Walnut Basin Project

Initial Study/Mitigated Negative Declaration



Prepared for:

City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345

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DRAFT: February 2026

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List of Acronyms

AB	Assembly Bill
AC	asphalt concrete
ACCM	asbestos containing construction material
ADL	aerially deposited lead
APN	assessor's parcel number
AQMP	Air Quality Management Plan
Basin	Upper Mojave River Valley Groundwater Basin
Basin Plan	Water Quality Control Plan for the Lahontan Region
bgs	below ground surface
BIOS	Biogeographic Information and Observation System
BMP	best management practices
BSA	biological study area
BSC	Building Standards Commission
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDNPA	California Desert Native Plants Act
CDOC	California Department of Conservation
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
City	City of Hesperia
city/Hesperia	City of Hesperia
CNDDB	California Natural Diversity Database

CNPS	California Native Plant Society
CO	carbon monoxide
Cortese	Hazardous Waste and Substances Sites
CO_2	carbon dioxide
CPUC	California Public Utilities Commission
CREC	controlled recognized environmental conditions
CWA	Clean Water Act
dBA	A-weighted decibels
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ERIS	Environmental Risk Information Services
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zones
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FR	Federal Register
General Plan	Hesperia General Plan
GHG/CO_2e	greenhouse gas
GSP	Groundwater Sustainability Plan
HCP	Habitat Conservation Plan
HREC	Historical Recognized Environmental Conditions
HSC	Health and Safety Code
HWCL	Hazardous Waste Control Law
I-15	Interstate 15

IS/MND	Initial Study/Mitigated Negative Declaration
ISA	Initial Site Assessment
LCFS	low carbon fuel standard
lbs/day	pounds per day
L_{eq}	equivalent continuous sound pressure level
L_{max}	maximum sound level
MBTA	Migratory Bird Treaty Act
MDAQMD	Mojave Desert Air Quality Management District
MLD	Most Likely Descendant
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO_2	nitrogen dioxide
NO_X	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Services
NRHP	National Register of Historic Places
O_3	ozone
OHWM	ordinary high water mark
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PCC	Portland cement concrete
PM_{10}	particulate matter 10 microns or less in diameter
$PM_{2.5}$	particulate matter 2.5 microns or less in diameter
ppv	peak particle velocity
PRC	Public Resources Code
project	Walnut Basin Project
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental conditions

ROG	reactive organic gas
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SCE	Southern California Edison
SCCIC	South Central Coastal Information Center
SCS	Sustainable Communities Strategy
SER	Standard Environmental Reference
SIP	State Implementation Plan
SMARA	Surface Mining and Reclamation Act
SO_2	sulfur dioxide
SO_x	oxides of sulfur
Specific Plan	Main Street and Freeway Corridor Specific Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCE	temporary construction easement
U.S.	United States
USACE	United States Army Corps of Engineers
U.S. EPA	United States Environmental Protection Agency
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VMT	vehicle miles traveled
VOC	volatile organic compounds
WDR	waste discharge requirements
WJTCA	Western Joshua Tree Conservation Act

1.0 Project Description

Project Title	Walnut Basin Project
Lead Agency Name and Address:	City of Hesperia 9700 Seventh Avenue Hesperia, CA 92345
Contact Person and Phone Number	Justin Richard, Assistant Project Manager City of Hesperia (760) 947-1388
Project Location	Walnut Street, assessor's parcel numbers (APN) 0408-182-14, 0408-182-10, and 0408-182-02
Project Sponsor's Name and Address	City of Hesperia 9700 Seventh Avenue Hesperia, CA 92345
General Plan Designation(s)	Rural Residential, Residential, Specific Plan – Neighborhood Commercial and Specific Plan – Office Commercial
Zoning Designation(s)	Office Commercial and Low Density Residential

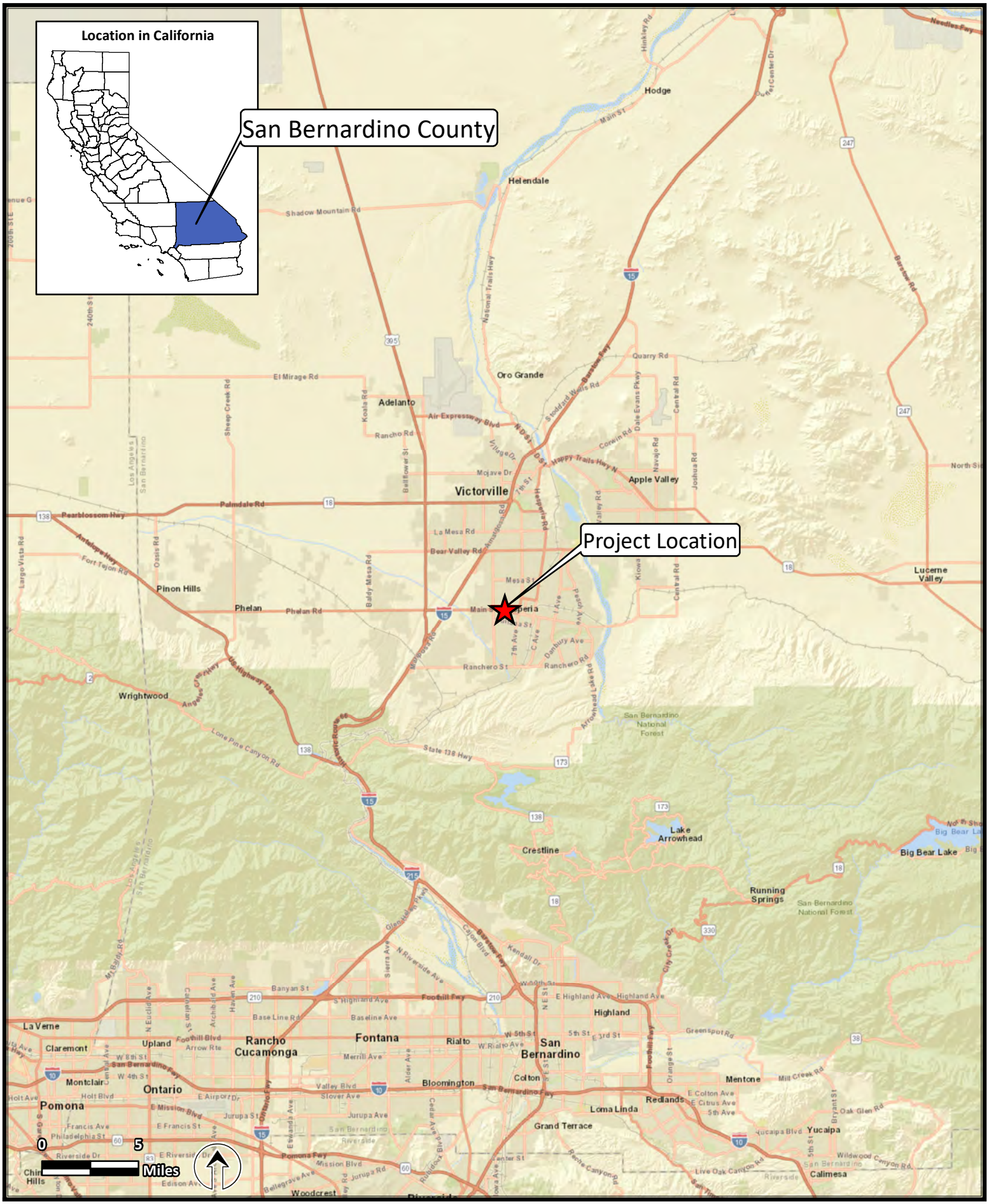
1.1 Introduction

The City of Hesperia (City) is proposing the construction of a new sediment and debris basin to improve flood control and sediment management in the downtown area of the City of Hesperia (city/Hesperia) (project). The project area is located along Main Street in Hesperia, in San Bernardino County (county), approximately 0.2 mile west from the intersection of 11th Avenue and Main Street (see **Figure 1** and **Figure 2**).

The State of California Department of Water Resources entered into a grant agreement with the Mojave Water Agency in 2023 to assist in financing water quality projects that are included and implemented in the adopted Mojave Water Agency's Mojave Region Integrated Regional Water Management Plan. In this agreement, several projects are listed and scheduled to receive funding, including the Walnut Basin Project. The City is using this funding to complete the engineering, environmental, and construction phases of the project. The project is subject to the requirements of the California Environmental Quality Act (CEQA), for which the City is the Lead Agency.

Existing Setting

Surrounding land use designations include Rural Residential, Residential, Specific Plan - Neighborhood Commercial and Specific Plan - Office Commercial (see **Figure 3**) (City of Hesperia, 2010). Parcels surrounding the project area include residential housing and undeveloped lots to the north, south, and west of the project area. The area east of the project area primarily includes developed lots with commercial facilities and shopping centers.



