

- b) No Impact.** The Project parcel and the surrounding parcels are vacant and undeveloped lands within the NAVISP, an area that is zoned for industrial use. Residences nearest to the Project site consist of several rural single-family units 1 mile south. Existing residential neighborhoods are outside the NAVISP boundary west of Dale Evans Parkway, south of Waalew Road, and east of Central Road. The Project would not displace any people or housing, and would not result in the need to replace housing. There will be no impacts.

Mitigation Measures: None required.

Monitoring: None required.

²⁸ Employment Density Study Summary Report prepared for Southern Association of Governments (p. 21), The Natelson Company, Inc., October 21, 2001.

XV. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			✓	
b) Police protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities?			✓	

Sources: The Town of Apple Valley General Plan 2009; Apple Valley Fire Protection District; San Bernardino County Sheriff's Department, Apple Valley Patrol Station; Apple Valley Unified School District; Town of Apple Valley Development Impact Fees.

Environmental Setting

Fire Protection

The Apple Valley Fire Protection District (AVFPD) provides fire protection services to the Town and vicinity beyond the Town's boundary. The service area of 206 square miles extends from the Mojave River eastward to the Dry Lake region of Lucerne Valley, and includes a population of approximately 90,000 people. AVFPD maintains a mutual aid agreement with Victorville, San Bernardino County, and the Bureau of Land Management which facilitates the need for support regardless of jurisdictional boundaries. The AVFPD employs 53 full time personnel, four part time personnel, and five reserve personnel. The Department operates seven fire stations, five of which are fully staffed, one is leased to a private ambulance company, and one is leased to Cal Fire. The closest AVFPD station to the Project site is Station 332, which is 4.45 miles southwest of the Project site located at 18857 Outer Hwy 18 S.²⁹

The Bureau of Land Management (BLM) operates the Apple Valley Fire Center at 18809 Central Road, approximately 1.7 miles northeast of the Project site, and as part of the mutual aid agreement, this Fire Center would also provide service to the Project.

Police Protection

The San Bernardino County Sheriff's Department is contracted to serve as the Town of Apple Valley Police Department (AVPD) to provide public safety services to the Town. The AVPD patrols a 72-square-mile area within the Town's boundary and the County Sheriff's Department serves areas beyond the Town's boundary, including the Town's Sphere of Influence. The AVPD Patrol Station is four miles south of the Project site at 14931 Dale Evans Parkway.

²⁹ Apple Valley Fire Protection District, About Us, accessed September 2024, <https://avfpd.org/about-us/>.

The AVPD employs 64 personnel consisting of 51 sworn officers and 13 general employees.³⁰ The optimal ratio of police to residents would be one police officer per 1,500 residents. As of 2024, the estimated population of the Town is 74,322 which indicates that the current ratio is one officer per 1,457 residents.

Schools

The Apple Valley Unified School District (AVUSD) operates five elementary schools, five middle schools, two high schools, and five schools supporting independent study and online learning opportunities. The closest education facilities to the Project site are Sycamore Rocks Elementary School located 4.2 miles southeast, and Phoenix Academy located 3.9 miles south of the Project.

Parks

The Apple Valley Parks and Recreation Department manages nineteen different recreational facilities including parks, athletic fields, community centers, a golf course, an aquatic center, an equestrian center, specialty parks, and trails. Brewster Park, the nearest facility, is 2.2 miles south of the Project site.

Other Public Facilities

The Newton T. Bass Apple Valley Library, is a 19,142 square foot building located next to the Town Hall, is managed by the San Bernardino County library system.

St. Mary Medical Center is a 213-bed facility that provides acute, general medical-surgical and intensive care, and operates a 24-hour emergency room. The medical staff is comprised of over 300 doctors. The Town contains one urgent care center, Dr. Mike's Walk-In Clinic.

GP EIR

Public Services were analyzed as part of the Public Services and Facilities section of the Town's GP EIR (Section III.M, page III-229 et.seq). Impacts resulting from the Town's General Plan buildout as described in the GP EIR are summarized here.

Fire

The Apple Valley Fire Protection District (AVFPD) services were explained in the GP EIR, and it was determined that the build out of the General Plan and Annexation areas would lead to an increase in the need for fire protection services beyond what the then current staffing could accommodate. Without mitigation, the impacts to fire protection services would be significant.

GP EIR Fire Protection Mitigation Measures

The following mitigation measures will reduce impacts associated with provision of fire protection services to less than significant levels (GP EIR page III-241).

1. The Town shall continue to coordinate closely with the Apple Valley Fire Protection District to assure the timely expansion of facilities and services.

³⁰ Apple Valley Patrol Station, San Bernardino County Sheriff's Department, accessed September 2024, <https://wp.sbcounty.gov/sheriff/patrol-stations/apple-valley/>.

2. The Town and Apple Valley Fire Protection District shall continue to enforce fire codes and other applicable standards and regulations as part of building plan review and conducting building inspections.
3. Industrial facilities that involve the storage of hazardous, flammable or explosive materials shall be sited to ensure the highest level of safety in strict conformance with Uniform Fire Code and other applicable codes and regulations.
4. The Apple Valley Fire Protection District shall continue to review new development proposals and evaluate project plans to assure that it can provide adequate fire protection.
5. The Town and Apple Valley Fire Protection District shall coordinate with the Apple Valley Ranchos Water Company, Golden States Water Company, and all other water purveyors serving the General Plan and annexation areas, to ensure adequate water supplies and pressure for existing and proposed development.

Police

The build out of the General Plan and Annexation areas would increase the demand for police protection services and would result in significant impacts to the Town. To adequately accommodate the build out of the General Plan, the GP EIR estimated that the department would need to increase staffing by 81 deputies to reach a total of 130 deputies, or 1 per 1,500 residents. Growth would occur over time, and the department would be expanded as needed during the growth period. To reduce impacts to less than significant levels, the following mitigation measures were required by the GP EIR.

GP EIR Law Enforcement Mitigation Measures

The following mitigation measures will ensure that impacts to police are reduced to less than significant levels (GP EIR page III-238-237).

1. New development projects shall be reviewed by the Sheriff's Department to ensure the Department's ability to provide adequate police protection. New developments shall comply with established Sheriff's Department standards.
2. The Town shall continue to monitor Town population and Sheriff's Department staffing levels to ensure that sufficient levels of police protection are afforded.

Schools

Impacts to Apple Valley schools from the build out of the General Plan and Annexation areas were determined to be potentially significant. Through appropriate planning, AVUSD provides additional school sites as the population of school-aged children increases. State-mandated developer impact fees are designed to offset costs for school facilities expansion. The GP EIR established mitigation measures to reduce significant impacts to less than significant.

GP EIR School Mitigation Measures

The following mitigation measures shall be implemented to ensure that impacts to schools in the Apple Valley Unified School District are reduced to less than significant levels (GP EIR page III-235-236).

1. Statutory school mitigation fees for residential and commercial development shall continue to be assessed to developers.

2. Should developers in the General Plan study area use Mello-Roos or other types of public facilities financing districts, AVUSD shall be included in discussions to determine how the developer may cooperate with the District in its funding mechanism. The following alternatives are available to AVUSD to mitigate significant impacts to District schools:
- Leroy F. Green State School Building Lease-Purchase Law: Under an agreement between the school district and the State of California, this Act provides for construction, reconstruction or replacement of school facilities by the State Allocation Board. Districts with 1) substantial enrollment in year-round schools, 2) the ability to raise a percentage of project costs, and 3) opening a new facility as a year-round school receive first priority for future State funding.
 - Lease-Purchase Arrangements: Lease-purchase agreements may be made between school districts and private builders of portable classrooms, as authorized under Sections 39240 and 39290 of the State Education Code. Under this method, school districts can also finance capital outlay. Lease-purchase agreements also provide the benefit of offering long-term financing without the need for voter approval of special taxes or benefit assessments.
 - Developer Fees: Assembly Bill 2926 (Chapter 887) was approved by the State Legislature in 1986, authorizing school districts to assess development fees to fund school construction or reconstruction. Currently these fees are \$3.60 per square foot of residential construction and \$0.47 per square foot of commercial construction. Under Government Code Section 53080, proof of compliance with the school district's resolution may be required prior to issuance of building permits.
 - Mello-Roos Community Facilities Act: Government Code Section 55311, et. seq., establishes provisions for this funding option. In order to benefit from this Act, a school district is responsible to initiate proceedings to declare itself a "Community Facilities District" (CFD), which is defined as a government entity created to perform specific activities within set boundaries. It provides for the CFD to purchase, construct or rehabilitate real or tangible property with an estimated useful life of five years or longer.

Parks

Parks were analyzed in the Recreation Resources (Section III.N, page III-258 et.seq.) of the 2009. A summary of the findings is provided in the Section XVI. Recreation, below.

Proposed Project Impacts

- a) **Less Than Significant Impact.** The AVFPD Station 332 would provide services to the Project site along with the BLM Apple Valley Fire Center at 18809 Central Road. While the development of the Project would increase demand for fire protection services, this demand is not expected to be significant at the Project site. The Project would not directly increase the population of the Town, however, the employment opportunities offered by the new distribution warehouse could encourage some people to move to the Apple Valley, which could incrementally increase the demand for fire protection services in the Town. The Project's employment needs are expected to mostly be fulfilled by existing Town residents.

Funding for the for the AVFPD is derived mostly from property taxes (56.2%) and special taxes (35.8%). The development of the Project would benefit the property tax funding base and help offset potential demand for fire protection services. Additionally, the Project would be required to pay an Apple Valley fire development impact fee to defray the costs of fire protection services for the Project site at a rate of \$0.089 per square foot, a total of \$55,820.³¹

Prior to construction, the Project would be reviewed by the AVFPD to ensure that the site plans meet all applicable fire regulations, including California Fire Code regulations.

In summary, the Project could potentially increase demand for fire protection service, but this increase would be marginal as the Project would not cause the Town's population to greatly increase, and the Project would not require the construction of additional fire station facilities. As the Project meets on-going property tax obligations and fulfills the requirement to pay the development impact fee for fire protection services, increased fire protection expenses associated with the development of the Project would be offset. Project site plan review by the AVFPD prior to construction would reduce the risk of fire at the Project site. Therefore, the impacts to fire protection services would be less than significant.

- b) Less Than Significant Impact.** As discussed above, the Project is not expected to cause a significant increase of the Town's population, although the Project's employment opportunities could draw some new permanent residents to the Project. The increase of people would be marginal but would potentially result in an increased use of public safety services by the AVPD. The current ratio of full-time police officers to Town residents is 1 officer to 1,457 residents, which is under the desired ratio of 1:1,500 according to the Town's General Plan. To reach the 1:1,500 ratio, the total population would need to be 76,500, a difference of 2,178 people. The Project warehouse could be expected to have approximately 525 employees, many of whom would be current residents, and some would be new residents and out-of-town commuters.³² The number of potential employees would not increase the ratio of police officers to residents above the desired ratio. Should the Project attract new residents to the Town, taxes generated by the new residents would contribute to public safety funding.

