

CITY OF VICTORVILLE DEVELOPMENT DEPARTMENT
14343 Civic Drive, Victorville, California 92392
(760) 955-5135 FAX (760) 245-8250

MITIGATED NEGATIVE DECLARATION
Preparation Date: July 8, 2025

Name or Title of Project: PLAN 24-00020 - Tentative Tract Map 20816.

Location: The proposed project is located south of the intersection of Tawney Ridge Lane and Ferndale Road and encompasses parcels on both the east and west sides of Ferndale Road. (Assessor's Parcel Numbers [APN] 0395-211-01, 02, 04, & 05).

Entity or Person Undertaking Project: GJH Development, Inc (Applicant)

Description of Project: A Tentative Tract Map with a Mitigated Negative Declaration to allow for the development of 32 Single-Family lots on an undeveloped four parcels totaling 9.87-acres and zoned R-1 (Single-Family Residential).

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

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

Mitigation Measures:

Biological Resources:

1. Mitigation Measure BIO-1. Burrowing Owl Pre-Construction Surveys. Preconstruction surveys for Burrowing Owls on the Project site and in the surrounding area shall be conducted by a qualified biologist no more than 14 days prior to initiation of Project ground-disturbing activities in accordance with guidelines identified by the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation (Department of Fish and Game Code, March 2012). If Project activities are delayed for more than 30-days (including the restarting of activities after project/ground disturbing delays of 30-days or more), additional surveys will be required, including but not limited to a take avoidance survey within 24 hours of ground disturbance. If burrowing owls are observed on the Project site during the Pre-construction survey the California Department of Fish and Wildlife shall be immediately notified, and Mitigation Measure BIO-2 shall be required. If burrowing owl(s) are not observed onsite during any preconstruction surveys, a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to issuance of any grading permits, and no further action is required.
2. Mitigation Measure BIO-2. Burrowing Owl Mitigation if Detected on-site. If burrowing owls are observed on the project site during any preconstruction survey as per MM BIO-1, the

California Department of Fish and Wildlife (CDFW) shall be immediately notified, and the applicant shall conduct an impact assessment in accordance with the 2012 Staff Report on Burrowing Owl Mitigation prior to commencing Project activities to determine appropriate mitigation and any areas occupied by burrowing owls shall be avoided. No ground-disturbing activities shall be permitted within 500 meters of an occupied burrow. A smaller buffer may be established if the qualified biologist determines that a reduced buffer would not adversely affect the burrowing owl(s). If burrowing owls cannot be avoided by the Project, then a qualified biologist shall prepare and submit a passive relocation program to CDFW for review/approval prior to the commencement of Project activities in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the 2012 Staff Report on Burrowing Owl Mitigation and mitigation shall be required as described below (see g) to reduce impacts to less than significant, including the following steps as approved by the California Department of Fish and Wildlife and in accordance with the updated CDFW Staff Report on Burrowing Owl Mitigation (2012) shall be implemented if burrowing owl are present onsite:

- a) Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the California Department of Fish and Game verifies through noninvasive methods either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- b) A burrowing owl survey shall be conducted on all portion of the site between September and January to determine the location of active (non-breeding) burrows.
- c) If the Project cannot avoid burrowing owl, qualified biologists shall exclude all owls from active burrows using one-way doors during the non-breeding season (September 1– January 31) or during the breeding season (February 1– August 31), only after a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. Concurrently, all inactive burrows and other sources of secondary refuge for burrowing owls shall be collapsed and removed from the site.
- d) Following a 48-hour observation period and 48-hours after installation of one-way doors, all vacated burrows shall be collapsed.
- e) A qualified biologist shall conduct a post-exclusion survey confirming the absence of borrowing owls on the site. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation and provided to CDFW. Should newly occupied burrows be discovered on the site the exclusion shall be repeated as outlined in the CDFW-approved passive relocation program.
- f) A final clearance survey confirming the absence of active burrowing owls burrows shall be conducted within three days of initiating Project activities.
- g) Compensatory mitigation lands for permanent impacts to nesting, occupied, and satellite burrows and burrowing owl habitat shall be provided by the applicant/developer at a minimum ratio of 2:1 and permanent conservation and management of burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owl impacts are replaced consistent with the Staff Report on Burrowing Owl Mitigation including its

Appendix A within designated adjacent conserved lands identified through coordination with CDFW. A qualified biologist shall confirm the natural or artificial burrows on the conservation lands are suitable for use by the owls. Monitoring and management of the replacement burrow site(s) shall be conducted, and a reporting plan shall be prepared for CDFW review and approval. The objective shall be to manage the replacement burrow sites for the benefit of burrowing owls (e.g., minimizing weed cover), with the specific goal of maintaining the functionality of the burrows for a minimum of 2 years. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, Project activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW prior to the start of Project activities.