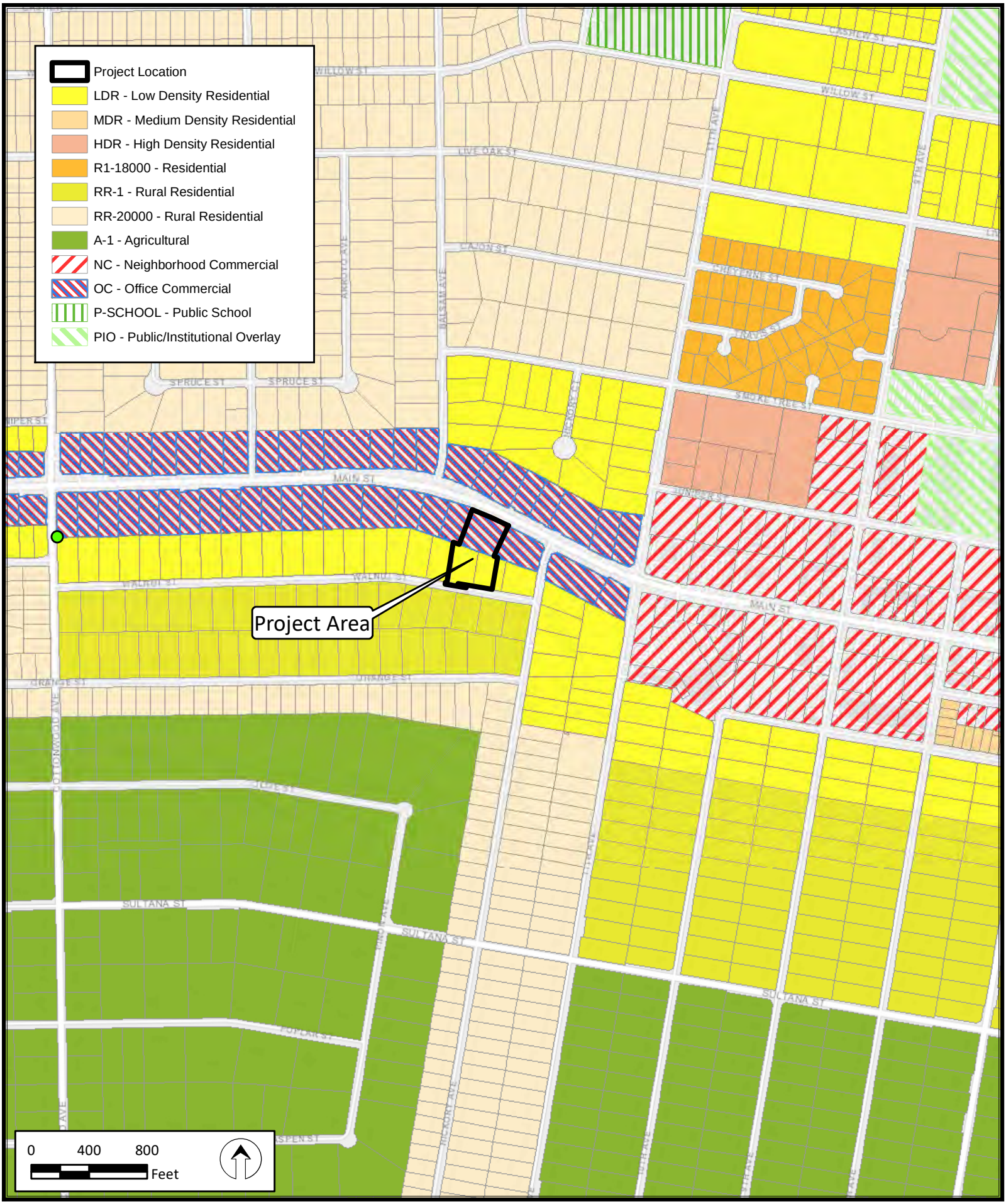
Source: ESRI 2024

FIGURE 1. REGIONAL LOCATION
Walnut Basin Project



Data Source: ESRI 2025

FIGURE 2. PROJECT LOCATION
Walnut Basin Project



Sources: City of Hesperia 2017; ESRI 2025.

FIGURE 3. LAND USE MAP
Walnut Basin Project

Existing Facility

The city experiences storm-related flooding together with sediment and debris transport challenges. The project area contains three City-owned parcels totaling 3.54 acres: APNs 0408-182-14, 0408-182-10, and APN 0408-182-02. Within the project area, there is an existing storm drain inlet structure with dual 10-foot diameter reinforced concrete storm drain pipes that drain to the existing 4th Street Basin on APN 0408-182-14. The pipes were constructed to improve flood protection in the downtown area. The existing storm drain inlet facility is used for conveyance into the city's underground storm drain system. The existing facility was not designed to capture sediment and debris prior to storm flows entering the storm drain pipes, which severely limits the system's hydraulic capacity.

There is no formal access road or driveway to the existing storm drain inlet structure. Water flows from the southwest to the northeast within the project area, where it is collected by the storm drain inlet and drains to the existing 4th Street Basin outside of the project area. The existing storm drain inlet structure does not have trash and/or sediment prevention features, and the current structure requires cleaning after storm events due to the amount of sediment and debris carried into the structure. There are small shrubs and low cover vegetation on the undeveloped land north and west of the existing structure. The terrain surrounding the existing structure is primarily flat with no substantial landforms.

1.2 Project Description

The proposed sediment and debris basin would consist of a primary trapezoidal sloped inlet facility on the south end of the basin at Walnut Street and include access roads around the basin as well as a maintenance road that extends into the bottom of the basin to allow for basin maintenance and sediment removal. The sediment and debris basin is designed to provide approximately 23,000 cubic yards (14.26 acre-feet) of debris storage, with erosion control rip rap, maintenance access roads, and an outlet structure that would connect to the existing dual 10-foot-diameter pipes. The sediment and debris basin would be designed to reduce runoff velocities and flow capacities, allowing sediment to settle from runoff prior to entering the storm drain system. In addition, a 5-foot-high stabilized earth berms would be designed to convey flows through the sediment and debris basin and allow for sediment deposit. The sediment and debris basin would be 24 feet deep with a 3-foot-deep concrete spillway to convey the flows into the existing dual storm drain pipes. A low flow outlet would be provided at the base of the spillway to convey small storm drain events and to drain the sediment and debris basin after a storm event.

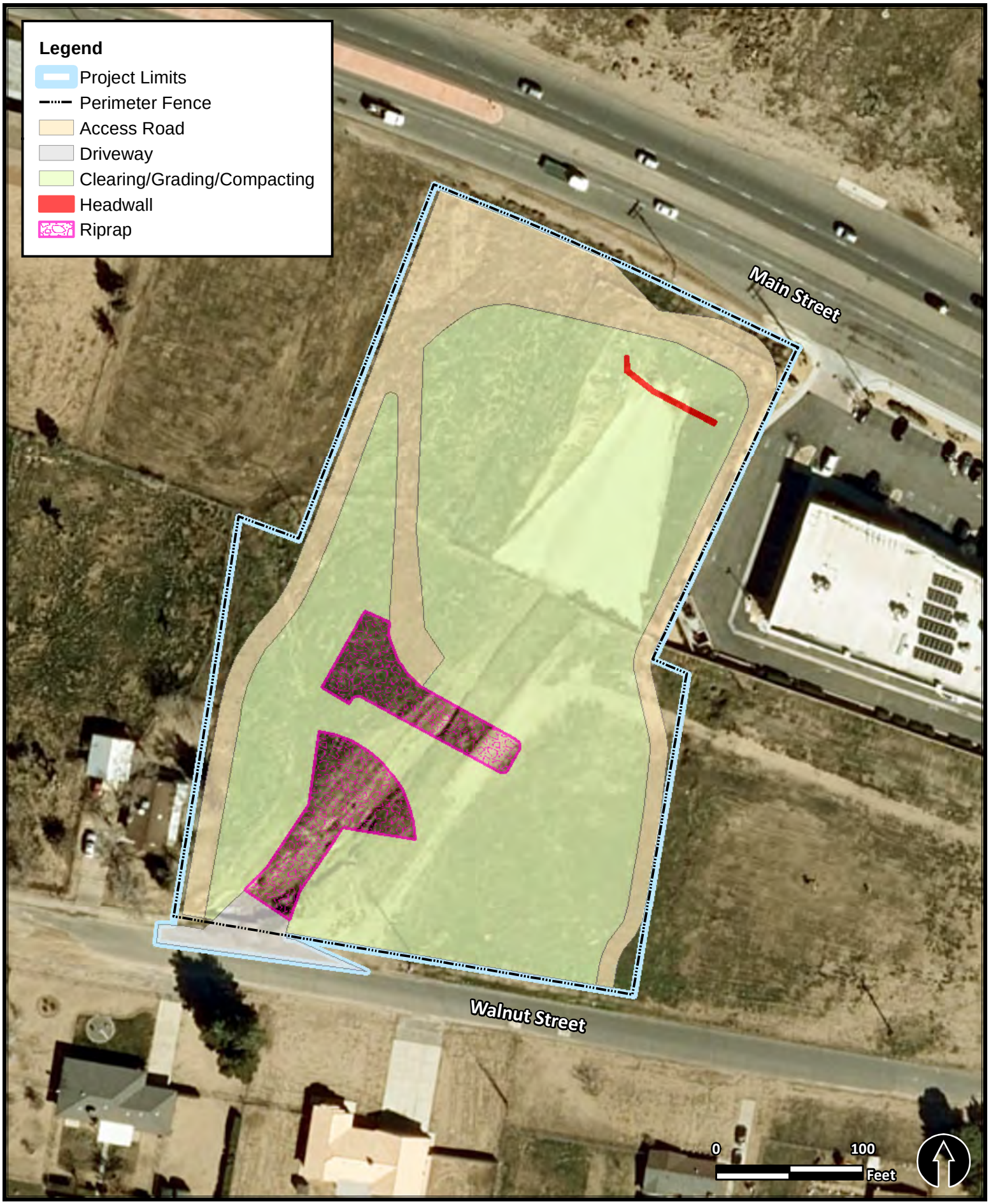
Demolition

A portion of the existing Portland cement concrete (PCC) pavement and subgrade would be demolished to construct the improvements. The removed PCC pavement would be used for rip-rap. The existing asphalt concrete, subgrade, and asphalt concrete (AC) berm would be sawcut and removed. The existing fence, including the 30-foot-wide double swing gates, would be removed and salvaged for relocation. The existing headwall would also be removed.

Construction

Before construction of the new sediment and debris basin, the project area would be cleared and grubbed. The soil and PCC pavement in the area around the existing storm drain inlet structure would be excavated and reconstructed with compacted fill. The demolished PCC pavement would be used as recycled rip-rap in the sediment and debris basin. In addition, a 50-foot-wide, 1.5-foot-tall, 4-inch-thick AC open rectangular flume would be constructed north of and adjacent to the existing pavement on Walnut Street. A 6-inch PCC inlet spillway would be constructed north of the rectangular flume, followed by installation of 23-inch-thick recycled grouted rip-rap north of the spillway. Grouted rip-rap and slope protection would be installed within the sediment and debris basin along the inlet and southern side of the adjacent earth berm. A driveway would be constructed on the north side of Walnut Street, southwest of the sediment and debris basin, and would connect to the proposed access road around the basin perimeter. The surrounding access road and a basin access ramp would be constructed with four inches of asphalt pavement over one foot of compacted native soil. A 6-foot-high chain link fence would be constructed around the sediment and debris basin, with an 18-foot-wide double swing gate on the southwest and southeastern sides of the project area. On the northern side of the basin a concrete spillway, modified double circular pipe headwall, and cut off wall structures would be constructed. The existing wall and fence on the eastern end of the sediment and debris basin, existing fence on the western end, and the existing cable TV conduit would be protected in place. The project would result in an increase of 1.20 acres of net new impervious surface area and 0.16 acre of replaced impervious surface area. The additional surface area would be accommodated in the basin design.

Construction equipment would consist of an excavator for sediment excavation and slope shaping, crane for headwall placement for precast sections (if necessary), compactor for compacting fill and subgrades, backhoe/loader for material relocation and debris clearing, bulldozer for initial grading and berm shaping, water truck for dust control and moisture for compaction, double trailer bottom dump trucks for the export of materials off-site, and hand tools for the removal of vegetation and general construction. The maximum depth of excavation would be approximately 24 feet for excavation, compacting, and construction activities related to building the sediment and debris basin. The project would require approximately 50,500 cubic yards (CY) of cut and use approximately 500 CY of that material for fill materials used for construction of the new sediment and debris basin. The remaining 50,000 CY would be exported off-site. The project would require 40 daily haul trips for the import and export of materials, totaling 2,500 haul trips. In addition, the project would require 5 daily haul trips for concrete and asphalt deliveries, totaling 100 haul trips for paving. The excavated material is proposed to be imported to a City disposal site located at Escondido Avenue and Cromdale Street. The 1-way haul distance is 5.6 miles via Maple Avenue to Ranchero Road. Concrete and asphalt delivery would also result in haul trips to and from the project area. The 1-way haul distance for concrete and asphalt delivery is approximately 15 miles via Air Expressway in Victorville to National Trails Hwy to the I-15 Freeway to Main Street



Data Source: ESRI 2025

FIGURE 4. PROJECT COMPONENTS AND IMPACT AREAS
Walnut Basin Project

Construction Schedule

Construction would be conducted in one stage and is anticipated to begin in October 2026 and last approximately five months, ending in February 2027. Construction would be limited to normal operating hours, Monday through Friday from 7:00 AM to 4:00 PM. Night work would not be conducted. No road closures are anticipated to construct the project. Temporary delays on Walnut Street and Main Street may result from the movement of construction equipment, but through access would be maintained.