The AVPD is staffed by the San Bernardino County Sheriff's Department, which is funded by local, state, and federal taxes distributed by the County. Recurring property taxes paid by the Project would contribute to this funding source. Additional revenue comes from development impact fees. The Project would be required to pay a law enforcement facilities impact fee of \$0.001 per square foot, a total of \$627.³³

³¹ Development Impact Fees, Town of Apple Valley, accessed September 2024, <https://www.applevalley.org/services/building-and-safety/development-impact-fees>.

³² Employment Density Study Summary Report prepared for Southern Association of Governments (p. 21), The Natelson Company, Inc., October 21, 2001.

³³ Development Impact Fees, Town of Apple Valley, accessed September 2024, <https://www.applevalley.org/services/building-and-safety/development-impact-fees>.

To summarize, the potential increase in population resulting from the Project's development would not be significant and would not jeopardize the current ratio of officers to residents. The Project would contribute to tax-based funding sources via property and sales taxes. A resulting increase of the Town's population would be marginal, but also contribute to the tax-based funding of the County Sheriff's Department and offset the increase in services used. Impacts to police protection services would be less than significant.

- c) Less Than Significant Impact.** The proposed Project is located in the NAVISP, which is an industrial land use and zoning area, and development of the Project would generate no direct impacts on school enrollments or school resources. Indirectly, employees of the proposed distribution warehouse may have children who attend Apple Valley schools, and if some of these employees move to Apple Valley for the job opportunities at the Project, then there would be an indirect minor increase of students in the Town's schools.

The State provides over half of the funding used by school districts, the remaining deficit is met by local sources of funding such as property taxes, federal funds, state lottery funds, local debt service and other local funding sources. The Project would contribute to school district funding via property taxes. The Town's residents also contribute to school district funding via property and sales taxes, so any new residents working at the Project would add to the district revenue. Impacts to the Apple Valley Unified School District resources would be less than significant.

- d, e) Less Than Significant Impact.** As previously discussed, the proposed Project would not directly result in a significant increase in the Town's population and thus would not significantly impact park resources or other public facilities and resources. Most of the workforce is expected to be current Town residents and some employees may be either out-of-town commuters or may choose to become new Town residents. The Project would be required to pay a general park development impact fee of \$0.0062 per square foot, totaling \$1,036.64, which would help fund upkeep and new facilities for the Town's parks. Impacts to recreation resources are discussed in below Section XVI.

Due to the marginal increase in population, the Project is expected to generate a less than significant impact to parks and other public facilities.

Mitigation Measures: None required.

Monitoring: None required.

XVI. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Sources: Town of Apple Valley General Plan (2009); Town of Apple Valley Master Plan of Parks and Recreation (2013); Town of Apple Valley 2021-22 Municipal Fee Schedule, Schedule J Development Impact Fees.

Environmental Setting

According to the 2013 The Apple Valley Parks and Recreation Master Plan, the Town's parkland is comprised of 369.8 acres of both developed and undeveloped land. The Town's 2009 General Plan projected that the total build out of developed parklands would consist of 438.87 acres. The 2013 Master Plan describes the park and recreational level of service in terms of acres per thousand residents, which stands at 4.6 acres of developed park land per 1,000 residents. Over half of this acreage occurs as the golf course and equestrian center special use parks.

The Parks and Recreation Department currently manages nineteen different recreational facilities among four distinct categories of parkland: mini parks, neighborhood parks, community parks and special use parks. Both outdoor and indoor facilities include amenities such as ball fields, playgrounds, picnic shelters, a dog park, a skatepark, a swimming pool, athletic courts, an amphitheater, walking trails, a gymnasium, meeting rooms, activity rooms. Beyond the Town's park and recreational facilities, Apple Valley residents have access to regional parks such as Mojave Narrows Regional Park.

GP EIR

Recreational Resources were analyzed in the Town's GP EIR (Section III.N, page III-258 et.seq). The GP EIR found that the build out of the General Plan and Annexation areas would yield and additional 38,824 dwelling units, for a total of 63,749, and a total residential population of 194,931. The Town would need to provide an additional 536.13 acres of parkland to serve the residents for a combined total parkland acreage of 975 acres. The implementation of the Quimby Act would help to provide the land and the financial means to accommodate the parkland growth. The following two mitigation measures would apply to development and to the Town's planning in order to reduce impacts to less than significant.

GP EIR Mitigation Measures

The following mitigation measures shall be implemented within the General Plan area to ensure the reduction of potential recreation impacts to less than significant levels. (GP EIR page III-260).

1. The Town will require developers to participate in the Town's parkland fee programs/Quimby requirements.
2. The Town will actively pursue a range of supplementary funding sources to acquire additional parklands.

Proposed Project Impacts

- b) Less Than Significant Impact.** The proposed Project consists of a distribution warehouse on a 40.1-acre parcel in the NAVISP region in the north portion of the Town. The Project is consistent with the Town's General Plan anticipated growth and development and would not directly increase the population of the Town, nor would it directly increase the use of recreational facilities. As explained in the Population and Housing Section XIV, the Project may potentially provide 525 jobs which are expected to be mostly filled by current residents. Should the Project attract new residents to the Town, then these new residents may use the Town's recreational facilities, but the relatively marginal increase in population would not require the construction or expansion of new park facilities. To compensate for this potential population growth and potential increased use of facilities, the Project will be required to pay a general park development impact fee of \$0.0062 per square foot, totaling \$1,036.64, which would help fund maintenance of the Town's park facilities. Impacts to park and recreational facilities would be less than significant.
- b) No Impact.** The proposed Project consists of a distribution warehouse, an industrial land use in the NAVISP area. The Project does not include the construction of any park and recreational facilities, nor does it require the expansion of any such facilities, thus, there will be no impacts on the environment.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: "Lecangs Dakota Apple Valley Industrial Traffic Analysis," Urban Crossroads, prepared October 9, 2024; Town of Apple Valley General Plan (2009); Town of Apple Valley Climate Action Plan Update 2019; San Bernardino County Transportation Impact Study Guidelines (July 2019); Caltrans Interim Land Development and Intergovernmental Review Safety Review Practitioners Guidance (July 2020).

Environmental Setting

As of the Town's General Plan, Apple Valley contained 500 miles of paved roadways which are organized on a one-mile grid system, and approximately 80% of roadways serve residential neighborhoods. Seven different roadway classifications facilitate traffic through the Town: Major Divided Highways (142-foot-right-of-way); Major Divided Arterials (128-foot-right-of-way); Major Roads (104-foot-right-of-way); Secondary Roads (88-foot-right-of-way); Collector Streets (66-foot-right-of-way); Local Industrial/Commercial Streets (66-foot-right-of-way); and Local Streets (60-foot-right-of-way).

The Level of Service (LOS) metric, which assigns a qualitative measurement of roadway operating conditions, ranges from "A" (free flow, best conditions) to "F" (worst conditions, serious delays, and system failure). The Town requires that all intersections achieve at least an LOS D during morning and evening peak hours.³⁴ For the Project, the Traffic Analysis studied 17 intersections where the Project was expected to incur 50 or more peak hour trips per the San Bernardino County Guidelines. Currently, all intersections operated at an acceptable LOS. Project impacts to these intersections are described below in the Proposed Project Impacts discussion. Under CEQA, LOS is no longer used as a threshold for assessing traffic impacts, as current guidelines prioritize vehicle miles traveled (VMT) to evaluate transportation effects more holistically. However, this MND tiers from the GP EIR, which appropriately used LOS as the methodology for analyzing traffic impacts at the time of its adoption. Therefore, the analysis in the section utilizes LOS for assessing traffic impacts, consistent with the methodology used in the GP EIR.

³⁴ Circulation Element (Program 1.A.4), Town of Apple Valley General Plan 2009.

Within the NAVISP, many of the roads are unimproved and receive improvements as projects are constructed. The I-15 Freeway borders the Town along the northwest edge and connects the Town to neighboring Victor Valley cities, the Inland Empire to the south of the San Bernardino Mountains, and Barstow and Las Vegas to the north/northeast. The NAVISP area accesses I-15 via Stoddard Wells Road and Dale Evans Parkway. State Highway 18 crosses roughly through the center of Apple Valley and connects to I-15 Freeway and Corwin Road, which intersects the south end of Dakota Road. The roads serving the Project site are Fresno Road, Dakota Road (which is also called Dachshund Road to the north), Gustine Street, and Ramona Road. These roads are described here:

- Fresno Road is an unimproved Secondary Road on the south boundary of the Project site. Secondary Roads have two travel lanes in each direction, a bike or parking lane, and are required to have curbs and gutters in industrial areas. Secondary Roads connect to Major Roads. Fresno Road will receive half-width improvements and connect to Dakota Road, Ramona Road, and Navajo Road further east.
- Dakota Road (Dachshund Road) is a paved Secondary Road on the west boundary of the Project site and will provide full access to two driveway entrances/exits on the west side of the Project parcel. Dakota Road connects to Corwin Road to the south and Gustine Street and Altadena Street further north.
- Gustine Street occurs along the north boundary of the Project site and connects to Dakota Road, Ramona Road (when improved), and Navajo Road further east. Currently Gustine Street is unpaved but will receive half-width improvements as part of the Project.
- Ramona Road currently is paved only between Corwin Road and Fresno Road south of the Project site. As part of the Project, Ramona Road will be improved from Fresno Road north to Gustine Street along the west half of the street and will provide full access to the Project with two driveway entrances and exits on the east side of the Project parcel.

The regional main roads providing access to the above-described roads:

- Interstate 15 provides regional access to the NAVISP.
- North side access is served by Stoddard Wells Road from I-15 connecting to Johnson Road. Both are Major Roads. Dale Evans Parkway and Navajo Road, a Secondary Road, run south from Johnson Road.
- South side access is served by Corwin Road, a Major Road, which connects to Dakota Road south of the Project site.

The Victor Valley Transit Authority (VVTA) offers six bus routes through the Town of Apple Valley. Route 42 runs on a 10-minute schedule and passes the Project site along Dakota Road between Corwin Road to the south and Needham Avenue to the north. The nearest bus stops to the Project site are 1.74 miles south at Dale Evans Parkway and Waalew Road, and 1.42 miles north near the intersection of Navajo Road and Lafayette Street.

GP EIR

Traffic Impacts

Prior to the General Plan update, the Town had achieved a Level of Service (LOS) C during AM and PM peak hour conditions, but with the build out of the General Plan, the highest anticipated LOS would be D during peak hours. The GP EIR (Section III.O, page III-261 et. seq.) identified 46

intersections throughout the Town operating at an LOS D or worse. In response, the GP EIR provided recommendations for upgrading the classifications of 17 roadways in order to adequately service the increased traffic of the build out conditions and consistently achieve an LOS C whenever possible and maintain at least an LOS D during peak traffic hours. One intersection was deemed to be unable to meet an LOS higher than E during peak hours, Dale Evans Parkway and Corwin Road.

At the time the GP EIR was adopted, the limited number of paved roadways servicing the NAVISP area included the north-south routes of Dale Evans Parkway, Navajo Road and Central Road, and the east-west paved routes included Saugus Road, Johnson Road and Quarry Road. Stoddard Wells Road extended diagonally from the Interstate 15 northeast to Dale Evans Parkway north of Quarry Road.