3. Mitigation Measure BIO-3. Nesting Bird Survey. All Project activities on-site shall be conducted outside of nesting season (January 15 to August 31) to the maximum extent feasible. During the nesting bird season, a qualified biologist shall conduct pre-project nesting bird surveys, implement nest buffers, and conduct monitoring at all active nests within the work area and surrounding 300-foot buffer. Nesting bird surveys shall be conducted by a qualified biologist within 300 feet of all work areas, no more than 3 days prior to commencement of project activities. If active nests containing eggs or young are found, a qualified biologist shall establish an appropriate nest buffer. Nest buffers are species-specific and range from 15 to 100 feet for passerines and 50 to 300 feet for raptors, depending on the planned activity's level of disturbance, site conditions, and the observed bird behavior. Established buffers shall remain until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests shall be monitored until the biologist has determined the young have fledged or the project is finished. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

Cultural Resources:

4. Mitigation Measure CUL-1 Inadvertent Discovery of Archaeological Resources. If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur in the area of the find until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or their authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Geology and Soils:

5. Mitigation Measure GEO-1. Inadvertent Discovery of Paleontological Resources. If paleontological resources are encountered during implementation of the Project, (including areas impacted by off-site street improvements, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the

“Project Paleontologist”) shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure GEO-2 shall apply.

6. Mitigation Measure GEO-2. Paleontological Treatment Plan. If a significant paleontological resource(s) is discovered on the property, (including areas impacted by off-site street improvements), in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

Greenhouse Gas Emissions:

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

Hydrology and Water Quality:

9. Mitigation Measure SER WTR-1. NPDES Permit. Prior to issuance of a grading permit the applicant shall obtain coverage under the statewide general NPDES permit for control of construction and post-construction related storm water in accordance with the requirements of the Small MS4 General Permit. In addition, the applicant shall:
 - Prepare a project specific Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and shall identify site-specific erosion and sediment control best management practices that will be implemented;
 - The SWPPP shall be applicable to all areas of the project site including construction areas, access roads to and through the site, and staging and stockpile areas;
 - Temporary best management practices for all components of the project must be implemented until such time as permanent post-construction best management practices are in place and functioning; and
 - All excess sediment excavated as part of the Project that is not used onsite should be stockpiled in a location such that it will not be transported by wind or water into a surface water. An adequate combination of sediment and erosion control BMPs must be implemented and maintained to temporarily stabilize all stockpiled sediment until such time that it is reused and/or permanently stabilized.

10. Mitigation Measure SER WTR-2. Spill Prevention and Response Plan. The applicant/developer shall prepare and implement a comprehensive Spill Prevention and Response Plan for the Project, subject to review and approval by the City Planner and City Engineer (or their designee) prior to the issuance of any associated building or grading permit. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and cleanup a hazardous material spill, should one occur.

Noise:

11. Mitigation Measure NOI-1. Construction Noise Mitigation. Prior to the issuance of a grading permit, the following notes shall be included on grading plans and building plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Victorville staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.
 - a) Haul truck deliveries shall be limited daytime hours of 6:00 a.m. to 6:00 p.m.
 - b) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.
 - c) All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receptors adjacent to the Project site.
 - d) Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receptors.”

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame /Milestone	Verified By (signature/date required)
Biological Resources			
<p>Mitigation Measure BIO-1. Burrowing Owl Pre-Construction Surveys. Pre-construction surveys for Burrowing Owls on the Project site and in the surrounding area shall be conducted by a qualified biologist no more than 14 days prior to initiation of Project ground-disturbing activities in accordance with guidelines identified by the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation (Department of Fish and Game Code, March 2012). If Project activities are delayed for more than 30-days (including the restarting of activities after project/ground disturbing delays of 30-days or more), additional surveys will be required, including but not limited to a take avoidance survey within 24 hours of ground disturbance. If burrowing owls are observed on the Project site during the Pre-construction survey the California Department of Fish and Wildlife shall be immediately notified, and Mitigation Measure BIO-2 shall be required. If burrowing owl(s) are not observed onsite during any pre-construction surveys, a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to issuance of any grading permits, and no further action is required.</p>		No more than 14 days prior to ground disturbing activities	
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review/approval prior to the commencement of Project activities in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the 2012 Staff Report on Burrowing Owl Mitigation and mitigation shall be required as described below (see g) to reduce impacts to less than significant, including the following steps as approved by the California Department of Fish and Wildlife and in accordance with the updated CDFW Staff Report on Burrowing Owl Mitigation (2012) shall be implemented if burrowing owl are present onsite:

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<p>CDFW. Should newly occupied burrows be discovered on the site the exclusion shall be repeated as outlined in the CDFW-approved passive relocation program.</p> <p>f) A final clearance survey confirming the absence of active burrowing owls burrows shall be conducted within three days of initiating Project activities.</p> <p>g) Compensatory mitigation lands for permanent impacts to nesting, occupied, and satellite burrows and burrowing owl habitat shall be provided by the applicant/developer at a minimum ratio of 2:1 and permanent conservation and management of burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owl impacts are replaced consistent with the Staff Report on Burrowing Owl Mitigation including its Appendix A within designated adjacent conserved lands identified through coordination with CDFW. A qualified biologist shall confirm the natural or artificial burrows on the conservation lands are suitable for use by the owls. Monitoring and management of the replacement burrow site(s) shall be conducted, and a reporting plan shall be prepared for CDFW review and approval. The objective shall be to manage the replacement burrow sites for the benefit of burrowing owls (e.g., minimizing weed cover), with the specific goal of maintaining the functionality of the burrows for a minimum of 2 years. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, Project activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW prior to the start of Project activities.</p>			
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<p>Greenhouse Gas Emissions</p>			
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<p>Hydrology and Water Quality</p>			
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<p>Noise</p>			
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