Utilities

No utility relocations would be necessary for project implementation. The proposed sediment and debris basin would be tied into the existing storm drain inlet to reduce sediment and debris from entering the storm drain pipeline.

Permits and Approvals Needed

The project would require permits, licenses, agreements, and certifications from the California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB) (see **Table 1**).

Table 1. Permits and Approvals

Agency	Permits, Licenses, Agreements, and Certifications	Status
California Department of Fish and Wildlife	Section 1602 LSA Streambed Alteration Agreement	Not Initiated
Regional Water Quality Control Board	Porter-Cologne Act Waste Discharge Requirements	Not Initiated

2.0 Environmental Factors Potentially Affected

Environmental factors that are checked contain at least one impact that has been determined to be a "Potentially Significant Impact." Environmental factors unchecked indicate that impacts were determined to have resulted in no impacts, less than significant impacts, or less than significant impacts with mitigation measures incorporated into the project.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agriculture & Forestry Resources	☐ Hazards & Hazardous Materials	☐ Recreation
☐ Air Quality	☐ Hydrology & Water Quality	☐ Transportation
☐ Biological Resources	☐ Land Use & Planning	☐ Tribal Cultural Resources
☐ Cultural Resources	☐ Mineral Resources	☐ Utilities & Service Systems
☐ Energy	☐ Noise	☐ Wildfire
☐ Geology & Soils	☐ Population & Housing	☐ Mandatory Findings of Significance

3.0 Determination

On the basis of this initial evaluation:

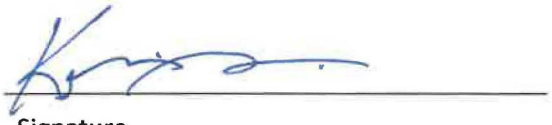
☐ I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the 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 (MND) will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the 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 (EIR) is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the 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 project, nothing further is required.



Signature

2/12/26

Date

Kevin Sin

Printed Name

Deputy City Engineer

4.0 Evaluation of Environmental Impacts

Potential environmental effects of the project are classified and described within the CEQA Environmental Checklist under the following general headings:

"No Impact" applies where the impact does not apply to projects like the one involved. For example, if the project area is not located in a fault rupture zone, then the item asking whether the project would result in or expose people to potential impacts involving fault rupture should be marked as "No Impact."

"Less Than Significant Impact" applies where the impact would occur, but the magnitude of the impact is considered insignificant or negligible. For example, a development which would only slightly increase the amount of surface water runoff generated at a project area would be considered to have a less than significant impact on surface water runoff.

"Less Than Significant Impact With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." Incorporated mitigation measures should be outlined within the checklist and a discussion should be provided which explains how the measures reduce the impact to a less than significant level. This designation is appropriate for an MND, where all potentially significant issues have been analyzed and mitigation measures have been recommended that reduces all impacts to levels that are less than significant.

"Potentially Significant Impact" applies where the project has the potential to cause a significant and unmitigable environmental impact. If there are one or more items marked as "Potentially Significant Impact," an EIR is required.

4.1 Aesthetics

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code (PRC) Section 21099, would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

Local Regulations

City of Hesperia General Plan

The Hesperia General Plan (General Plan) identifies areas which "include but are not limited to the Mojave River, the San Gabriel and San Bernardino Mountains, the Mojave Desert and other surrounding mountains and valleys" as scenic resources. In addition, the General Plan also identifies three preservation areas within the Oro Grande Wash and the Unnamed Wash #1 as scenic resources because of their desert natural habitat, have seen very little disturbance, and include native vegetation, such as an abundance of Joshua and Juniper Trees (City of Hesperia, 2010).

The following goals and policies from the General Plan Open Space Element are applicable to the project (City of Hesperia, 2010):

Goal OS-2 Identify and preserve natural open space in order to protect sensitive environments and preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands. Open space areas should be contiguous or connected through trails to provide accessibility for hikers and equestrians as well as wildlife.

Policy OS 2.3 Utilize natural open space to preserve natural resources such as historical, biological and scenic resources.

Goal OS-3 The areas within the Oro Grande Wash and the Unnamed Wash east of Interstate 15 (I-15) identified as Area A, B and C of Exhibit OS - 7 shall be preserved in their natural state.

Environmental Setting

The project area is not within a scenic highway. The nearest scenic highway is State Route 138, which is designated as eligible for listing on the State Scenic Highway System, and is approximately 7.7 miles south of the project area (California Department of Transportation, 2018). The project area is not visible from or within any of the scenic vistas listed in the General Plan Open Space Element (City of Hesperia, 2010).

The project area is in an urban setting, on parcels designated as Main Street/Freeway Corridor Specific Plan - Low Density Residential and Main Street/Freeway Corridor Specific Plan - Office Commercial (City of Hesperia, 2023). To the north, south, and west of the project area, land use consists of a mix of developed parcels with residential housing and undeveloped lots. The area east of the project area primarily consists of developed lots with commercial facilities and shopping centers. A chain-link fence surrounds the existing storm drain inlet structure. Overhead utility lines run along both Main Street and Walnut Street. There are small shrubs and low cover vegetation on the undeveloped land north and west of the existing storm drain inlet structure. The terrain surrounding the storm drain inlet structure is primarily flat with no substantial landforms.

Discussion of Checklist Responses

a. Would the project have a substantial adverse effect on a scenic vista?

No Impact. There are no scenic vistas in the project area, and the project area is not visible from any scenic vistas. Views from the project area include residential homes, adjacent streets, and commercial buildings. Therefore, the project would result in no impact related to scenic vistas.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The project area is not on a state scenic highway, and the project area is not visible from any state scenic highway. Therefore, the project would result in no impact related to 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?

Less Than Significant Impact. Viewer groups potentially affected by project construction would include motorists, shoppers, and residents. The project area is visible from nearby rural residential properties, the adjacent streets, and from the adjacent businesses. Views from the project area include the adjacent roadways, commercial businesses, and residential properties. Construction staging would be limited to the project area. Neighboring properties would temporarily have views of the staging area, which may impact the existing visual character of the project area and reduce the existing quality of the visual setting for the neighbors. The staging area would be returned to existing conditions following construction. With implementation of avoidance and minimization measure **VIS-1**, visual impacts related to staging areas would be minimized.

Following construction, the project area would include the new sediment and debris basin. The existing chain-link fence would be replaced and would not block the existing views from Main Street, or from the residential properties. The chain-link fence is not a new feature and would not impact the existing visual character or quality. Although the sediment and debris basin would be larger than the existing storm drain inlet, the project would not conflict with the Office Commercial or Low Density Residential zoning. The project area would continue to conform to the existing urban setting, and the project would not introduce any project features that would contrast with the existing visual character and quality. In addition, existing scenic resources, as designated in the General Plan, are outside of the project area, and would not be impacted by the project. Therefore, the project would result in a less than significant impact related to visual character and quality.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. There are no streetlights along Walnut Street; however, Main Street has streetlights intermittently along the roadway. In addition, commercial businesses along Main Street and adjacent to the project area have overhead lights in their parking lots. No new temporary or permanent sources of lighting or glare would be included as part of the proposed project. Therefore, the project would result in no impact related to light and glare.

Avoidance, Minimization, and/or Mitigation Measures

To avoid and/or minimize potential impacts on aesthetics, the following measures would be implemented:

VIS-1 Construction staging, and materials storage areas would be kept clean and well-maintained and located away from the direct view of residents, if feasible. Areas temporarily disturbed for construction, staging, and storage would be restored to pre-construction conditions, or better, following construction.

4.2 Agriculture and Forestry Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to 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 complied 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board. Would the project:					
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 (FMMP) of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC section 12220(g)), timberland (as defined by PRC 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Regulatory Setting

State Regulations

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed

to full market value (California Department of Conservation, 2015). The intent of the Williamson Act is to encourage voluntary land conservation, particularly conservation of agricultural land in California.

Local Regulations

City of Hesperia General Plan

The General Plan states, "[b]ecause of the lack of available land for agricultural use, and the lack of interest, resources, and zoning for agricultural farming, agricultural resources at this time are not considered significant for conservation" (City of Hesperia, 2010).

Main Street and Freeway Corridor Specific Plan

The Main Street and Freeway Corridor Specific Plan (Specific Plan) is a regulatory tool used to implement the General Plan and to guide development in a localized area. The Specific Plan is able to focus on the unique characteristics of a special area by customizing the planning process and land use regulations to that area. The Specific Plan area consists of two corridors, I-15 and Main Street, with a total area of over 16 square miles. The Specific Plan prohibits agricultural uses within parcels zoned as Office Commercial.

Environmental Setting

According to the California Department of Conservation (CDOC), the project area is designated as Urban and Built Up Land (California Department of Conservation, 2025). The project area and adjacent land are not subject to protection under the Williamson Act contract. There are no forestry resources within or near the project area. According to the United States Forest Service (USFS), the nearest forest land is the San Bernardino National Forest, approximately five miles southwest of the project area (United States Forest Service, 2025).

Discussion of Checklist Responses

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?

No Impact. The project would not require any acquisition of farmland, and no farmland would be converted to nonagricultural use. Therefore, the project would result in no impact related to the conversion of important farmland to nonagricultural use.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. There is no agricultural land within the project area. Therefore, the project would result in no impact related to agricultural land or land under a Williamson Act contract.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC section 12220(g)), timberland (as defined by PRC 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. There is no forest land in the project area and the project would not conflict with the existing zoning for, or cause rezoning of, forest land or timberland near the project area. Therefore, the project would result in no impact related to forest land or timberland.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As discussed in response (c) above, there is no forest land in the project area. Therefore, the project would result in no impact related to forest land.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed in response (a) and (d) above, there is no farmland or forest land in the project area. Therefore, the project would result in no impact related to farmland or forest land.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in no impact on agriculture and forestry resources. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for agriculture and forestry resources.

4.3 Air Quality

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
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?	☐	☐	☒	☐

The following discussion incorporates the results of the Air Quality & Greenhouse Gas Impact Analysis Technical Memorandum that was prepared for this project (AMBIENT Air Quality & Noise Consulting, 2025a).