Mitigation measures were required to improve traffic flow and reduce the anticipated significant impacts. Even with the implementation of the mitigation measures, the General Plan and Annexation area build out impacts would still be considered significant and unavoidable due to the LOS E at the Dale Evans Parkway/Corwin Road intersection.

Traffic Hazard and Emergency Access Impacts

Emergency access throughout the Town and the Annexation areas was determined to not be impacted by the build out of the General Plan. The General Plan's land use, policies, and programs included access requirements for roadway design, and also service provider requirements. All future projects would be reviewed for compliance with the established requirements.

Air Traffic Impacts

As described in the GP EIR, the Apple Valley Airport is a general aviation airport located in the northern portion of Town, within the NAVISP. It serves fixed wing aircraft and helicopters. Airport operations are limited to small, private aircraft and flight schools. In addition, the California Highway Patrol and the San Bernardino County Sheriff's Department share a hangar at the airport. There are two runways: runway 18/36 is approximately 6,500 feet by 150 feet, and runway 8/26 is approximately 4,100 feet by 60 feet. The airport operates approximately 103 flights daily, or 38,000 operations annually. The GP EIR found no significant impacts associated with air operations at the airport, due to its limited size and location in an industrially designated area. Because the airport is a County facility, the GP EIR included Mitigation Measure 13, which requires continued coordination between the Town and the County to assure that the Town's needs are met as the community builds out.

Alternative Transportation Impacts

The GP EIR established several mitigation measures to ensure that the Town would continue to improve its alternative transportation system which included expanded bus routes and bus stops by the Victor Valley Transit Authority (VVTA), the master planning of sidewalks, bicycle lanes, off-street trails, and coordination of the alternative transportation routes with the VVTA and the Town's circulation system.

GP EIR Transportation Mitigation Measures

With the incorporation of mitigation measures listed below, the overall traffic and circulation impacts resulting from buildout of the General Plan and annexations would be reduced to less

than significant levels and the required levels of service will be maintained at all intersections except Dale Evans Parkway and Corwin Road, which will operate at LOS E. This intersection's impacts could not be mitigated to less than significant levels, and impacts remained significant and unavoidable.

1. The Town shall establish and maintain a master plan of roadways that sets forth detailed improvement plans and priority schedules for implementation. The plan shall ensure that roadway segments and intersections generally operate at level of Service C or better, wherever feasible, and that all intersections maintain a Level of Service D or better during both morning and evening peak hours.
2. Street rights-of-way shall be provided as follows:
 - 142 feet for a Major Divided Parkway
 - 128 feet for Major Divided Arterials
 - 104 feet for Major Roadways
 - 88 feet for Secondary Roadways
 - 60 to 66 feet for Collector Streets
 - 66 feet for Industrial and Commercial Local Streets
 - 60 feet for Local Streets
 - 50 feet for Rural Streets and Cul-de-Sacs
3. All Town streets shall be designed to have a minimum lane width of 12 feet.
4. To minimize the number and length of vehicle trips travelled within the planning area, the General Plan Land Use Plan shall provide for a balance and mix of employment and housing opportunities.
5. The Town shall encourage the use of mass/public transit and collaborate with the Victor Valley Transit Authority (VVTA) to ensure the ongoing operation and expansion of fixed route bus and demand responsive systems.
6. The Town shall require that new development projects on arterial roadways incorporate bus pullouts, to allow buses to leave the flow of traffic and reduce congestion.
7. The Town shall encourage the use of multi-occupant modes of transportation, and shall encourage employers to utilize telecommuting opportunities, home-based employment, and part-time or non-peak hour work schedules.
8. The Town shall develop a program to retrofit bus pullouts on built-out streets, wherever possible, and shall implement them through the Capital Improvement Program.
9. The Town shall enhance and expand its comprehensive Master Plan of continuous, convenient multi-use trails and bicycle routes that connect residential, commercial, schools, parks and other community activity centers.
10. The Town shall consult and coordinate with the County of San Bernardino and the California Department of Transportation to ensure the provision of adequate all-weather crossings along critical roadways.
11. The Town shall ensure that sidewalks are provided on all roadways that are 88 feet wide or wider. In Rural Residential land use areas, the Town shall ensure that designated pathways are provided
12. The Town shall confer and coordinate with the Apple Valley Unified School District to develop and implement safe routes to school.
13. The Town shall proactively consult and coordinate with the County of San Bernardino to ensure that the local airport continues to meet the Town's existing and future transportation, commercial and emergency response needs.

14. The Town shall require, as necessary, project-specific and/or phase-specific traffic impact analyses for subdivision and other project approvals. Such analyses may be required to identify build out and opening year traffic impacts and service levels and may need to exact mitigation measures required on a cumulative and individual project or phase basis.
15. Concurrent with construction, all new development proposals located adjacent to public roadways shall be required to install all improvements to their ultimate General Plan half-width.
16. The Town shall continue to monitor roadway segments where the daily Volume to Capacity ratio analysis indicates that build out traffic volume will “potentially exceed capacity.”
17. The Town shall review traffic volumes resulting from General Plan build out to coordinate, program and if necessary, revise road improvements. This review shall take place every five years.
18. All new development shall be required to pay a “fair share” of improvements to surrounding roadways, bridges and signals that are impacted by and are located within and surrounding the development project.
19. The Town shall ensure that pedestrian access is preserved and enhanced by means of the following: improved sidewalks, pedestrian walkways, lighting and landscaping designs and connections to existing sidewalks and trails.
20. New development proposals shall be required to construct bicycle lanes in conjunction with off-site improvements.
21. New development proposals shall be required to construct recreational trails in conjunction with off-site improvements.

Proposed Project Impacts

The following analysis is primarily based on the Traffic Analysis prepared for the Project by Urban Crossroads.³⁵ A full copy of the report is available in Appendix H. The Traffic Analysis is based on the County of San Bernardino 2019 Transportation Impact Study Guidelines in consultation with the Town. Trip generation data for the Project relies on the trip generation statistics provided by the 2019 TUMF High-Cube Warehouse Trip Generation Study³⁶ as the study contains the most reliable trip generation rates for industrial projects in the Inland Empire. Additionally, the vehicle mix for the Traffic Analysis was derived from the ITE's Trip Generation Manual.

- a) Less Than Significant Impact with Mitigation.** The Project is consistent with the NAVISP designated industrial land use and would not conflict with previously analyzed traffic conditions. The Project includes a 627,200 square-foot distribution warehouse on 40.1 acres in the NAVISP region of the Town. Truck access to the Project will be facilitated by four 40-foot-wide driveways located near the four corners of the parcel: two driveways along the west side and two driveways along the east side of the Project. Two vehicle driveways will access employee parking lots. Off-site improvements include half-width road improvements, sidewalks, and bicycle/parking lanes per the GP EIR mitigation measures and General Plan Circulation Element roadway standards.

³⁵ “Lecangs Dakota Apple Valley Industrial Traffic Analysis,” Urban Crossroads, prepared October 9, 2024.

³⁶ TUMF High-Cube Warehouse Trip Generation Study, WSP, January 29, 2019.

Project Trip Generation

Project trip generation is a forecast of the amount of traffic coming to the Project and produced by the Project and is based on the expected amount of traffic associated with the Project's land use. To calculate trip generation, the Traffic Analysis relied on the TUMF High-Cube Warehouse Trip Generation Study by WSP (January 2019), and the vehicle fleet mix (passenger cars versus trucks) was derived from the ITE's Trip Generation Manual. The additional truck and passenger car trips generated by the Project contribute to the deficiencies in LOS for the surrounding area intersections.

Table 13 provides anticipated trip generation details for passenger cars and trucks (2-axle to 4-axle) during AM and PM peak hour timeframes. The Project could potentially generate a total of 1,335 two-way vehicle trip-ends per day with 77 AM peak hour trips and 104 PM peak hour trips. 934 trips, or 70% of the trips, would be generated by passenger vehicles and 401 trips, or 30%, would be generated by large trucks.

**Table 13
Project Trip Generation - Rates¹**

Land Use	ITE LU Code	Quantity ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
High-Cube Warehouse ³	154	627,200 TSF							
		Passenger Cars	0.066	0.020	0.086	0.033	0.082	0.115	1.489
		2 to 4-Axle+ Trucks	0.028	0.008	0.036	0.014	0.036	0.050	0.640
		TOTAL	0.094	0.028	0.122	0.046	0.119	0.165	2.129
		% Passenger Cars	70.2%	71.4%	70.5%	71.7%	69%	69.7%	70%
		% 2 to 4-Axle+ Trucks	29.8%	28.6%	29.5%	30.4%	30%	30.3%	30%

Project Trip Generation - Actual Trips⁴

Land Use	ITE LU Code	Quantity ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
High-Cube Warehouse ³	154	627,200 TSF							
		Passenger Cars	41	13	54	21	52	73	934
		2 to 4-Axle+ Trucks	18	5	23	9	22	31	401
		TOTAL	59	18	77	30	74	104	1,335
		% Passenger Cars	69.4%	72.2%	70.1%	70%	70.3%	70.2%	70%
		% 2 to 4-Axle+ Trucks	30.5%	27.7%	29.9%	30%	29.7%	29.8%	30%

¹ Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition (2021).

² TSF = Thousand Square Feet

³ Source: "TUMF High-Cube Warehouse Trip Generation Study," prepared by WSP, January 2019.

Passenger and Truck AM/PM peak hour (in/out) splits are estimated from based on ITE peak-to-daily relationship.

Truck Daily Rate Source: "Notice of Preparation of a Draft Environmental Impact Report for the Proposed Potrero Logistics Center," prepared by SCAQMD, June 2020.

⁴ Total Net Trips (Actual Vehicles) = Passenger Cars + Net Truck Trips (Actual Trucks)

In order to represent the large 2-, 3- and 4-axle trucks as a single unit and accurately compare truck trips to passenger cars, the Traffic Analysis applied Passenger Car Equivalent (PCE) factors which convert trips made by the variety of large trucks to a single, standardized unit for purposes of analyzing roadway capacity and LOS. Table 14 shows the converted truck trip data as PCE trips during peak AM and PM hours. The PCE factors reveal that truck trips comprise a higher percentage of the total vehicle trips due to their higher impacts on the roadways and on LOS. With the application of PCE factors, the total number of daily vehicle trips increases to 2,138 with 123 total AM trips, and 167 total PM trips. Passenger vehicles still comprise 934 daily trips, but their percentage decreases to 43.7% of the total daily trips. Large trucks comprise 1,204 daily trips, which means that their percentage increases to 56.3% of the total daily trips.