Regulatory Setting

Federal Regulations

Federal Clean Air Act

The National Ambient Air Quality Standards (NAAQS) were established by the Federal Clean Air Act of 1970 (FCAA), as amended in 1977 and 1990. The FCAA requires the United States Environmental Protection Agency (U.S. EPA) to establish NAAQS for six criteria pollutants including carbon monoxide (CO), ozone (O_3), particulate matter equal to or smaller than 10 microns in diameter (PM_{10}) or 2.5 microns in diameter ($PM_{2.5}$), sulfur dioxide (SO_2), lead (Pb), and oxides of nitrogen (NO_x), measured by nitrogen dioxide (NO_2).

State Regulations

California Clean Air Act

Under the California Clean Air Act (CCAA), the California Air Resources Board (CARB) requires that each local air district prepare and maintain an air quality management plan to achieve compliance with California Ambient Air Quality Standards (CAAQS). These standards are generally more stringent and apply to more pollutants than the NAAQS. The CCAA requires that each local air district prepare and maintain an air quality management plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for preparation of the State Implementation Plan (SIP) for the State of California. CARB also

administers the state's mobile source emissions control program and oversees air quality programs established by state statute, such as Assembly Bill (AB) 2588, the Air Toxics "Hot Spots" Information and Assessment Act of 1987.

California Air Resource Board Rules and Regulations

The following CARB Rule and Regulation is applicable to the project:

In-Use Off-Road Diesel Vehicle Regulations

This regulation limits vehicle idling to no more than five consecutive minutes and requires equipment to be reported to CARB and labeled.

Local Regulations

Mojave Desert Air Quality Management District

The following Mojave Desert Air Quality Management District (MDAQMD) Rules are applicable to the project:

Rule 402 (Nuisance)

This rule prohibits any person from discharging air contaminants or any other material from a source that would cause injury, detriment, nuisance, or annoyance to any considerable number of persons or the public or which endangers the comfort, health, safety, or repose to any considerable number of persons or the public.

Rule 403 (Fugitive Dust Control)

This rule requires fugitive dust generators, including construction and demolition projects, to implement control measures limiting the amount of dust from active operations, including construction/demolition activities.

California Environmental Quality Act and Federal Conformity Guidelines

The MDAQMD has adopted guidelines for quantifying and determining the significance of project-related air quality impacts in their *CEQA and Federal Conformity Guidelines* to assist with the evaluation of potential air quality impacts. MDAQMD's recommended CEQA thresholds of significance are summarized in **Table 2**. Construction-related air quality impacts would be considered to have a significant impact if project-generated emissions would exceed the thresholds noted in **Table 2**. In addition, a project would typically be considered inconsistent with applicable air quality plans if it would be inconsistent with the growth forecasts upon which applicable plans are based, inconsistent with proposed control measures identified within applicable air quality plans, or inconsistent with applicable MDAQMD rules and regulations.

Table 2. MDAQMD-Recommended CEQA Significance Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Greenhouse Gases (GHG/CO_2e)	100,000	548,000
CO	100	548

NO_X	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO_X)	25	137
PM_{10}	15	82
$PM_{2.5}$	12	65
Hydrogen Sulfide (H_2S)	10	54
Pb	0.6	3

Source: (Mojave Desert Air Quality Management District, 2020)

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element are applicable to the project (City of Hesperia, 2010):

Goal CN-8 Implement policies and measures to reduce air pollution and emissions of pollutants.

Policy CN-8.1 Implement measures to reduce fugitive dust from unpaved areas, parking lots, and construction sites.

Policy CN-8.2 Implement measures to reduce exhaust emissions from construction equipment.

Policy CN-8.3 Work with the Mojave Desert Air Quality Management District, San Bernardino Association of Governments, San Bernardino County and neighboring jurisdictions to implement the federal ozone and PM_{10} non-attainment plans and meet federal state air quality standards and reduce overall emissions from mobile and stationary sources.

Policy CN-8.4 Limit new sensitive receptor land uses in proximity to significant sources of air pollution.

Policy CN-8.5 Minimize exposure of sensitive receptor land uses and sites to health risks related to air pollution.

Environmental Setting

The project area is in the Mojave Desert Air Basin, under the jurisdiction of the MDAQMD. This agency is responsible for air quality monitoring desert portions in the Counties of Kern, Los Angeles, Riverside and San Bernardino, which includes Hesperia. **Table 3** shows the current attainment status for the state and federal ambient air quality standards for the MDAQMD.

Table 3. MDAQMD Attainment Status

Pollutant	Designation/Classification	
	State Standards	Federal Standards
O_3 1-Hour	Non-attainment	Non-attainment*
O_3 8-Hour	Non-attainment	Non-attainment *
PM_{10}	Non-attainment	Non-attainment ***
$PM_{2.5}$	Non-attainment *	Unclassified/Attainment

CO	Attainment	Unclassified/Attainment
NO_2	Attainment	Unclassified/Attainment
SO_2	Attainment	Unclassified/Attainment
PB	Attainment	Unclassified/Attainment
H_2S	Non-attainment**	No Federal Standards
SO_4	Attainment	No Federal Standards
Visibility Reducing Particles	Unclassified	No Federal Standards
Vinyl Chloride	Unclassified	No Federal Standards

Source: (Mojave Desert Air Quality Management District, n.d.)

Notes:

**Southwest corner of desert portion of county only*

***Searles Valley (northwest corner of county) only*

**** county portion only*

To work towards attainment of air quality standards, the MDAQMD has adopted the following air quality plans:

- 2022 8-Hour Ozone SIP: Western Mojave Desert Nonattainment Area
- 2016 8-Hour Ozone SIP: Western Mojave Desert Nonattainment Area
- 2015 8-Hour Ozone Reasonably Available Control Technology (RACT) SIP Analysis: Antelope Valley Air Quality Management District
- 2015 8-Hour Reasonably Available Control Technology (RACT) SIP Analysis: Mojave Desert Air Quality Management District
- 2014 Updates to the 1997 8-Hour Ozone Standards SIPs: Coachella Valley and Western Mojave Desert 8-Hour Ozone Nonattainment Areas
- February 2008 Ozone Early Progress Plans
- 2007 Western Mojave Desert Ozone Attainment Plan
- 2004 Southeast Desert Modified Air Quality Maintenance Area Ozone Plan
- 1995 Mojave Desert Planning Area PM_{10} Attainment Plan

Discussion of Checklist Responses

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. Construction of the project would be subject to the MDAQMD rules and regulations listed above. Construction activities with the potential to result in fugitive dust emissions include excavation and other earth-moving activities. Mobile source emissions include primarily NO_x, CO, VOC, Reactive Organic Gases (ROG), PM_{10}, $PM_{2.5}$, and diesel particulate matter (DPM). Emissions could also lead to the formation of O_3, which is a regional pollutant that is derived from NO_x and VOCs or ROGs in the presence of sunlight and heat. Construction activities that have the potential to result in mobile

source emissions include the use of construction equipment (bulldozers, trucks, and scrapers), truck delivery of construction materials, hauling of construction debris, and workers commuting to and from the project area. Mobile source emissions from construction equipment are highest during use of heavy-duty, diesel-fueled equipment. These emissions would be temporary and predominantly limited to the immediate area surrounding the construction site. Estimated maximum daily and annual emissions associated with construction of the project are summarized in **Table 4**.

Table 4. Estimated Construction Emissions of Criteria Air Pollutants

Construction Phase	Daily Emissions (pounds per day [lbs/day])				
	VOC/ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Demolition (2026)	0.8	6.9	6.3	0.4	0.3
Site Preparation (2026)	0.7	6.3	5.4	5.2	2.8
Grading & Excavation (2026)	1.0	11.2	8.8	5.9	3.0
Facility Construction (2026)	0.2	1.0	1.5	<0.1	<0.1
Facility Construction (2027)	0.2	0.9	1.5	<0.1	<0.1
Paving (2027)	1.4	7.4	3.3	1.6	0.6
Maximum Daily Emissions (lbs/day):	1.4	11.2	8.8	5.9	3.0
MDAQMD Daily Significance Threshold (lbs/day):	137	137	548	82	65
Exceeds Daily Significance Threshold?:	No	No	No	No	No
	Annual Emissions (tons/year)				
Maximum Annual Emissions (tons/year):	<0.1	0.4	0.3	0.2	0.1
MDAQMD Annual Significance Threshold (tons/year):	25	25	100	15	12
Exceeds Annual Significance Threshold?:	No	No	No	No	No

Source: (AMBIENT Air Quality & Noise Consulting, 2025a)

As shown in **Table 4**, construction-generated emissions would not exceed MDAQMD's recommended significance thresholds or result in a cumulatively considerable increase of any criteria pollutant. The project would not include any new stationary or mobile sources or emissions subject to MDAQMD's permitting requirements. The project would not conflict with applicable air quality plans, or result in an cumulatively considerable increase in any criteria pollutant. Therefore, the project would result in a less than significant impact related to air quality plans and standards.

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

Less Than Significant Impact. See discussion in response (a) above.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Sensitive receptors are people who are more susceptible to air pollution than the general population, including children, athletes, the elderly, and the chronically ill. Typical land uses where substantial numbers of sensitive receptors are often found are schools, daycare centers, parks, recreation areas, agricultural fields, medical facilities, nursing homes, and convalescent care facilities. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to pollutants. The nearest residential dwelling is adjacent to and west of the project area.

Construction activities would result in temporary increases in emissions, such as fugitive dust and DPM, which sensitive receptors could be exposed to. Although exhaust from off-road, heavy-duty diesel equipment used for grading and paving activities would result in DPM, there would be relatively few pieces of off-road, heavy-duty diesel equipment in operation, and the construction period would be relatively short (approximately five months). Construction would be conducted in compliance with standard measures and applicable regulations to minimize construction emissions. In addition, DPM is highly dispersive, and construction-related emissions of DPM would not be expected to result in exposure of sensitive receptors to substantial pollutant concentrations.

As shown in **Table 4**, project-generated emissions of airborne particulate matter, including fugitive dust, would not exceed MDAQMD's significance thresholds. In addition, construction would be subject to applicable MDAQMD Rules and Regulations, including MDAQMD's Rule 402 for the control of nuisance-related emissions and Rule 403 for the control of fugitive dust. Compliance with these rules would minimize exposure to construction-generated emissions of fugitive dust. Therefore, the project would result in less than significant impacts related to exposing sensitive receptors to substantial pollutant concentrations.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Irritating odors are often associated with particulates. Sources include gasoline and diesel engine exhausts, paint spraying, and street paving. During construction, the project could result in potential odors from exhaust emissions, including VOC, CO, O_3, NO_2, and SO_x, from construction equipment used on the construction site, vehicles used to transport materials to and from the site, and motor vehicles used by the construction crew. However, odors would be temporary during construction and would dissipate rapidly with increasing distance from the source. Following construction, emissions could be released intermittently from vehicles for maintenance of the sediment and debris basin; however, these emissions would be negligible and are not anticipated to affect a substantial number of people. Therefore, the project would result in a less than significant impact related to emissions affecting a substantial number of people.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on air quality. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for air quality.

4.4 Biological Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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 CDFW or USFWS?	☐	☐	☒	☐
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 CDFW or USFWS?	☐	☐	☐	☒
c.	Have a substantial adverse effect on state or federally protected wetland (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 (HCP); Natural Community Conservation Plan; or other approved local, regional, or state HCP?	☐	☐	☐	☒

The following discussion incorporates the results of the Biological Resources Assessment, Aquatic Resource Delineation Report, and Burrowing Owl Focused Survey Report that was prepared for this project (GPA Consulting, 2025a; GPA Consulting, 2025b; GPA Consulting, 2025c).

Regulatory Setting

Federal Regulations

Clean Water Act

The United States Army Corps of Engineers (USACE) regulates the placement of dredged and fill material into waters of the United States (U.S.), including wetlands, under Section 404 of the Clean Water Act (CWA). No discharge of dredged or fill material into jurisdictional features is permitted unless authorized under an USACE Nationwide Permit or Individual Permit. For all work subject to an USACE Section 404 permit, project proponents must obtain a Water Quality Certification from the applicable RWQCB under CWA Section 401 stating that the project would comply with applicable water quality regulations.

Clean Water Act Section 404

The USACE Regulatory Program regulates activities within federal wetlands and waters of the U.S. pursuant to Section 404 of the CWA. In recent years, the definition of waters of the U.S. has been in flux.

The U.S. EPA and the USACE issued a revised definition of waters of the U.S. in January 2023. However, the U.S. Supreme Court ruled in Sackett v. EPA on May 25, 2023 that only wetlands and permanent bodies of water with a "continuous surface connection" to "traditional interstate navigable waters" are covered by the CWA, thus revoking the "significant nexus" standard and invalidating portions of the January 2023 rule. To conform with the Sackett decision, the EPA and Department of the Army issued a final revised rule on August 29, 2023 amending the January 2023 definition of waters of the U.S. The conforming rule, "Revised Definition of 'Waters of the United States,' Conforming," became effective on September 8, 2023 (88 Federal Register [FR] 61964).

In streams and rivers where adjacent wetlands are absent, the USACE jurisdiction extends to the ordinary high water mark (OHWM). The OHWM is defined as "the line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" {33 CFR Section 328.3[c(3)]}. If the OHWM is not readily distinguishable, the USACE jurisdiction within streams extends to the "bankfull discharge" elevation, which is the level at which water begins to leave the channel and move into the floodplain (Rosgen, 1996). This level is reached at a discharge which generally has a recurrence interval of approximately 1.5 to two years on the annual flood series (Leopold, 1994).

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) was established in 1973 to provide a framework to conserve and protect endangered and threatened species and their habitat. Section 10 of the FESA allows for the "incidental take" of endangered and threatened wildlife species by non-federal entities. Incidental take is defined by the FESA as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Section 10(a)(1)(B) of the FESA authorizes the taking of federally listed wildlife or fish through an incidental take permit. Section 10(a)(2)(A) of the FESA requires an applicant for an incidental take permit to submit a conservation plan that specifies, among other things, the impacts likely to result from the taking of the species, and the measures the permit applicant will take to minimize and mitigate impacts on the species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (50 CFR Part 10 and Part 21) protects migratory birds, their occupied nests, and their eggs from disturbance and/or destruction. "Migratory birds" under the MBTA include all bird species listed in 50 CFR Part 10.13, as updated in August 2023 (United States Fish and Wildlife Service, 2023). In accordance with the Migratory Bird Treaty Reform Act of 2004 the United States Fish and Wildlife Service (USFWS) included all species native to the U.S. (or U.S. territories) that are known to be present as a result of natural biological or ecological processes. In addition, the USFWS provided clarification that the MBTA does not apply to any nonnative species whose presence in the U.S. are solely the result of

intentional or unintentional human-assisted introduction (United States Fish and Wildlife Service, 2018). Nonnative bird species not protected by the MBTA include, but are not limited to, the house sparrow (*Passer domesticus*), European starling (*Sturnus vulgaris*), and rock pigeon (*Columba livia*).

Executive Order 13112

Executive Order (EO) 13112 directs all federal agencies to refrain from authorizing, funding, or carrying out actions or projects that may spread invasive species. This order further directs federal agencies to prevent the introduction of invasive species, control and monitor existing invasive species populations, restore native species to invaded ecosystems, research and develop prevention and control methods for invasive species, and promote public education on invasive species.

State Regulations

Porter-Cologne Act

The RWQCB also asserts authority over waters of the state under the Porter-Cologne Act, which establishes a regulatory program to protect water quality and to protect beneficial uses of state waters. The term "waters of the state," under jurisdiction of the RWQCB, is defined by California Water Code as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code Section 13050(e)). The Porter-Cologne Act empowers the RWQCB to formulate and adopt a Water Quality Control Plan that designates beneficial uses and establishes such water quality objectives that in its judgment will ensure reasonable protection of beneficial uses. Each RWQCB establishes water quality objectives that will ensure the reasonable protection of beneficial uses and the prevention of water quality degradation. Dredge or fill activities with the potential to affect water quality in these waters must comply with Waste Discharge Requirements (WDR) issued by the RWQCB.

In order to strengthen protection of and clarify jurisdiction for waters of the state that no longer meet the definition of waters of the U.S., the California SWRCB adopted the Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Water Resources Control Board, 2019). The new definition, which went into effect May 28, 2020, states "an area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

California Fish and Game Code

Section 1602 of the California Fish and Game Code governs construction activities that substantially divert or obstruct natural stream flow or substantially change the bed, channel, or bank of any river, stream, or lake under the jurisdiction of CDFW. Under the California Fish and Game Code, the limits of CDFW's jurisdiction within streams and other drainages extends from the top of the stream bank to the opposite bank, to the outer drip line in areas containing riparian vegetation, and/or within the 100-year floodplain of a stream or river system containing fish or wildlife resources. Streams are defined in the California Code of Regulations (CCR) (14 CCR Section 1.72) as "a body of water that follows at least periodically or intermittently through a bed or channel having banks and that support fish or other aquatic life. This

includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." Under Section 1602, a Streambed Alteration Agreement must be issued by the CDFW prior to the initiation of construction activities that may substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use any material from the bed, channel, or bank, of any river, stream, or lake; or deposit debris, waste, or other materials that could pass into any river, stream, or lake under CDFW's jurisdiction.

Section 2126 of the California Fish and Game Code states that it is unlawful for any person to take any mammal that is identified within Section 2118, including all species of bats.

Sections 3503, 3513, and 3800 of the California Fish and Game Code prohibit the take of birds protected under the MBTA and protects their occupied nests. In addition, Section 3503.5 of the California Fish and Game Code prohibits the take of any birds in the order Falconiformes or Strigiformes (birds-of-prey) and protects their occupied nests. Pursuant to Section 3801 and 3800, the only species authorized for take without prior authorization from the CDFW is the English sparrow and European starling.

State-listed species and those petitioned for listing by the CDFW are fully protected under the California Endangered Species Act (CESA). Under Section 2080.1 of the California Fish and Game Code, if a project would result in the taking of a species that is both federally and state listed, a consistency determination with the findings of the FESA determination is required. Under Section 2081, if a project would result in the take of a species that is state-only listed as threatened or endangered, then an incidental take permit from the CDFW is required.

Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code prohibit the take or possession of 37 fully protected bird, mammals, reptile, amphibian, and fish species. Each of the statute's states that no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to "take" the species, and states that no previously issued permit or licenses for take of the species "shall have any force or effect" for authorizing take or possession. The CDFW will not authorize incidental take of fully protected species when activities are proposed in areas inhabited by those species.

California Environmental Quality Act

Section 15380 of the CEQA Guidelines requires that species of special concern be included in an analysis of project impacts. California Species of Special Concern include species that are native to California and are experiencing population declines but are not currently listed as threatened or endangered; all state and federally protected and candidate species; Bureau of Land Management and USFS sensitive species. Species considered declining or rare by the California Native Plant Society (CNPS) or the National Audubon Society, and a selection of species which are considered to be under population stress but are not formally proposed for listing, are also included under Species of Special Concern.

California Desert Native Plants Act

The California Desert Native Plants Act (CDNPA) was passed in 1981 to protect California desert native plants from unlawful harvesting on both public and privately owned lands (California Food and Agricultural Code Division 23 § 800001-80006, 80051-80064, 80071-80075, 80101-80108, 80111-80121, 80151-80152, 80171-80175, and 80201). In Imperial, Kern, Los Angeles, Mono, Riverside, San Bernardino,

and San Diego Counties, state law prohibits the harvesting of the following native plants, or any part thereof (excluding fruit), except under a permit issued by the commissioner or the sheriff of the county in which the native plants are growing: all species of the elephant tree family (Burseraceae); saguaro cactus (*Carnegiea gigantea*); barrel cactus (*Ferocactus acanthodes*); crucifixion thorn (*Castela emoryi*); Panamint dudleya (*Dudleya saxosa*); bristlecone pine (*Pinus longaeva*); fan palm (*Washingtonia filifera*); all century plants, nolinas, and yuccas (Agavaceae); all cacti (Cactaceae); all ocotillo and candlewood (Fouquieriaceae); all living or dead mesquites (genus *Prosopis*); all living or dead palos verdes (genus *Cercidium*); catclaw (*Acacia greggii*); desert holly (*Atriplex hymenelytra*); smoketree (*Dalea spinosa*); and living or dead desert ironwood (*Olneya tesota*). Any native plant that is declared to be a rare, endangered, or threatened species by federal or state law or regulations, including, but not limited to, California Fish and Game Code, is exempt from these provisions.

Western Joshua Tree Conservation Act

The Western Joshua Tree Conservation Act (WJTCA) is a California law that was enacted in July 2023. The act prohibits the importation, exportation, take, possession, purchase, or sale of western Joshua trees in California unless authorized by CDFW. Incidental take permits can be issued by CDFW for the take of western Joshua trees provided the permittee meets certain conditions. CDFW may also enter into an agreement with any county or city to delegate limited authority to permit the take of western Joshua trees associated with the development of residential structures, accessory structures, and public works projects (California Department of Fish and Wildlife, 2024a).

Local Regulations

Hesperia Development Code Chapter 16.24

Chapter 16.24 of the City's municipal code provides regulations and guidelines to promote, sustain, and conserve native plants. The City's code prohibits harvesting or removal of the following desert native plants or any part of them except fruits except under permit from the agricultural commissioner or other applicable reviewing authority: smoketree; all species of the family Agavaceae; all species of the genus *Prosopis*; creosote (*Larrea tridentata*) rings; all western Joshua trees (*Yucca brevifolia*), mature and immature; and all plants protected or regulated by the CDNPA. Plants listed under the CDNPA must be protected in compliance with the provisions of those statues prior to the issuance of any county development permit or land use application approval. The county agricultural commissioner is the agency responsible for the issuance of any required wood tags, seals or permits (City of Hesperia, 2023).

City of Hesperia General Plan

The following goals and policies from the General Plan Open Space Element are applicable to the project (City of Hesperia, 2010):

Goal OS-1 Designate, maintain, and enhance the quality of permanently protected open space used by native species.