Table 14
Project Trip Generation – (Passenger Cars + PCE) Rates¹

Land Use	ITE LU Code	Quantity ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
High-Cube Warehouse ³	154	627,200 TSF							
		Passenger Cars	0.066	0.020	0.086	0.033	0.082	0.115	1.489
		2 to 4-Axle+ Trucks	0.084	0.025	0.109	0.042	0.108	0.150	1.920
		TOTAL	0.150	0.045	0.195	0.075	0.190	0.265	3.409
		% Passenger Cars	44%	44.4%	44%	44%	43.2%	43.4%	43.7%
		% 2 to 4-Axle+ Trucks	56%	55.6%	56%	56%	56.8%	56.6%	56.3%

Project Trip Generation - Actual Trips (Passenger Cars + PCE)⁴

Land Use	ITE LU Code	Quantity ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
High-Cube Warehouse ³	154	627,200 TSF							
		Passenger Cars	41	13	54	21	52	73	934
		2 to 4-Axle+ Trucks	53	16	69	26	68	94	1,204
		TOTAL	94	29	123	47	120	167	2,138
		% Passenger Cars	43.6%	44.8%	44%	44.7%	43.3%	43.7%	43.7%
		% 2 to 4-Axle+ Trucks	56.4%	55.2%	56%	55.3%	56.7%	56.3%	56.3%

¹ Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition (2021).

² TSF = Thousand Square Feet

³ Source: "TUMF High-Cube Warehouse Trip Generation Study," prepared by WSP, January 2019.

Passenger and Truck AM/PM peak hour (in/out) splits are estimated from based on ITE peak-to-daily relationship.

Truck Daily Rate Source: "Notice of Preparation of a Draft Environmental Impact Report for the Proposed Potrero Logistics Center," prepared by SCAQMD, June 2020.

⁴ Total Net Trips (PCE) = Passenger Cars + Net Truck Trips (Passenger Car Equivalent)

Project Impacts

The following scenarios were analyzed for the purpose of assessing the impacts of the Project on intersection Level of Service (LOS):

- Existing (2024) Conditions
- Opening Year Cumulative (2027) Without Project Conditions
- Opening Year Cumulative (2027) With Project Conditions

Existing (2024) Traffic Conditions

Existing traffic conditions offer a baseline against which the Project's impact may be measured. The Traffic Analysis studied seventeen key intersections in the study area, ten of which currently exist and seven are future intersections. Traffic count data at the ten existing intersections was collected during weekday AM and PM peak hours in April 2024 and again in late August 2024. All ten existing intersections currently operate at acceptable levels of service per the Town's General Plan standards. Table 15 provides details for each intersection.

**Table 15
Intersection Analysis for Existing 2024 Conditions**

Intersection	Traffic Control ¹	Delay ² (secs)		Level of Service	
		AM	PM	AM	PM
#1 Dakota Ave/Corwin Rd	CSS	8.5	8.6	A	A
#2 Ramona Rd/Fresno Rd	CSS	8.5	8.5	A	A
#3 Navajo Rd/Altadena St	CSS	8.5	8.7	A	A
#4 Navajo Rd/Johnson Rd	CSS	9.4	10.0	A	B
#5 Dale Evans Pkwy/Johnson Rd	AWS	9.8	16.5	A	C
#6 Stoddard Wells Rd/Johnson Rd	CSS	10.0	12.5	B	B
#7 1-15 NB Ramps/Stoddard Wells Rd	CSS	11.2	21.7	B	C
#8 Quarry Rd/Stoddard Wells Rd	CSS	9.4	10.7	A	B
#9 Quarry Rd/1-15 SB Ramps	CSS	9.1	10.0	A	B
#10 Dale Evans Pkwy/Corwin Rd	CSS	7.9	8.7	A	A
#11 Dakota Rd/Gustine Rd	<u>CSS</u>	Future Intersection			
#12 Dakota Rd/Access 1	<u>CSS</u>	Future Intersection			
#13 Dakota Rd/Access 2	<u>CSS</u>	Future Intersection			
#14 Dakota Rd/Fresno Rd	<u>CSS</u>	Future Intersection			
#15 Ramona Rd/Gustine Rd	<u>CSS</u>	Future Intersection			
#16 Ramona Rd/Access 3	<u>CSS</u>	Future Intersection			
#17 Ramona Rd/Access 4	<u>CSS</u>	Future Intersection			

Source: "Lecangs Dakota Apple Valley Industrial Traffic Analysis," Urban Crossroads, prepared October 9, 2024.

¹ AWS = All Way Stop; CSS = Cross-Street Stop; CSS = Improvement

² Per the Highway Capacity Manual (7th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal, or all way stop control. For intersections with a cross street stop control, the delay and level of service for the worst individual movement (or movement sharing a single lane) are shown.

The Dale Evans Parkway and Johnson Road intersection (#5) is an unsignalized intersection operating at LOS C during the PM peak hour. Per the Traffic Analysis, the intersection warrants a traffic signal for current traffic conditions. To maintain the acceptable LOS, the installation of a traffic signal is recommended under existing 2024 conditions and under future conditions after the Project build out. (See Mitigation Measure TRA-1).

Opening Year Cumulative (2027) Without and With Project Conditions

The Project is expected to be operational by the year 2027. To conservatively account for the increase of area ambient traffic, the Traffic Analysis calculated a 2% ambient growth rate per year for three years for a total of 6.12% growth. Cumulative traffic increases stemming from other known related projects which may or may not be operational in 2027 were also considered. Traffic generated by the Project was then added to the cumulative forecasts to ascertain the Project's impacts to the area's transportation system. The Traffic Analysis provides two scenarios: opening year (2027) cumulative without the project, and opening year (2027) cumulative with the Project.

As shown in Table 16, both without and with traffic from the Project, six intersections would operate at unacceptable LOS levels; four intersections during both AM and PM peak hours, and two intersections would be unacceptable during the PM peak hours:

- #4 Navajo Rd/Johnson Rd – LOS F AM and PM peak hours
- #5 Dale Evans Pkwy/Johnson Rd – LOS F AM and PM peak hours
- #6 Stoddard Wells Rd/Johnson Rd – LOS F AM and PM peak hours
- #7 1-15 NB Ramps/Stoddard Wells Rd – LOS F AM and PM peak hours
- #8 Quarry Rd/Stoddard Wells Rd – LOS B AM peak hours, LOS F PM peak hours
- #9 Quarry Rd/1-15 SB Ramps – LOS B AM peak hours, LOS F PM peak hours

The Project would not cause additional intersections to fail, although it would contribute to deficiencies to intersections. Although the Project would not have a significant impact on these intersections, Mitigation Measure TRA-1 is recommended which requires that the Project contribute its fair share to the necessary improvements for these locations. The improvements primarily consist of signalization. Mitigation Measure TRA-1 would ensure that impacts associated with the General Plan policy requiring LOS D would be less than significant.

Table 16
Intersection Analysis for 2027 Conditions Without and With Project

Intersection	Traffic Control ¹	2027 Without Project				2027 With Project			
		Delay ² (secs)		Level of Service		Delay ² (secs)		Level of Service	
		AM	PM	AM	PM	AM	PM	AM	PM
#1 Dakota Ave/Corwin Rd	CSS	8.5	8.6	A	A	8.6	9.0	A	A
#2 Ramona Rd/Fresno Rd	CSS	8.5	8.5	A	A	8.9	9.0	A	A
#3 Navajo Rd/Altadena St	CSS	8.5	8.7	A	A	8.8	9.1	A	A
#4 Navajo Rd/Johnson Rd	CSS	>100	>100	F	F	>100	>100	F	F
#5 Dale Evans Pkwy/Johnson Rd	AWS	>100	>100	F	F	>100	>100	F	F
#6 Stoddard Wells Rd/Johnson Rd	CSS	>100	>100	F	F	>100	>100	F	F
#7 1-15 NB Ramps/Stoddard Wells	CSS	>100	>100	F	F	>100	>100	F	F
#8 Quarry Rd/Stoddard Wells Rd	CSS	14.3	>100	B	F	14.5	>100	B	F
#9 Quarry Rd/1-15 SB Ramps	CSS	13.1	>100	B	F	13.3	>100	B	F
#10 Dale Evans Pkwy/Corwin Rd	CSS	11.7	21.3	B	C	12.8	28.6	B	D
#11 Dakota Rd/Gustine Rd	<u>CSS</u>	Future Intersection				8.5	8.7	A	A
#12 Dakota Rd/Access 1	<u>CSS</u>	Future Intersection				8.6	8.8	A	A
#13 Dakota Rd/Access 2	<u>CSS</u>	Future Intersection				8.8	9.0	A	A
#14 Dakota Rd/Fresno Rd	<u>CSS</u>	Future Intersection				8.7	8.8	A	A
#15 Ramona Rd/Gustine Rd	<u>CSS</u>	Future Intersection				8.4	8.3	A	A
#16 Ramona Rd/Access 3	<u>CSS</u>	Future Intersection				8.6	8.6	A	A
#17 Ramona Rd/Access 4	<u>CSS</u>	Future Intersection				8.4	8.5	A	A

Source: "Lecangs Dakota Apple Valley Industrial Traffic Analysis," Urban Crossroads, prepared October 9, 2024.

***Bold** = LOS does not meet the applicable jurisdictional requirements (i.e. unacceptable LOS).

¹ AWS = All Way Stop; CSS = Cross-Street Stop; CSS = Improvement

² Per the Highway Capacity Manual (7th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal, or all way stop control. For intersections with a cross street stop control, the delay and level of service for the worst individual movement (or movement sharing a single lane) are shown.

Traffic Signal Warrant Analysis

A traffic signal warrant analysis was conducted to consider the need for traffic signals at study area intersections under opening year cumulative 2027 traffic conditions. If an intersection meets the traffic signal warrant criteria, a traffic signal is not necessarily required, but additional traffic conditions should be considered to make a final determination as to whether a signal must be installed.

The following intersections are anticipated to need traffic signals due to forecasted peak hour traffic volume:

- #4 Navajo Road and Johnson Road
- #6 Stoddard Wells Road and Johnson Road
- #7 1-15 Northbound Ramps and Stoddard Wells Road
- #8 Quarry Road and Stoddard Wells Road
- #9 Quarry Road and I-15 SB Ramps

- #10 Dale Evans Parkway and Corwin Road (previously discussed as needing a traffic signal under existing 2024 conditions).

Recommended Cumulative 2027 Improvements at Intersections

Table 17 describes the recommendations for improving impacted intersections per the Traffic Analysis. The improvements apply to conditions for Opening Year Cumulative (2027) Without and With the Project, and are the basis for the mitigation provided in Mitigation Measure TRA-1.

Table 17
Opening Year Cumulative (2027)

Intersection	Jurisdiction	Without Project	With Project
#4 Navajo Rd/Johnson Rd	Town of Apple Valley	Install a traffic signal Add 2 nd EB through lane Add WB left turn lane Add NB left turn lane	Same Same Same Same
#5 Dale Evans Pkwy/Johnson Rd	Town of Apple Valley, County	Install a traffic signal Add 2 nd NB through lane Add 2 nd SB through lane Add 2 nd EB though lane Add 2 nd WB through lane Add EB left turn lane Add WB left turn lane	Same Same Same Same Same Same Same
#6 Stoddard Wells Rd/Johnson Rd	Town of Apple Valley, County	Install a traffic signal Add NB right turn lane Add WB left turn lane Provide NBR overlap phase	Same Same Same Same
#7 1-15 NB Ramps/Stoddard Wells	Town of Apple Valley, Caltrans	Install a traffic signal Add 2 nd WB through lane Add SB left turn lane Add EB left turn lane Add WB left turn lane	Same Same Same Same
#8 Quarry Rd/Stoddard Wells Rd	County	Add WB right turn lane	Same
#9 Quarry Rd/1-15 SB Ramps	County, Caltrans	Add right turn lane	Same

Recommendations for Off-Site Improvements and Site Access Improvements

The Project will result in the expansion of the Town's circulation system in the NAVISP area, which includes one road that is currently paved, two unpaved roads, and one road that currently does not exist. With the approval of the Town, the Project will be required to construct half-width improvements per the General Plan build out standards along the four roads bordering the Project site. Additionally, the Project will need to include site access improvements to allow for safe and adequate entrance and exit points from the Project site.