Goal OS-2 Identify and preserve natural open space in order to protect sensitive environments and preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands.

Open space areas should be contiguous or connected through trails to provide accessibility for hikers as well as wildlife.

Environmental Setting

Biological Study Area

The Biological Study Area (BSA) includes areas that could be directly or indirectly impacted by the project, either temporarily or permanently including the staging of construction equipment. The BSA includes the permanent footprint of the project, construction access routes, construction staging area, water diversion area, and temporary grading areas (see **Figure 5**). The area of direct impact (ADI) would be limited to the project area within the BSA.

Topography

The topography in the BSA is relatively flat with minor contours from the existing storm drain inlet structure. Elevations within the BSA range from approximately 3,288 feet above mean sea level (the approximate lowest point of the storm drain inlet structure) to 3,305 feet above mean sea level (the approximate highest point on Walnut Street) (Google Earth, 2024).

Climate

The BSA falls within California Energy Commission's Climate Zone 14, a high desert region primarily influenced by continental rather than oceanic factors. This zone experiences substantial temperature variations, both daily and seasonally (Pacific Gas and Electric, 2006). According to the Natural Resources Conservation Services (NRCS) Agricultural Applied Climate Information System, the BSA has an average annual low temperature of around 15 degrees Fahrenheit and an average annual high temperature of about 108 degrees Fahrenheit. Annual precipitation averages approximately 5.31 inches, peaking typically from December to March (Applied Climate Information Systems, 2024).

Hydrology

The BSA is in the Antelope Valley-Mojave River sub watershed (HUC 180902080702), part of the larger Mojave River Watershed (HUC 18090208) (see **Figure 6**) (United States Geologic Survey, 2024). The Mojave Watershed encompasses approximately 4,500 square miles within the county. The primary hydrological feature in the Mojave River Watershed is the Mojave River. The headwaters of the Mojave River are in the San Bernardino Mountains. The Mojave River Watershed is under the jurisdiction of the Lahontan RWQCB, and therefore under the RWQCB's Basin Plan (California Water Boards, 2002). Hydrological features in the BSA include Drainage A, Drainage B, and the Storm Drain Inlet (see **Figure 7**).

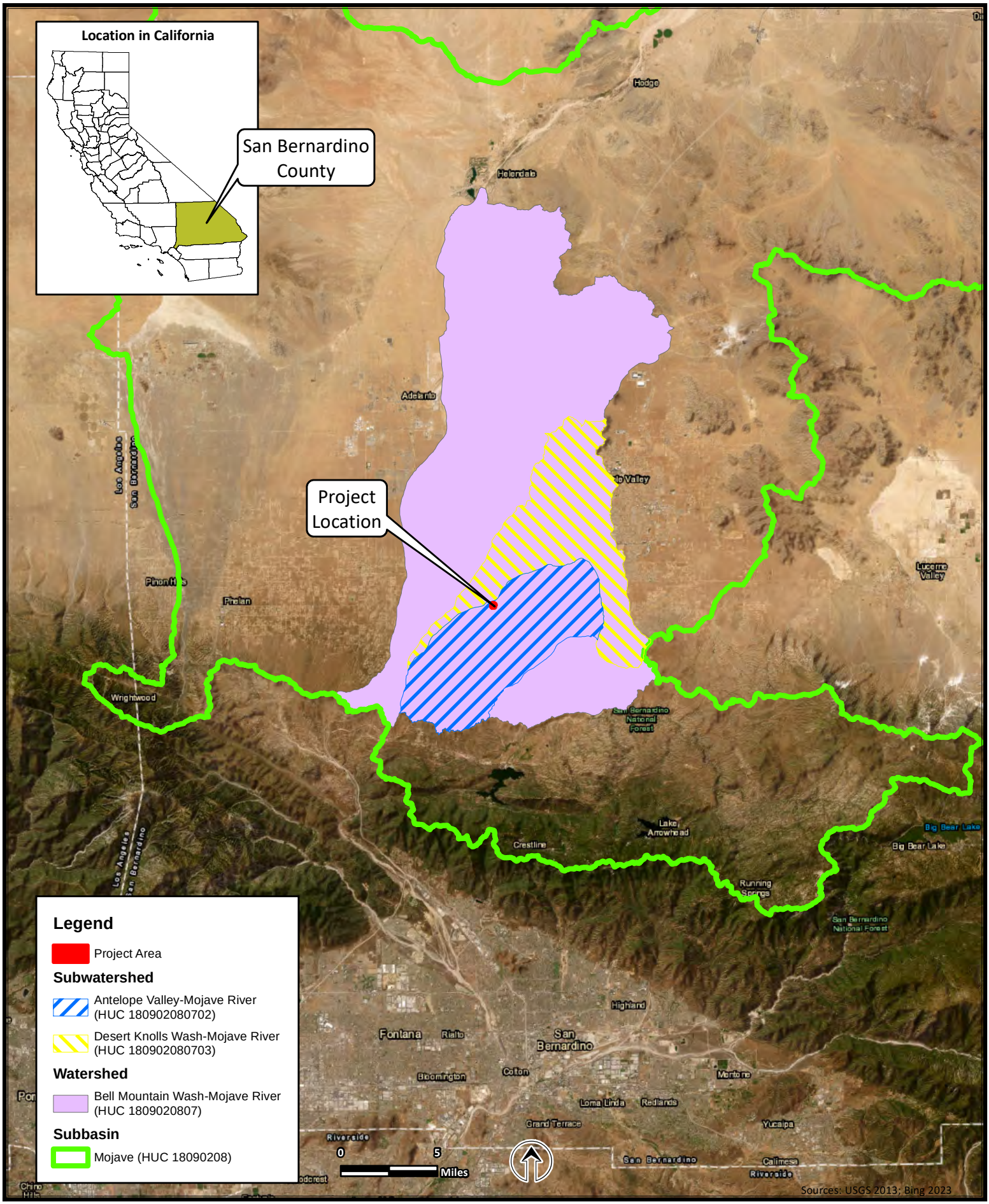
Drainage A

Drainage A is an unlined channel that runs southwest to northeast, connecting Walnut Street to the storm drain inlet. It is predominantly supplied by ephemeral sources originating from neighboring properties and lots, with most of the water flowing into the drain from Walnut Street during rainfall. Drainage A was dry during the surveys conducted on May 14, 2024, and June 19, 2024.



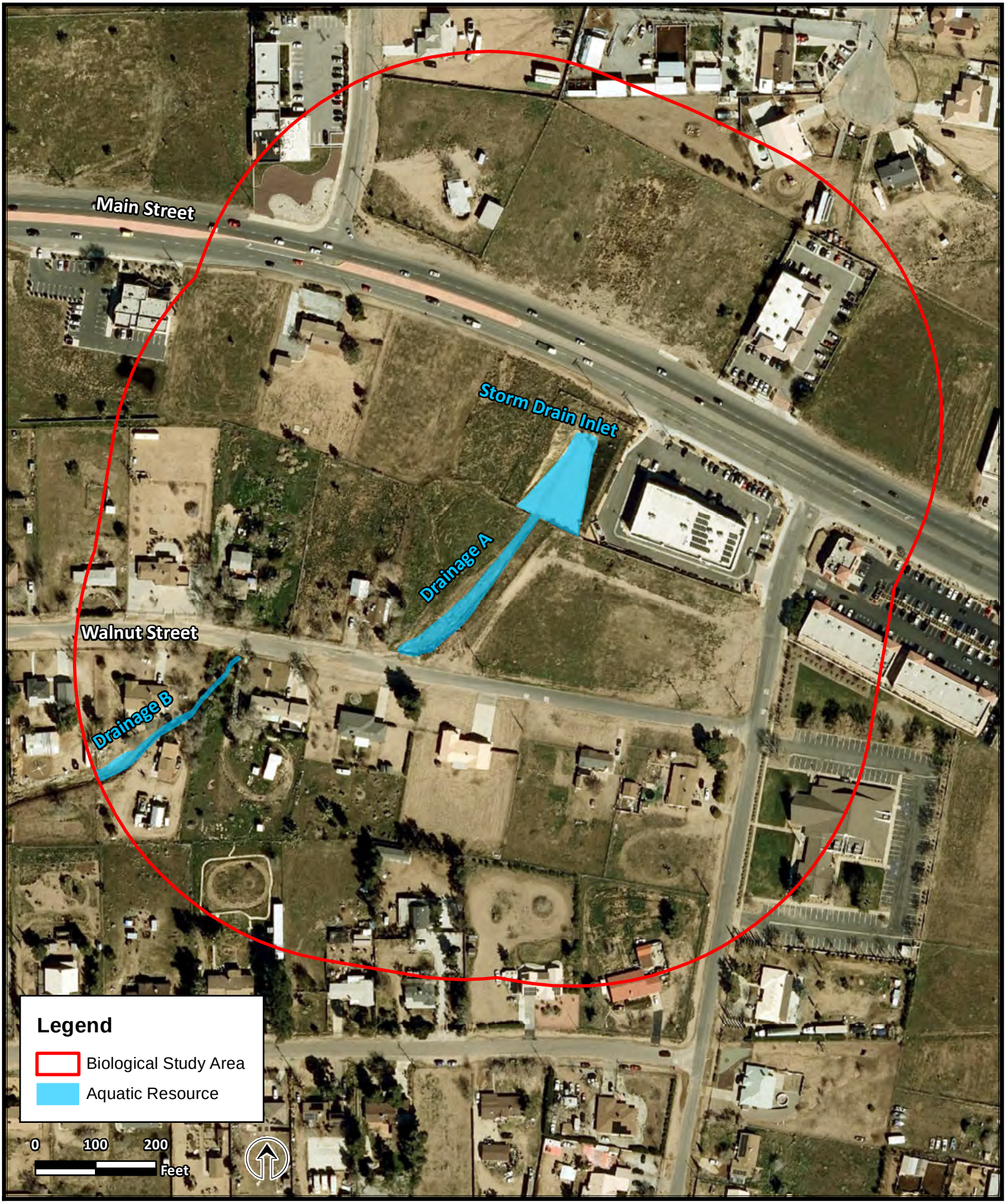
Data Source: ESRI 2024 & Google 2022

FIGURE 5. BIOLOGICAL STUDY AREA
Walnut Basin Project



Sources: USGS 2010; ESRI 2025.

FIGURE 6. WATERSHED MAP
Walnut Basin Project



Source: ESRI 2024

FIGURE 7. AQUATIC FEATURES
Walnut Basin Project

Drainage B

The assessment of Drainage B utilized aerial imagery and visual surveys due to restricted access to private property, limiting bed and bank surveys further upstream. Drainage B is an unlined channel that flows southwest to northeast, south and adjacent to Walnut Street. Drainage B collects water from urban runoff and storm water and appears to originate just north of Orange Street, beyond the boundaries of the BSA. During rainfall, water flows from Drainage B to the northeast, occasionally causing flooding on Walnut Street, which then drains into Drainage A. Drainage B was dry during the surveys.

Storm Drain Inlet

The storm drain inlet structure is a concrete lined bottom storm drain inlet that accommodates flows from flooding originating in Drainage A. The storm drain inlet was dry during the surveys.

Soils

Utilizing the NRCS online Web Soil Survey tool, a soils report was generated for the BSA (Natural Resource Conservation Service, 2025). According to the NRCS Custom Soil Resource Report for San Bernardino County, California, three soil types are mapped in the BSA: Cajon Sand 0 to 2 Percent Slopes, Helendale Loamy Sand 0 to 2 Percent Slopes, and Hesperia Loamy Fine Sand 2 to 5 Percent Slopes (Natural Resource Conservation Service, 2025). The soil types are described below.

Cajon Sand 0 to 2 Percent Slopes

The BSA consists of 94 percent of this soil type. Cajon sand is an alluvial fan soil that is found on the backslope of the landform. It is derived from alluvium sourced from granite. The typical profile of Cajon sand consists of several layers, including sand, gravelly sand, and stratified sand to loamy fine sand. It is somewhat excessively drained and has a high to very high capacity to transmit water. The depth to the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Helendale Loamy Sand 0 to 2 Percent Slopes

The BSA consists of 5.4 percent of this soil type. This soil is primarily composed of Helendale and similar soils, accounting for 85 percent of the composition, with minor components making up the remaining 15 percent. It is well drained, with a high capacity for water transmission. The depth of the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Hesperia Loamy Fine Sand 2 to 5 Percent Slopes

The BSA consists of 0.5 percent of this soil type. This soil primarily consists of Hesperia and similar soils, accounting for 85 percent of the composition, with minor components making up the remaining 15 percent. The slope of this soil ranges from two to five percent. This soil is well drained, with a high capacity for water transmission. The depth of the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Vegetation Communities and Cover Classes

Vegetation communities within the BSA include a mix of native and non-native species and were classified based on the Manual of California Vegetation (California Native Plant Society, 2023). Two vegetation communities and two cover classes were identified in the BSA and are described below.

Vegetation Communities

Avena Spp. - Bromus Spp. Herbaceous Semi-Natural Alliance (Wild Oats and Annual Brome Grasslands)

This non-native alliance is typically defined by a mixed vegetation layer dominated by slender wild oat (*Avena barbata*), common wild oat (*Avena fatua*), purple false brome (*Brachypodium distachyon*), rattlesnake grass (*Briza maxima*), ripgut brome (*Bromus diandrus*), soft brome (*Bromus hordeaceus*) and/or foxtail (*Hordeum murinum*). This layer can also be co-dominant with other non-natives within the herbaceous layer such as the Australian saltbush (*Atriplex semibaccata*) and *Hordeum* spp. The layer is open to continuous, less than 3.9 feet tall, and may have emergent trees and shrubs present at low cover. Within the BSA, the alliance-defining dominant plant composition is a co-dominance of ripgut brome, foxtail, and *Erodium* spp. greater than 50 percent of the relative cover in combination. Within the BSA, this community covers approximately 7.48 acres on the open fields north and west of the storm drain inlet (California Native Plant Society, 2023).

Alluvial Wash

Alluvial Wash communities are typically dominated by loose, unconsolidated soil that has been eroded by water and typically lacks vegetation. Within the BSA, Alluvial Wash is in Drainage A and Drainage B and covers 0.28 acre.

Cover Classes

Developed

Developed areas are where human disturbance has resulted in permanent impacts on natural communities. These include paved areas, buildings, bridges, sidewalks, and other structures. Within the BSA, developed areas cover a total of approximately 28.94 acres and include the concrete lined bottom storm drain inlet (0.28 acre) structure and residential/commercial parcels and public streets/sidewalks (28.66 acres).

Unvegetated

Unvegetated areas are mostly devoid of vegetation. Unvegetated areas are the result of human disturbance and compaction of the soil from frequent vehicle traffic. Within the BSA, Unvegetated areas comprise 3.37 acres southeast of the storm inlet structure.

Wildlife

The BSA encompasses residential and commercial properties in addition to vacant lots. The vacant lots are primarily vegetated with *Avena Spp. - Bromus Spp. Herbaceous Semi-Natural Alliance*, a predominantly non-native vegetation community. Habitat within the BSA is of low value as it has been disturbed by human activity, primarily from vehicle use on the vacant parcels. Additionally, a portion of the BSA is

unvegetated. Wildlife species observed within the BSA include house finch (*Haemorhous mexicanus*), common raven (*Corvus corax*), house sparrow (*Passer domesticus*), rock pigeon (*Columba livia*), desert cottontail (*Sylvilagus audubonii*), and California ground squirrel (*Otospermophilus beecheyi*).

Regional Connectivity/Wildlife Movement Corridor Assessment

A migration or wildlife corridor is an area of habitat that connects two or more patches of habitat that would otherwise be isolated from each other. A functional wildlife corridor allows for ease of movement between habitat patches and is important in preventing habitat fragmentation. Habitat fragmentation is typically caused by human development and can lead to a decrease in biodiversity and ecosystem functionality.

Connectivity opportunities for local terrestrial wildlife through the BSA are limited. The project area is disturbed by vehicle use, and the surrounding areas are partially developed with residential and commercial properties. Additionally, the site is fragmented by Main Street to the north and Walnut Street to the south, both of which are hazardous to wildlife movement. According to CDFW Biogeographic Information and Observation System (BIOS), the BSA is in a region with low connectivity and is not designated as a Natural Area with California Essential Habitat Connectivity (California Department of Fish and Wildlife, 2024d). Therefore, the BSA is not anticipated to serve as a regional corridor for terrestrial wildlife movement but may be used for local wildlife movement and foraging.

Jurisdictional Resources

The BSA was assessed for waters potentially under jurisdiction of USACE, RWQCB, and CDFW. **Table 5** below provides the acreage of jurisdiction for each agency. An Aquatic Resources Delineation Report was prepared by GPA Consulting.

Table 5: Jurisdictional Waters Delineated within the Biological Study Area

Regulatory Agency	Wetlands (acres)	Non-Wetlands Waters (acres)	Banks (acres)	Total Jurisdiction within BSA (acres)
United States Army Corps of Engineers Jurisdiction	--	--	--	--
Regional Water Quality Control Board Jurisdiction	--	0.51	--	0.51
California Department of Fish and Wildlife Jurisdiction	--	0.51	0.24	0.75

United States Army Corps of Engineers

The BSA was evaluated for waters under USACE jurisdiction by determining the presence of an OHWM and a relatively permanent hydrological connectivity to navigable waters of the U.S. Drainage A, Drainage B, and the storm drain inlet do not meet the current definition of the “waters of the U.S.” as they do not appear to be relatively permanent or exhibit continuous, year-round flow, based on historical aerial imagery. Therefore, these drainages are not expected to fall under USACE jurisdiction.

Regional Water Quality Control Board

The BSA was evaluated for waters under RWQCB jurisdiction by delineating the OHWM. Waters under RWQCB jurisdiction were also assessed for the presence of hydrophytic vegetation, hydric soils, and wetland hydrology to determine wetland or non-wetland waters of the State. Although there was no flowing water in Drainage A or Drainage B at the time of the field survey, the presence of an OHWM indicates flowing water that is continuous enough to leave a distinct mark, either by erosion, destruction of terrestrial vegetation, or other recognizable characteristics. Additionally, based on aerial imagery, there appears to be periodic water flow from Drainage A and Drainage B into the storm drain inlet. Therefore, within the BSA, 0.51 acre of non-wetland water is expected to be under RWQCB jurisdiction (see **Figure 8**). It was determined there are no wetlands in the BSA.

California Department of Fish and Wildlife

The BSA was evaluated for waters under jurisdiction of the CDFW by delineating areas from the top of bank to the top of bank within Drainage A, Drainage B, and the storm drain inlet. Drainage A, Drainage B, and the storm drain inlet have a defined bed and bank and would fall under the CDFW's definition of streams (CCR 14 CCR Section 1.72). Additionally, while Drainage A, Drainage B, and the storm drain inlet were dry at the time of the field surveys, these drainages appear to be ephemeral and convey nuisance flows from the surrounding land uses following precipitation events. Therefore, within the BSA, 0.75 acre is expected to be under CDFW jurisdiction (see **Figure 9**).

Special Status Species

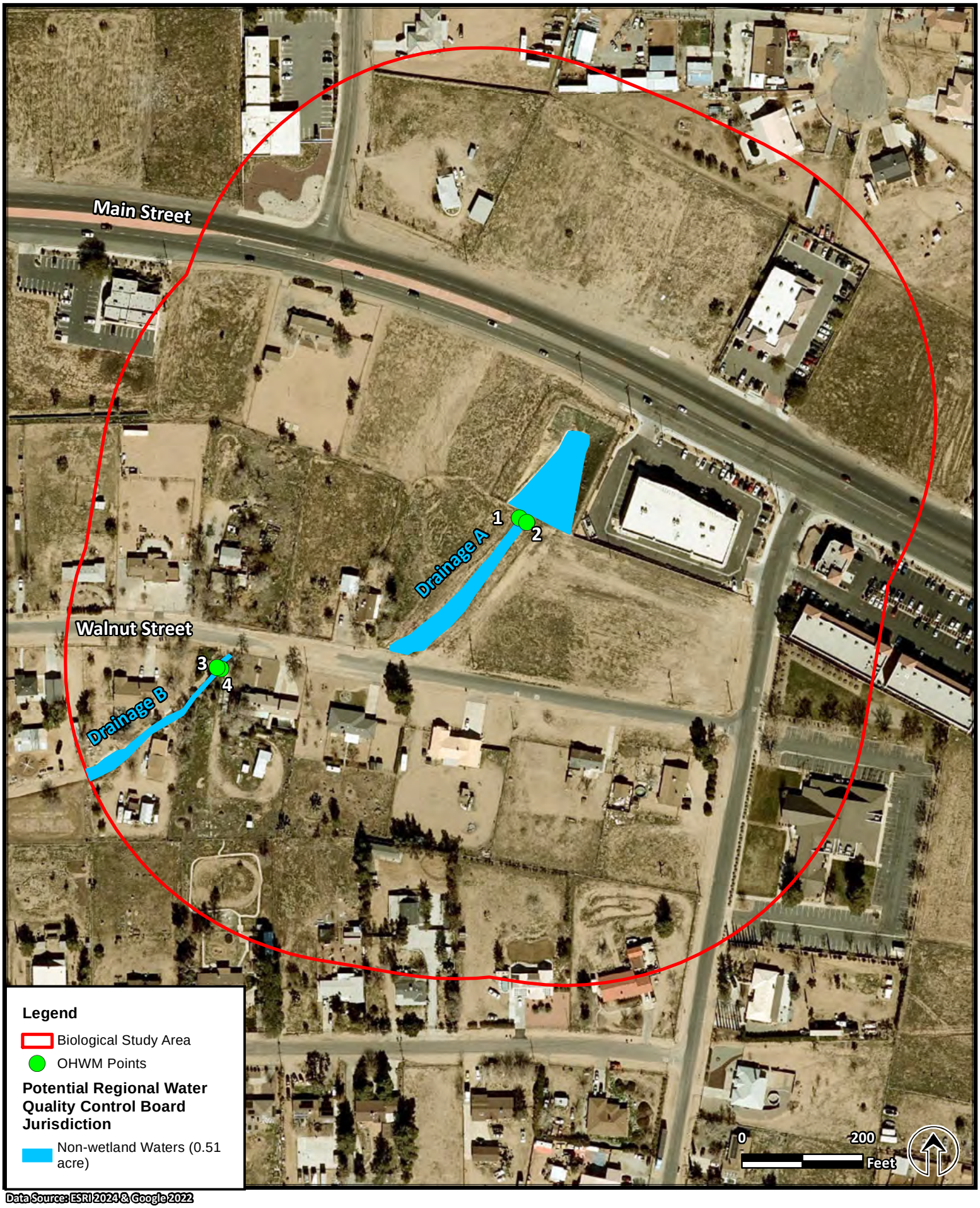
The following discussion describes the special-status plant and wildlife species with potential to be in the BSA based on their geographical range. Also discussed are habitats of relatively limited distribution or of value to wildlife. Determinations on whether special-status and other sensitive resources could be in the BSA are based on 1) a record reported in the California Natural Diversity Database (CNDDB) and USFWS Information for Planning and Consultation (IPaC) species lists and 2) the presence of suitable habitat.