The following off-site improvements are recommended based on the necessary improvements to accommodate safe site access and maintain acceptable peak hour

LOS at site access and on-site intersections. Improvements will include on-site traffic signing and striping that align with the California Manual on Uniform Traffic Control Devices and in conjunction with detailed construction plans for the Project site.

- Dakota Road – Currently paved. Ultimately Dakota Road between Fresno Road and Gustine Road will be a Secondary Road with an 88-foot right-of-way along the west boundary of the Project site. The Project will construct a half-section of Dakota Road from the site's north boundary at Gustine Road to the south boundary at Fresno Road according to the Town's standards for a Secondary road.
- Ramona Road – Currently does not exist. Ultimately Ramona Road will operate on the east boundary of the Project as a two-lane local roadway. The Project will construct Ramona Road from Gustine Road to Fresno Road as a two-lane local roadway.
- Gustine Road – Currently unpaved. Ultimately Gustine Road will be a Secondary Road with an 88-foot right-of-way along the north boundary of the Project site. The Project will construct Gustine Road to its ultimate half-section between Dakota Road and Ramona Road. The Project will also provide an additional 12 feet of pavement width to accommodate one westbound lane from the eastern boundary to the western boundary of the Project site.
- Fresno Road – Currently unpaved. Ultimately Fresno Road will operate as a Secondary Road with an 88-foot right-of-way along the south boundary of the Project site. The Traffic Analysis recommends that Fresno Road be constructed by the Project as a two-lane local road from Dakota Road to Ramona Road.

The following on-site circulation recommendations are based on the necessary improvements to accommodate safe site access and maintain acceptable peak hour LOS at site access and on-site intersections:

- Dakota Road and Site Access 1 (northwest access) – The Project will install a stop control on the westbound approach and construct a shared left-right turn lane (Project driveway).
- Dakota Road and Site Access 2 (southwest access) – The Project will install a stop control on the westbound approach and construct a shared left-right turn lane (Project driveway).
- Ramona Road and Site Access 3 (northeast access) – The Project will install a stop control on the eastbound approach and construct a shared left-right turn lane (Project driveway). The Project will construct a northbound shared through-left turn lane and a southbound shared through-right turn lane.
- Ramona Road and Site Access 4 (southeast access) – The Project will install a stop control on the eastbound approach and construct a shared left-right turn lane (Project driveway). The Project will construct a northbound shared through-left turn lane and a southbound shared through-right turn lane.
- Dakota Road and Gustine Road – The Project will install a stop control on the westbound approach and construct a shared left-right turn lane.
- Dakota Road and Fresno Road – The Project will install a stop control on the westbound approach and construct a shared left-right turn lane.
- Ramona Road and Gustine Road – The Project will construct a northbound left turn lane and an eastbound right turn lane.

- Ramona Road and Fresno Road – The Project will install a stop control on the eastbound and westbound approaches and construct a shared eastbound left-right turn lane.

The Town will condition the Project to implement the above improvements which will serve to provide adequate and safe access to the Project site and maintain acceptable traffic conditions within the surrounding road network. Future projects on adjacent parcels would also be required to provide similar improvements towards completing the roadways in the NAVISP area. Improvements will be constructed to meet Town and Fire District standards to ensure that emergency vehicles can safely access the site. These improvements will also ensure that impacts associated with safe traffic flow and emergency access remain less than significant with Project implementation.

Alternative Transportation

To promote safe access to alternative modes of transportation the General Plan proposes Class II bike lanes on Dale Evans Parkway between Corwin Road and Fresno Road, and on half of Fresno Road. Class I bike lanes are proposed for the east half of Fresno Road, Navajo Road, and Dale Evans north of Fresno Road. The off-site Project improvements would include the bike lanes as proposed by the General Plan and as required by the GP EIR mitigation measures.

Pedestrian facilities do not occur near the Project site, although sidewalks would be included in the Project's off-site improvements per the General Plan standards. At the time of completion, these sidewalks would not connect to other sidewalks as the adjacent lands are not developed, but would eventually contribute to a complete sidewalk network, as required in the General Plan.

Public Transit

As discussed above, the Victor Valley Transit Authority (VVTA) offers six bus routes through the Town of Apple Valley. Route 42 runs along Dakota Road between Corwin Road to the south and to Needham Avenue to the north. The nearest bus stops to the Project site are 1.74 miles south on Dale Evans Parkway south of Waalew Road, and 1.42 miles north near the intersection of Navajo Road and Lafayette Street.

The Town will continue to coordinate with the VVTA to enhance bus routes and add bus stops as the demand grows.

Summary

The development of the Project would contribute additional vehicle trips to the NAVISP area circulation system and thus contribute to 2027 cumulative deficiencies in LOS, although, as the Traffic Analysis concluded, LOS deficiencies are expected to occur regardless of the proposed Project's contributions. All ten of the existing intersections currently operate at an LOS of C or higher. In 2027 with cumulative impacts of nearby projects and the proposed Project, four of these 10 intersections would operate at an LOS of F during AM and PM peak hours and two would operate at an LOS of F during the PM peak hours. Future 2027 intersections would operate at an LOS of A.

All recommended off-site and on-site improvements would be consistent with the Town's Circulation Element in the General Plan and comply with the Town's code of ordinances and policies regarding circulation standards.

The Project will contribute its fair share to the impacted intersections per the recommendations listed in the Traffic Analysis and as explained in Mitigation Measure TRA-1. This would ensure that the study area intersections would continue to operate at existing LOS and would reduce the Project's potential impacts to less than significant,

- b) No Impact.** Senate Bill 743 (2013) updates the methodology for analyzing transportation impacts by projects to more accurately measure transportation-related air pollutants and greenhouse gas emissions, and to more effectively reduce emissions via the development of multimodal transportation networks and diversification of land uses. CEQA Guidelines section 15064.3 describes the use of Vehicle Miles Traveled (VMT) as the metric by which to measure project transportation impacts.

The adoption of VMT as a metric for analyzing traffic impacts went into effect July 1, 2020, eleven years after the 2009 General Plan EIR. The GP EIR relied on LOS to gauge transportation impacts of the General Plan build out.

Current environmental documents that tier from documents written prior to July 1, 2020, which had based transportation analyses on LOS rather than VMT, may apply the same prior LOS standard to the current project analysis. Per CEQA Guidelines section 15162, no new EIR or further analysis is required unless there are substantial changes in the project, circumstances, or new information of substantial importance that was not known or could not have been known at the time of the GP EIR, leading to new or more severe significant effects. This MND is not required to analyze VMT because VMT information was known or could have been known at the time the GP EIR was certified. Since no new information or changes trigger the conditions for a new EIR or further analysis under Section 15162, the MND can rely on the LOS methodology used in the GP EIR without incorporating VMT analysis.

Traffic impacts resulting from the buildout of the 2009 General Plan including the NAVISP area were analyzed in the GP EIR and described above in this analysis along with mitigation measures which would apply to this Project. The proposed warehouse Project is consistent with the Town's land use and zoning designations for the Project site and would not introduce new impacts that have not been previously analyzed.

The Traffic Analysis for the Project provides a comparative analysis of existing 2024 traffic conditions and cumulative 2027 traffic conditions, which describes how traffic impacts from the Project would contribute to the cumulative increase in vehicle trips and LOS deficiencies. The Project would be responsible for constructing the recommended on-site and off-site improvements as well as providing its fair share of fees towards intersection improvements.

Mitigation measures required in the GP EIR address multimodal transportation accommodations such as adding bike lanes and sidewalks per the General Plan Circulation Element. On-going coordination with the VVTA by the Project to improve access to mass transit for workers at the Project site would also be required by the Project.

Implementation of recommended intersection improvements via Project fair share fees and recommended on-site and off-site street improvements in addition to compliance with GP EIR mitigation measures would ensure that traffic from the Project would have a less than significant impact on the area's LOS.

- c) **No Impact.** The traffic associated with the Project, consisting of passenger cars and large trucks, would be compatible with the type of traffic expected for the roadways in the NAVISP area. Traffic Analysis recommendations for site access would ensure that trucks can safely enter and exit the Project site. The Project does not propose sharp curves or dangerous intersections, and separates car and truck traffic to eliminate conflicts. All roadway improvements would be subject to the Town's standards and approval as well as the approval of the Fire District. There would be no impacts from hazardous geometric design feature or from incompatible use.
- d) **Less Than Significant Impact.** Construction activities during road improvements may result in partial blockage and narrowing of the roads around the Project site. As such, the Town requires the preparation of traffic control plans along with improvement plans for the roadways. The traffic control plans would include provisions for temporary access, circulation signage, and other tools for maintaining roadway access. Given the rural setting, the surrounding vacant lots, and the Town's requirements for appropriate traffic management, impacts to emergency access from the construction phase would be less than significant.

As stated above, all on-site and off-site roadway improvements would be subject to the Town's standards and approval as well as the approval of the Fire Department. The Town's standards and approval process would ensure that the Project would not impact emergency access through the area during the operational phase.

Mitigation Measures:

- TRA-1** The Project will contribute its fair share to regional roadway improvements. The Project Fair Share Contributions listed in Table 18 show the Project's percentage of the total traffic volume and deficiency. To reduce the Project's expected impacts to less than significant, the Project would be responsible for paying its share as shown in the table.

Table 18
Project Fair Share Contributions to Impacted Intersections

#	Intersection	Existing (2024) Traffic	2027 w/Project Traffic	Project-Only Traffic	Total New Traffic ¹	Project Fair Share (%) ²
4	Navajo Rd / Johnson Rd.					
	• AM Peak Hour	130	2,891	50	2,761	1.8%
	• PM Peak Hour	227	3,046	69	2,819	2.4%
5	Dale Evans Pkwy. / Johnson Rd.					
	• AM Peak Hour	506	3,185	72	3,161	4.6%
	• PM Peak Hour	885	4,096	98	3,248	5.8%
6	Stoddard Wells Rd. / Johnson Rd.					
	• AM Peak Hour	284	2,023	62	1,739	3.6%
	• PM Peak Hour	450	2,439	84	1,989	4.2%
7	I-15 NB Ramps / Stoddard Wells Rd.					
	• AM Peak Hour	380	4,924	62	4,544	1.4%
	• PM Peak Hour	543	5,519	84	4,976	1.7%
8	Quarry Rd. / Stoddard Wells Rd.					
	• AM Peak Hour	222	2,195	15	1,973	0.8%
	• PM Peak Hour	309	3,352	60	3,043	2.0%
9	Quarry Rd. / I-15 SB Ramps					
	• AM Peak Hour	164	1,600	15	1,436	1.0%
	• PM Peak Hour	257	2,897	60	2,640	2.3%

¹ Total New Traffic = (2027 with Project - Existing Traffic)

² Project Fair Share % = (Project Only Traffic / Total New Traffic)

Monitoring:

TRA-A The Town Engineer shall approve project improvement plans prior to the issuance of grading permits. Approval of improvement plans will be tied to the payment of fair share contributions, as shown in Table 18.

Responsible Parties: Project applicant, project engineer, Town Engineer.

XVIII. TRIBAL CULTURAL RESOURCES				
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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		✓		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		

Sources: "Historical/Archaeological Resources Survey Report Assessor's Parcel Number 0463-372-21" prepared by CRM Tech (September 7, 2024).

Environmental Setting

The Victor Valley region is part of the homeland of the Serrano people, which is centered in the San Bernardino Mountains but also includes part of the San Gabriel Mountains, much of the San Bernardino Valley, and the southern portion of the Mojave Desert. Prior to European contact, Serrano subsistence was defined by the surrounding landscape and primarily based on the gathering of wild and cultivated foods and hunting, exploiting nearly all the resources available. Their long-term settlements were located mostly on elevated terraces, hills, and finger ridges near reliable sources of water, especially in foothills and along major rivers. Today, most Serrano descendants are affiliated with the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians), the Morongo Band of Mission Indians, or the Serrano Nation of Indians.

GP EIR

See Section V for summary of Cultural Resources analysis and mitigation in the GP EIR.

Proposed Project Impacts

a, i, ii) Less Than Significant With Mitigation Incorporated. On June 20, 2024, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. The NAHC is the State of California's trustee agency for the protection of "tribal cultural resources," as defined by California Public Resources Code §21074 and is tasked with identifying and cataloging properties of Native American cultural value, including places of special religious, spiritual, or social significance and known graves and cemeteries throughout the state.

In a response letter dated July 8, 2024, the NAHC reported that the Sacred Lands File identified no Native American cultural resources in the Project vicinity. The NAHC recommended that local Native American groups be consulted for further information and provided a referral list of potential tribal contacts.

Assembly Bill 52 (AB 52) requires a lead agency to consult with tribes in the Project area during the CEQA process to allow tribes to be involved in the project development process and to address their concerns about potential impacts to tribal cultural resources. The consultation process requires the lead agency to provide written notification about a proposed project, as defined by CEQA, to tribes within the project's geographic area. If a tribe chooses to engage in consultation, it must respond to the lead agency within 30 days of receipt of the formal notification, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when the parties agree to measures to mitigate or avoid a significant effect (if a significant effect exists) on the tribal cultural resources, or when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (Public Resources Code section 21080.3.2 (b)(1) and (2)). At the time the General Plan and its EIR were prepared, AB 52 had not yet been enacted.

The Town has initiated the tribal consultation process in conformance with AB 52 requirements. It has distributed consultation letters to the tribes who have requested consultation under AB 52. Each representative was contacted in writing regarding the proposed Project. The Town received written responses from two Tribes during the AB 52 comment period. The Twenty-Nine Palms Band of Mission Indians (BOMI) requested consultation, and the Yuhaaviatam of San Manuel Nation (YSMN) requested conditions provided herein as MM TCR-1, TCR-2, CUL-1 and CUL-2. As of June 3, 2025, the Town has concluded consultation with BOMI and no new conditions were requested or required. The mitigation measures included in Section V, Cultural Resources, requires that an archaeologist and Native American monitor be consulted should any resources be identified during grading, and that a Monitoring and Treatment plan be prepared, if necessary, to assure that impacts are reduced to less than significant levels. Should a consulting tribe request additional mitigation, it will be added to this Initial Study or to conditions of approval for the Project.

Summary of Impacts

With implementation of **CUL-1, CUL-2, TCR-1 and TCR-2**, the impacts associated with Tribal cultural resources will be reduced to less than significant levels. As required in the GP EIR,

the mitigation measures imposed on the Project address impacts from the Project and would reduce these impacts to less than significant levels, including impacts to Tribal resources.

The proposed Project will result in impacts to Tribal resources which are equivalent to those identified in the GP EIR. No resources are known to occur on the Project site, nor were any identified in the GP EIR. Mitigation measures proposed for the Project are consistent with the findings of the GP EIR and would have been imposed on the Project as they were recommended in the GP EIR. No changes to the environment that result in any new or more significant impacts would result from development of the proposed Project.

Mitigation Measures: See Section V (Cultural Resources).

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

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

Monitoring: See Section V (Cultural Resources).

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

Sources: Town of Apple Valley General Plan 2009; Liberty Utilities – Apple Valley Urban Water Management Plan (2021); Liberty Utilities Annual Water Quality Report (2023); Town of Apple Valley Sewer System Management Plan (2019); Town of Apple Valley Climate Action Plan 2019 (updated 2021); CalRecycle Estimated Solid Waste Generation Rates; 2020 Total System Electric Generation, California Energy Commission.

Environmental Setting

Domestic Water

Liberty Utilities Corp. is the largest water purveyor for the Town of Apple Valley and is a subcontractor of the Mojave Water Agency. Fresh water for residential, commercial, and industrial uses is sourced from the Mojave River Groundwater Basin (Mojave Basin), an aquifer system that formed over 10,000 years ago.³⁷ The Mojave River flows north from the San Bernardino Mountains on the south edge of the Victor Valley region, then seeps into the groundwater basin. Rain and storm events also contribute a smaller percentage of water to the basin. The Mojave Water Agency contracts with the California State Water Project to import water for recharging the basin.

³⁷ Lifeblood of the Desert, US Geological Survey California Water Science Center, June 2022.

The Mojave Basin Area extends across 1,400 square miles and contains approximately five million acre-feet of groundwater. Liberty Utilities jurisdiction falls within the Alto Subarea, one of the five subareas in the Mojave Basin. Across all five subareas of the Mojave Basin, groundwater has been overdrafted and water levels have declined over the past 50+ years.

As of the 2023 Annual Water Quality Report, Liberty Utilities manages a water system containing over 21,000 customers. With 475 miles of pipeline, Liberty Utilities delivers 9,398 acre-feet of water for non-agricultural uses pumped from 19 deep wells.³⁸

Wastewater Treatment

The Apple Valley Department of Public Works Wastewater Division owns and operates the Town's sewer system, which collects wastewater and conveys it to the Victor Valley Wastewater Reclamation Authority (VWVRA) treatment plant. The Town's sanitary sewer system is comprised of approximately 145 miles of lines (force mains, collector lines, and trunk sewer lines) and seven lift stations.³⁹

The VWVRA is a Joint Powers Authority which treats wastewater and distributes recycled water for multiple jurisdictions including the Town of Apple Valley. Wastewater is treated at the VWVRA's Westside Regional Water Reclamation Plant in Victorville, which treats 10.7 million gallons per day (mgd), and has a capacity of 18 mgd.⁴⁰ Most of the wastewater is treated to a secondary level, and some is treated to a tertiary level. Secondary effluent is sent to six different percolation ponds for groundwater recharge. Tertiary effluent is released into the Mojave River also for groundwater recharge and is used for irrigation and industrial processing.⁴¹

The VWVRA manages the Apple Valley Subregional Water Recycling Facility located at Brewster Park in the Town of Apple Valley. This facility produces one million gallons of recycled water per day which is used to irrigate Brewster Park and Civic Center Park.

Electricity

In California, 45% of the total power generated in-state and imported from out of state includes a mix of renewable sources such as solar, wind, hydroelectricity, geothermal, and biomass. Approximately 9% is derived from nuclear power, and the remaining 46% is generated by natural gas, coal, and oil.⁴² According to the Town of Apple Valley Climate Action Plan 2019 Update, total electricity demand in Apple Valley in 2019 was 329,848,695 kilowatt-hours (kWh).

In Apple Valley, consumers receive electricity via two options. Firstly, Southern California Edison (SCE) delivers all electricity, manages and maintains the electrical grid, and provides billing and customer service. Secondly, all Apple Valley consumers are automatically enrolled in a separate program called the Apple Valley Choice Energy program (AVCE). AVCE is an electrical municipal provider, managed by the Town, who procures electricity from producers with higher

³⁸ 2023 Annual Water Quality Report, Liberty Utilities, 2024.

³⁹ Operations and Maintenance, Town of Apple Valley Sewer System Management Plan, 2019.

⁴⁰ Operations and Maintenance, Victor Valley Wastewater Reclamation Authority, accessed September 2024, <https://www.vwvraca.gov/departments/human-resources/operations-and-maintenance>.

⁴¹ "Wastewater Collection, Treatment, and Disposal," 2020 Urban Water Management Plan, Liberty Utilities, 2021.

⁴² [2022 Total System Electric Generation](https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2022-total-system-electric-generation), California Energy Commission, <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2022-total-system-electric-generation>.

renewable energy content and contracts with SCE to deliver that electricity. Consumers may remain opted-in to the AVCE program and receive electricity from SCE with a higher portion being produced from renewable sources, or consumers may opt out of the program and receive electricity only from SCE contracted producers.

Electrical power poles and overhead lines occur at the southeast corner of the Project site on the corner of Fresno Road and Ramona Road. Three poles are located on the south side of Fresno Road, and five poles align the east side Ramona Road south to Corwin Road.

Natural Gas

Southwest Gas Corporation (SWG) provides natural gas to the Town of Apple Valley. Natural gas is used for space heating, cooking, water heating, industrial processes, and transportation fuel. According to the Town of Apple Valley Climate Action Plan 2019 Update, Town-wide natural gas demand in Apple Valley in 2019 was 15,526,732 therms.

An existing SWG line is located approximately 331 feet south of the Project site under Founders Road and extends from Ramona Road to Dakota Road. The applicant would need to construct a connecting line from the Project site to the south either along Dakota Road or Ramona Road.

Telecommunications

In Apple Valley, Verizon Communications provides fiber-optic services, and Spectrum Charter provides cable and fiber optic services for internet and television connectivity.

Solid Waste Management

AVCO Disposal/Burrtec Waste Industries, Inc. is contracted by the Town to collect solid waste and transport it to the nearest landfill, the Victorville Sanitary Landfill, which is operated by San Bernardino County. The Victorville Landfill has a total capacity of 93,400,000 cubic yards and has an 85% remaining capacity of 79,400,000 cubic yards.⁴³

GP EIR

Utilities and Service Systems were analyzed as part of the Public Services and Facilities section of the Town's GP EIR (Section III.M, page III-229 et.seq). Impacts resulting from the Town's buildout as described in the GP EIR are summarized here.

Domestic Water

Section III-1, Water Resources/Quality, of the GP EIR found that build out of residential, commercial, industrial, and other types of development described in the General Plan would increase the Town's annual water demand to 95,999 acre-feet. Water delivery infrastructure would need to be extended to areas that had not yet been developed but were slated for future development. To ensure that water supplies would be able to meet the demand, the GP EIR prescribed the following mitigation measures which apply to all future development.

⁴³ Victorville Sanitary Landfill, CalRecycle, accessed September 2024, <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652>.

GP EIR Domestic Water Services Mitigation Measures

The following mitigation measures will reduce impacts associated with domestic water services to less than significant levels (GP EIR page III-250).

1. All future development projects shall be subject to review by the Town and the applicable water purveyor to assess their potential impact on local groundwater supplies.
2. The Town and applicable water purveyor shall coordinate for the extension of infrastructure to serve future development in Annexations 2008-001 and 2008-002.
3. The use of drought tolerant landscaping shall be encouraged in public and private development.
4. Future development shall be required to conform to standards set forth in Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and applicable sections of Title 24 of the State Code. These measures include the installation of low-flush toilets, low-flow showerheads and faucets in all new construction.

Wastewater

The GP EIR estimated that the Town's population at build out would be 194,931 residents and that wastewater generation would be approximately 100 gallons per capita per day. In order to accommodate the 19,493,069 gallons per day (gpd) of wastewater, the Town would need to constantly monitor growth and invest in additional infrastructure. In 2009, only 30% of the Town's development was connected to the Victor Valley Wastewater Treatment Authority (VWRA) sewer facilities in Victorville. To reduce the costs associated with extending the sewer collection system, sub-regional wastewater treatment plants would need to be constructed. Since growth would occur over time, the Town would be able to strategically plan and construct new facilities as the demand increased as well as implement the following mitigation measures.

GP EIR Wastewater Collection and Treatment Mitigation Measures

The following mitigation measures will reduce impacts associated with wastewater collection and treatment services to less than significant levels (GP EIR page III-252).

1. To the greatest extent feasible, all new development shall connect to the existing wastewater treatment collection system, or otherwise comply with the Town's Sewer Connection Policy.
2. The Town shall cooperate and coordinate with VWRA to ensure that there are adequate wastewater collection and treatment facilities to serve development in the General Plan study area.
3. The Town shall continue to confer and coordinate with VWRWA to secure funding for sub-regional wastewater treatment facilities to serve development in the Town.
4. The Town shall continue to confer and coordinate with VWRA to secure funding for tertiary treated water facilities to serve development in the Town.

Electricity

The 2009 General Plan estimated that the Town's build out electricity consumption would be approximately 1,807,978,891 kilowatt-hours per year (kWh/yr), and industrial uses would comprise 525,032,571 kWh/yr, or 29%, of the Town's annual consumption. With the implementation of energy efficiency measures, the addition of electricity generation sources, the expansion of electricity infrastructure, and the restructuring of Southern California Edison's rate structures, significant impacts were not expected to occur, and no mitigation measures were required.

Natural Gas

The Town's provider of natural gas, Southwest Gas Corporation (SWG), provided gas service through the Town, although less developed and rural areas in 2009 did not have pipeline extensions. In these areas, propane was utilized instead. SWG stated that it would work with the Town and developers to extend infrastructure as needed.

The GP EIR projected that at the Town's build out, the monthly natural gas consumption would be about 779,089,325 cubic feet, or 9,349,071,900 annually (9,536,053,338 kBtu). Again, as the Town's growth would occur gradually, the expansion of natural gas facilities would also occur in tandem, and SWG's rate structure would alter as needed to accommodate the growth. No mitigation measures were required.

Solid Waste

The GP EIR estimated that the Town's total annual solid waste generation at build out of the General Plan could equate to 950,712 tons per year, or 2,603 tons per day. Additional disposal sites would be required as would the following mitigation measures.

GP EIR Solid Waste Management Mitigation Measures

The following mitigation measures will aid in reducing the amount of waste generated, thereby mitigating the impacts to landfills and promoting the Town's compliance with AB 939. (GP EIR page III-257).

1. The Town and its solid waste disposal service provider shall continue to consult and coordinate to maintain and surpass, where possible, the provisions of AB 939 by means of expanded recycling programs to divert resources from the waste stream that can be returned to productive use.
2. To the greatest extent feasible, the Town shall encourage commercial and industrial establishments to minimize the amount of packaging and potential waste associated with product manufacturing and sales.
3. Recycling provisions for single-family and multi-family residential dwelling units shall continue to be included in the Town's solid waste disposal contracts.
4. Recycling provisions for commercial and business establishments should include separate recycling bins. Items to be recycled at commercial establishments may include white paper, computer legal paper, cardboard, glass, and aluminum cans.
5. As landscaping debris comprises a significant percentage of residential solid waste, developers shall contract for professional landscaping services from companies which compost green waste. Several landscaping companies in the Apple Valley/Victorville area are currently composting for waste disposal. On-site composting and grass recycling (whereby grass clippings are left on the ground) is also encouraged wherever possible.

Proposed Project Impacts

- a) **Less Than Significant Impact.** The NAVISP area is largely undeveloped, as such, existing infrastructure for utility services is limited. However, the Project site is less than 1,000 feet from the Apple Valley Airport property, which has utility services, hence, establishing connectivity to the Project would not result in significant impacts.

Water

Currently a 12-inch water line runs under Fresno Road and could be connected to the proposed 12-inch water line that would extend north along Dakota Road to the Project. On-site, 8-inch water lines would wrap around the north and east perimeters. The proximity of the existing 12-inch water line would prevent the relocation or construction of the water lines.

Wastewater Treatment

Along Dakota Road an existing 15-inch trunk sewer line extends from Corwin Road and continues north to Altadena Street north of Gustine Street. The Project would connect directly to this existing line and thus there would be no need to construct a new sewer line or relocate existing sewer lines. The Town's Wastewater Division reviews plans for all projects requiring a sewer connection and bases the reviews on San Bernardino County's most recent Sewer Standards. The proximity of the existing sewer line to the Project and the Town's review process both ensure that impacts to the Town's sewer infrastructure would be less than significant.

Stormwater Drainage

As discussed in Section X, Hydrology and Water Quality, the Project would be required to manage stormwater flows on site for a 100-year event as there are no existing urban stormwater management systems in the NAVISP. The applicant proposes to construct a 1.4 acre, or 60,867 square-foot, stormwater retention basin along the south edge of the Project site between the parking area and Fresno Road. The retention basin would accommodate 50,000 cubic feet of stormwater. Off-site stormwater conveyance would begin with the Gustine Street improvements and direct water into the catch basins within the proposed street rights-of-way along Dakota Road and Ramona Road, then into the catch basin along Fresno Road. Two storm drains would meet on the north side of Fresno Road and direct runoff to the south side into a drainage swale south of Fresno Road. No additional relocation or expansion of drainage facilities would be required beyond the above-described Project drainage system. Impacts would be less than significant.

Electricity

Southern California Edison (SCE) will deliver electricity to the Project site. At the southeast corner of the Project parcel existing overhead transmission lines run along Fresno Road extending from Navajo Road to the east and turning south down Ramona Road. Other nearby overhead transmissions lines also occur at the corner of Gustine Street and Navajo Road, east of the Project site. The Project utilities site plan shows an electricity connection at the southeast corner of the Project site, near the Fresno Road/Ramona Road intersection, as well as a second connection at the northwest corner of the site at Dakota Road and Gustine Street.

The Town of Apple Valley 2019 Climate Action Plan Update states that in 2019, the total amount of electricity consumed annually by the community was 326,679,466-kilowatt hours (kWh), and approximately 12% of that was consumed by industrial and agricultural users (38,785,029 kWh). Total operational electricity demand for the proposed Project is expected to be 4,341,692 kilowatt hours per year, which equates to 1.33% of the Town's 2019 total consumption, and 11.2% of the Town's 2019 industrial/agricultural use. Table 19 below provides details regarding the estimated annual electricity consumption by the Project during the operational phase.

Table 19
Project Electricity Consumption

Land Use	Electricity Use (kWh/yr)
Warehouse	2,636,134
Office Space	985,124
Parking Lot Lighting	720,434
Total	4,341,692
Percent of Town's Annual Consumption	1.33%

Sources:

1. CalEEMod 2022.1 (Full report is available in Appendix A).
2. Town of Apple Valley 2019 Climate Action Plan Update.

Natural Gas

Southwest Gas Corporation (SWG) has an existing gas line under Founders Road, located approximately 330 feet south of the south Project boundary. A gas line extension would be constructed to connect the Project site, if required. Generally, however, natural gas is not required for warehouse projects, and is not planned for the Project site. Given the short distance, the impacts from construction of a new line would be less than significant.

According to the Town's 2019 Climate Action Plan, Town-wide total annual natural gas consumption was 15,413,836 therms (1,541,383,600 kBTU), and the industrial sector consumed 35,330 therms, or 0.23% of the Town's total consumption. Estimated annual consumption of natural gas during the operational phase of the Project is 123,993 therms (12,399,371 kBTU), which represents 0.8% of the Town's total 2019 natural gas consumption.

Table 20 provides an estimate of the Project's natural gas consumption relative to the Town's total natural gas consumption.

Table 20
Project Operational Natural Gas Consumption

Land Use	Natural Gas Use (kBTU/yr)
Warehouse	10,850,383
Office Space	1,548,934
Parking Lot	0
Total	12,399,371
Percent of Town's Total Natural Gas Consumption	0.8%

Sources:

1. CalEEMod 2022.1 (Full report is available in Appendix A).
2. Town of Apple Valley Climate Action Plan 2019 Update.

Telecommunications

Frontier and Charter Communications provide the Town of Apple Valley with telephone, internet, cable television, and other telecommunication services. The Project will require off-site improvements and involve the installation of telecommunication connections to serve the proposed development. Construction of these off-site improvements will be

required to comply with the service providers guidelines and requirements to ensure that the Project takes the appropriate steps in installing the infrastructure and limiting any environmental impacts associated with buildout.

Summary

The Project would not result in a significant relocation or construction of utility infrastructure as most of these services already occur along the Project site's west and south boundaries and would require an on-site extension to connect to existing utilities. Environmental impacts from establishing connections to services are expected to be less than significant, and consistent with the impacts analyzed in the GP EIR.

- b) Less Than Significant Impact.** The Project conforms with the Town's General Plan land use designation for the site and the expected water consumption for a warehousing land use. Construction activities would consume water primarily during fugitive dust control site watering as required by MDAQMD Rule 403. Construction activities will be temporary lasting no longer than 18 months.

The indoor use for the Project includes of 570,752 square feet of warehouse space and 56,448 square feet of office space. Estimated annual water demand for the indoor uses are derived from two sources: the warehouse demand factor is derived from the U.S. Energy Information Administration 2012 Commercial Buildings Energy Consumption Survey, Water Consumption in Large Buildings; the office demand factor is derived from the American Water Works Associated Research Foundations (AWWARF's) Commercial and Industrial End Uses of Water. Warehouse water demand is estimated to be 3.4 gallons per square foot per year and would potentially total 5.95 acre-feet per year. The office space would use 15 gallons of water per square foot per year, which totals 2.4 acre-feet per year. The total estimated annual water demand for the warehouse and office space is 8.35 acre-feet.

The Project's water demand for outdoor irrigation based on the Maximum Applied Water Allowance (MAWA) equation from the Town of Apple Valley Ordinance No. 479, which is compliant with the Department of Water Resources Code of Regulations Title 23, Division 2, Chapter 2.7 "Model Water Efficient Landscape Ordinance." Outdoor water use is estimated to be 11.43 acre-feet per year. Table 21 below provides the estimated water demand for indoor and outdoor uses.

**Table 21
Project Operational Water Demand**

Indoor Use	Land Area (ft ²)	Indoor Demand Factor (gal/SF/year)	Indoor Annual Demand (acre-feet/yr)	Total Indoor Demand (acre-feet/yr)
Warehouse ¹	570,752	3.4	5.95	8.35
Office Space ^{2,3}	56,448	15	2.40	

**Table 21
Project Operational Water Demand**

Outdoor Use⁴	Land Area (ft²)	Outdoor ETo (in/yr) x ETAF	Outdoor Conversion Factor (gal/ft²)	Total Outdoor Demand (acre-feet/yr)
Landscape	201,664	66.2 x 0.45	0.62	11.43
Total Project Annual Water Demand				19.88
Percent of Town's Total Consumption⁵				0.21%

¹ Warehouse water demand factor is derived from U.S. Energy Information Administration 2012 Commercial Buildings Energy

Consumption Survey, Water Consumption in Large Buildings Summary.

² Office water demand factor is derived from the AWWARF Commercial and Industrial End Uses of Water.

³ Office space = 9% of gross floor space per site plan parking calculations.

⁴ Outdoor water demand calculations based on Town's Evapotranspiration (ETo), Evapotranspiration Adjustment Factor (ETAF), and Conversion Factor (Ordinance No. 479).

⁵As of 2023, total water delivered to Town for non-agricultural uses is 9,398 afy.

In 2023, the Town consumed 9,398 acre-feet water for non-agricultural uses. Based on this total, the Project's water demand of 19.88 acre-feet per year would consume approximately 0.21% of the Town's total non-agricultural water demand.

While projected water demand over the next 25 years is expected to increase, Liberty Utilities has demonstrated that there will be a reliable supply of water for the Town. Under normal conditions, the Town's total water demand (including agricultural water) could reach 16,466 acre-feet per year by 2030, and 17,810 acre-feet per year by 2040. The Project's water demand would equate to 0.12% and 0.11% of these projections (respectively). Liberty Utilities Apple Valley 2020 Urban Water Management Plan provides a Water Shortage Contingency Plan for a multiple-year drought scenario with the assumption that no additional water supply to the groundwater basin would be available. The plan relies on a reduction of water that would be available to customers accompanied by a reduction of customer use. Past drought experience shows that Liberty Utilities has been able to maintain the groundwater supply during a multi-year drought.

According to the 2020 Urban Water Management Plan, Liberty Utilities has adequate water supplies to meet the Town's demand during normal, single-dry, and multiple dry years for at least the next 25 years. Given that the Project's water demand would represent a small fraction of the provider's total supply, and the fact that the Project is consistent with the land use designated for the site, the water supply would be sufficient to meet the Project's and Town's demand and new or expanded water facilities would not be required. Water use associated with construction of the Project would be short-term and can be accommodated by local water supplies. Impacts are expected to be less than significant.

c) Less Than Significant Impact. A portion of the Project's wastewater would be sent to the Victor Valley Wastewater Reclamation Authority (VWVRA) Sub-Regional Plant in Apple Valley, which treats up to one million gallons per day (mgd). All solids and the remaining balance of the Project's wastewater would be sent to the VWVRA main treatment plant in Victorville, which currently treats 10.7 mgd, and has a total capacity of 18 mgd. As shown in Table 22, the Project could potentially generate 60,150 gallons per day (gpd), or 0.06015 mgd. This would comprise 6% of the Apple Valley Sub-Regional Plant capacity and 0.56% of the VWVRA main treatment plant's current capacity. The Project would increase the amount of wastewater needing to be treated, but the increase would be marginal and would not significantly impact either treatment plant's capacity. The Project's impacts on local wastewater treatment capacity would be less than significant.

**Table 22
Project Wastewater Generation**

Land Use	Daily Wastewater Generation Factor	Proposed Development	Projected Wastewater Generated
Industrial	1,500 gpd/acre	40.1 acres	60,150 gpd
Percent of total Sub-Regional plant capacity			6%
Percent of current VWVRA main plant capacity			0.56%

Source: Chapter 8, Town of Apple Valley Sewer System Management Plan, 2019.

d, e) Less than Significant Impact. During the construction and operational phases, solid waste would be generated by the Project. To manage solid waste generation, a waste management plan (WMP) demonstrating how the Project will comply with state and local diversion policies must be approved by the Town. Such policies include the 2019 California Green Building Standards Code requiring a diversion rate of at least 65% for construction and demolition waste. The County of San Bernardino IWM Plan requires that construction waste be disposed of at an appropriate CDI debris processing facility. Finally, state Assembly Bill 939 requires local jurisdictions to divert 50% of waste per year.

Generation of construction waste will be short-term and with the 65% diversion rate policy, the total amount of construction waste taken to the landfill will be low.

Total on-going operational solid waste generation is estimated to be 4.45 tons per year, but after the 50% required diversion, the total solid waste discarded in the landfill would be approximately 2.23 tons annually, or 4,453.12 pounds per day.

As described above, Victorville Sanitary Landfill, which serves the Project area, has 85% remaining capacity of 79,400,000 cubic yards. The Project would contribute approximately 0.0000004% annually to the remaining capacity (see Table 23). Based on this estimate, the Project would not exceed the capacity of local infrastructure, nor would it impair the attainment of local solid waste reduction goals. Burrtec would ensure that solid waste operations comply with federal, state, and local regulations. The Project's impacts related to solid waste disposal would be less than significant.

**Table 23
Project Estimated Solid Waste Generation**

Land Use	Generation Rate	Proposed Development	Total (lbs per day)	Total (tons per year)
Industrial (Warehouse)	1.42 lbs / 100 sq ft / day	627,200 sq ft	8,906.24	4.45
With 50% solid waste diversion			4,453.12	2.23
Conversion to cubic yards¹			29.687	
Percent of landfill remaining capacity			0.0000004%	

Source: Estimated Solid Waste Generation Rates for Commercial Retail (May 1997), CalRecycle, accessed September 2024, <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>.

1. National Recycling Coalition Measurement Standards and Reporting Guidelines, 2006. Estimates that 150 pounds of uncompacted municipal solid waste material is equal to 1 cubic yard of waste.

Mitigation Measures: None required.

Monitoring: None required.

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

Sources: CALFire Fire and Resource Assessment Program (FRAP) maps (accessed October 2024); Town of Apple Valley General Plan (2009); Town of Apple Valley Local Hazard Mitigation Plan 2017 Update.

Environmental Setting

Most of the Town of Apple Valley is within a Local Responsibility Area (LRA) according to the CALFire Fire and Resource Assessment Program (FRAP). The most up to date FRAP maps only display the fire hazard severity in LRAs for very high fire hazard severity zones (VHFHSZ). According to FRAP maps, there are no fire hazard severity zones in the LRA encompassing most of Apple Valley.

According to the Town of Apple Valley Local Hazard Mitigation Plan, the subject property is within the Apple Valley LRA fire hazard severity zone designated as moderate (Figure 4-1 Wildfire Hazard Severity Zones). Wildfires are a particular threat for unincorporated areas in the Town's vicinity, which are more likely to be on the wildland-urban interface. During the extremely dry and hot summer months, these areas face a significant risk of wildfire.

GP EIR

At the time the GP EIR was prepared, wildfire was not a standalone topic required by the CEQA Guidelines. The EIR included brief discussions of wildland fires under Section III-G Hazards and Hazardous Materials and Section III-M Public Services. While the General Plan would facilitate new development that may increase community exposure to wildland fires, the EIR determined that careful emergency planning under the General Plan and compliance with the Apple

Valley Fire Protection District (AVFPD) requirements would reduce fire-related impacts to less than significant levels. GP EIR mitigation measures related to emergency evacuation plans are provided in Section III-G Hazards and Hazardous Materials, and mitigation measures to reduce impacts associated with provision of fire protection services are provided in Section III-M Public Services.

Proposed Project Impacts

a-d) No Impact. The California Department of Forestry and Fire Protection (CalFire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). There are no state responsibility areas or very high fire hazard severity zones in the Project vicinity. The nearest fire hazard severity zones are located miles away to the south, near Bear Valley Road and Central Road. Buildout of the site is subject to the same General Plan policies and fire department requirements on fire safety and emergency access.

As described in Section IX Hazards and Hazardous Materials, the Project would comply with the Town's Emergency Operations Plan (2014) and Local Hazard Mitigation Plan (2017). Site plan review by the Apple Valley Fire Protection District (AVFPD) would ensure that the Project would not impact the Town's emergency evacuation plans.

The Project would not require the installation or maintenance of infrastructure that would exacerbate fire risk. While rocky hills occur to the west of the Project site, the slopes are not steep enough for landslides to occur, and vegetation is limited, so fire risk is not significant.

There would be no impact as a result of the proposed Project relating to wildfires. No new or increased severity of impacts would occur compared to those identified in the EIR.

Mitigation Measures: None required.

Monitoring: None required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

<p>NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.</p> <p>Does the project:</p>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a) Does the project have the potential to 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, 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?</p>		✓		
<p>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)?</p>			✓	
<p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			✓	

a) Less Than Significant with Mitigation Incorporated.

Biological Resources: The Project site is vacant, and undeveloped. No riparian habitat or other sensitive natural communities have been identified on the property, and no species of fish occur on the site.

Mitigation Measures (BIO-1 to BIO-4) provided in this document ensure that the Project would have less than significant impacts to the sensitive wildlife species known to occur in the Project area.

The proposed Project would not significantly reduce the habitat of a fish or wildlife species, cause such populations to drop below self-sustaining levels, threaten a plant or animal community, or reduce the number or range of an endangered species with the implementation of the mitigation measures contained in this document.

Cultural Resources: The Project would not eliminate important examples of the major periods of California history or prehistory. The cultural resources assessment prepared for the Project found no evidence of archaeological resources on the subject site. Mitigation measures CUL-1 ensures that any buried cultural materials or human remains discovered on the site during earth-moving operations would be handled appropriately.

Overall, there will be no significant environmental impacts which cannot be mitigated. Project-related impacts are considered less than significant with the implementation of mitigation measures contained in this document.

- b) Less Than Significant Impact.** A significant impact could occur if the proposed Project, in conjunction with related projects, would result in impacts that would be less than significant when viewed separately, but would be significant when viewed together. In this case, the impacts of the proposed Project are individually limited and not cumulatively considerable. The proposed development is consistent with the development envisioned for this area per the Town's General Plan and NAVISP. The Project would not significantly intensify the land use in the area beyond what is envisioned in the General Plan and NAVISP. All environmental impacts that could occur as a result of the proposed Project would be less than significant with the implementation of the mitigation measures included in this document, and when viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, would be less than significant.
- c) Less Than Significant Impact.** The proposed Project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, with the implementation of the Town's Municipal Code, other standards requirements and laws, and the mitigation measures included in this document.