Natural Resource Communities

According to the CNDDB, the Southern Sycamore Alder Riparian Woodland natural community has the potential to be within the BSA based on geographical distribution. Based on field surveys, there is not enough consistent hydrology to support this community, nor were any sycamores observed within the BSA. Therefore, this natural community is absent from the BSA.

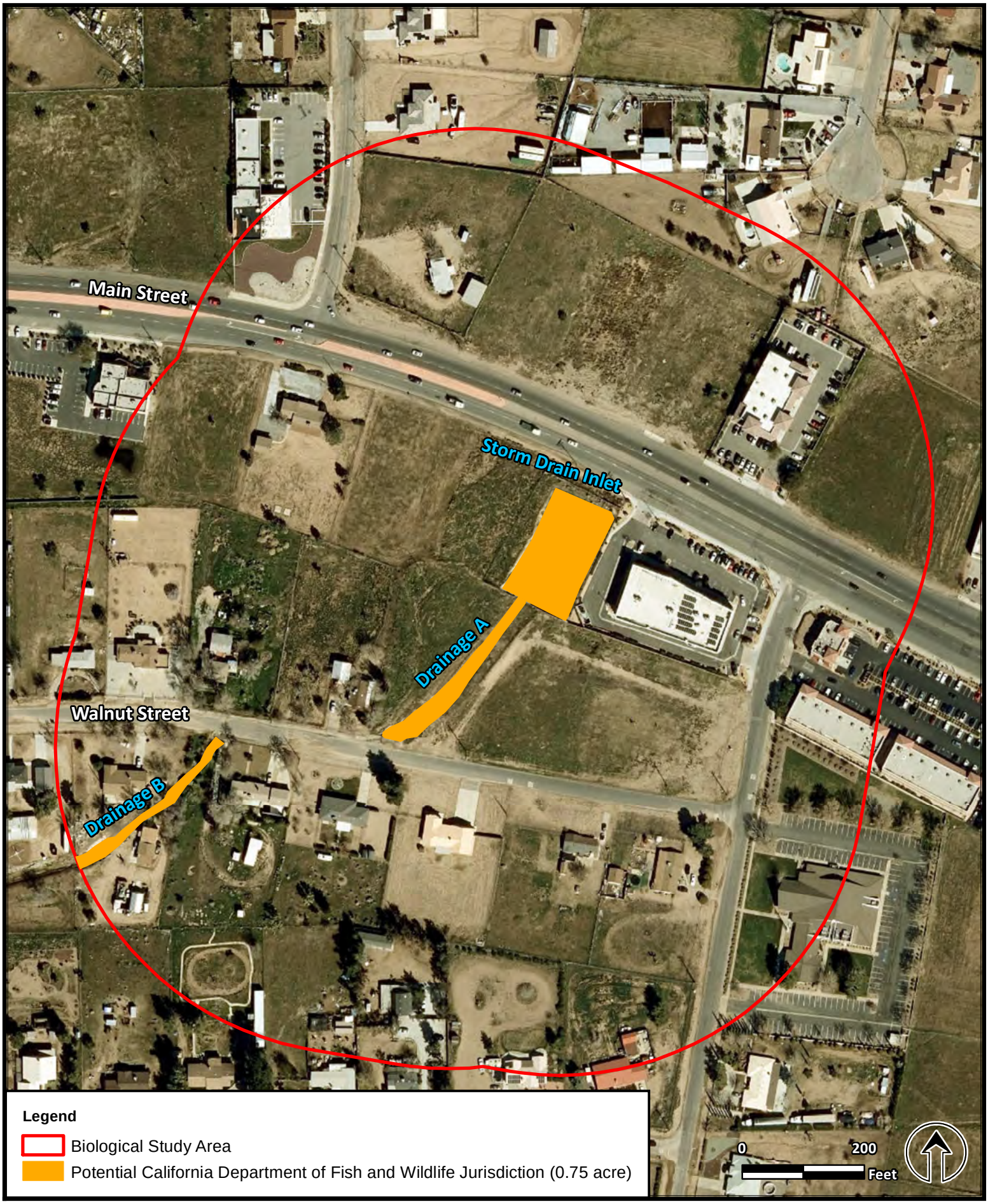
Plant Species

According to the CNDDB and USFWS species lists, 39 special status plants have potential to be in the BSA based on recorded geographical distribution. Based on research and field surveys, one special-status plant species, the western Joshua tree, has potential to be in the BSA and was observed during field surveys.



Data Source: ESRI 2024 & Google 2022

FIGURE 8. POTENTIAL REGIONAL WATER QUALITY CONTROL BOARD JURISDICTION
Walnut Basin Project



Data Source: ESRI 2024 & Google 2022

FIGURE 9. POTENTIAL CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE JURISDICTION
Walnut Basin Project

Western Joshua Tree (Yucca brevifolia)

The western Joshua tree is a native species found in desert flats and slopes at elevations ranging from 1,312 feet to 7,545 feet and has a typical blooming period between March to June. This species is the key species in the Joshua tree woodland community, and is currently a state candidate species for listing under the CESA. The WJTCA was passed to provide permanent legal protection to the western Joshua tree as a species threatened by climate change. Five western Joshua trees were observed during reconnaissance surveys dispersed throughout the BSA. Although there are five western Joshua trees within the BSA, all are outside of the project area. The closest western Joshua tree to the project area is approximately 130 feet to the east.

Wildlife Species

According to the CNDDB and USFWS species lists, 47 special status wildlife species have potential to be in the BSA based on geographical distribution. Based on research and field surveys, one special-status wildlife species, the burrowing owl (*Athene cunicularia*), has potential to be in the BSA.

Burrowing Owl

The burrowing owl is a state candidate endangered species found in open, dry, annual, or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation, agricultural lands, and requires perches for horizontal visibility. Burrowing owls are also common in disturbed areas, including roadsides, and may develop burrows in debris piles. This species is dependent upon burrowing mammals, most notably, the California ground squirrel, and uses the burrows of these animals for nesting cover. Burrowing owls are opportunistic feeders and prey upon insects, scorpions, small mammals, birds, amphibians, and small reptiles. This species generally forages within 985 to 1,969 feet from their burrows, but will travel as far as two miles.

According to CNDDB, the BSA is within the yearlong range for the burrowing owl (California Department of Fish and Wildlife, 2024b). There are perennial grasslands, low growing vegetation, and California ground squirrel burrows within the BSA. Additionally, there are small mammals, birds, and insects within the BSA, providing foraging potential. According to the CNDDB, the nearest record (occurrence #1042) of this species from 2006 is approximately 1.7 miles northwest of the BSA. Due to the potential for the species to be within the BSA, focused surveys were conducted on May 14 and June 19 2024. Phase I results determined that there was marginal foraging habitat for burrowing owls; however, no burrowing owls, signs of burrowing owls or occupied burrows were detected during Phase II surveys. A Phase III survey was therefore not required. While no burrowing owls, signs of burrowing owls, or occupied burrows were identified during the 2024 focused surveys, marginally suitable habitat is present in the project area their absence and the absence of signs during these surveys does not preclude their presence within the BSA when construction begins.

Protected Native Vegetation and Trees

Western Joshua trees, which are protected by the CDNPA and WJTCA, were observed in the BSA.

Discussion of Checklist Responses

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

Less than Significant Impact. The nearest western Joshua tree to the project area is approximately 130 feet to the east. There are no western Joshua trees within the project area and no direct impacts on western Joshua trees are anticipated. Typically, there would be a potential for indirect impacts on western Joshua tree within a 50-foot radius of the tree; therefore, construction would not be expected to result in indirect impacts on western Joshua tree. However, with the implementation of avoidance and minimization measure **BIO-1**, impacts on western Joshua tree would be minimized.

While no burrowing owls, signs of burrowing owls, or occupied burrows were identified during the 2024 focused surveys, marginally suitable habitat is present on the project area; therefore, construction activities could result in direct and indirect impacts on the burrowing owl because their absence and the absence of sign during these surveys does not preclude their presence when construction begins. Direct impacts could include crushing or trampling of individuals and destruction of burrows, which could result in injury or mortality. Indirect impacts could include increased noise and vibration levels and human activity, which could result in foraging disruption and nest abandonment. However, with the implementation of avoidance and minimization measures **BIO-2** through **BIO-6**, impacts on burrowing owls would be minimized. Therefore, the project would result in a less than significant impact related to special-status species.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS?

No Impact. There is no riparian habitat within the BSA. In addition, there are no special-status communities expected to be in the BSA. Therefore, the project would result in no impact related to any sensitive natural communities.

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

Less than Significant Impact With Mitigation Incorporated. Proposed construction activities, including demolition and removal of existing pavement, excavation of basins, construction of access ramps, installation of rip-rap and flumes, and the establishment of utility and road infrastructure, are anticipated to result in impacts on jurisdictional waters (see **Table 6**, **Figure 10,** and **Figure 11**). In addition, construction materials, dust, and debris could result in temporary impacts on water quality if they were to enter flowing water within the drainages. The project would result in approximately 0.29 acre of temporary impacts and 0.14 acre of permanent impacts on potential RWQCB non-wetland waters. The project would result in approximately 0.39 acre of temporary impacts and 0.25 acre of permanent impact on CDFW jurisdiction. The project would not result in temporary or permanent impacts on wetland or non-wetland waters under the jurisdiction of USACE, or wetlands under the jurisdiction of RWQCB.

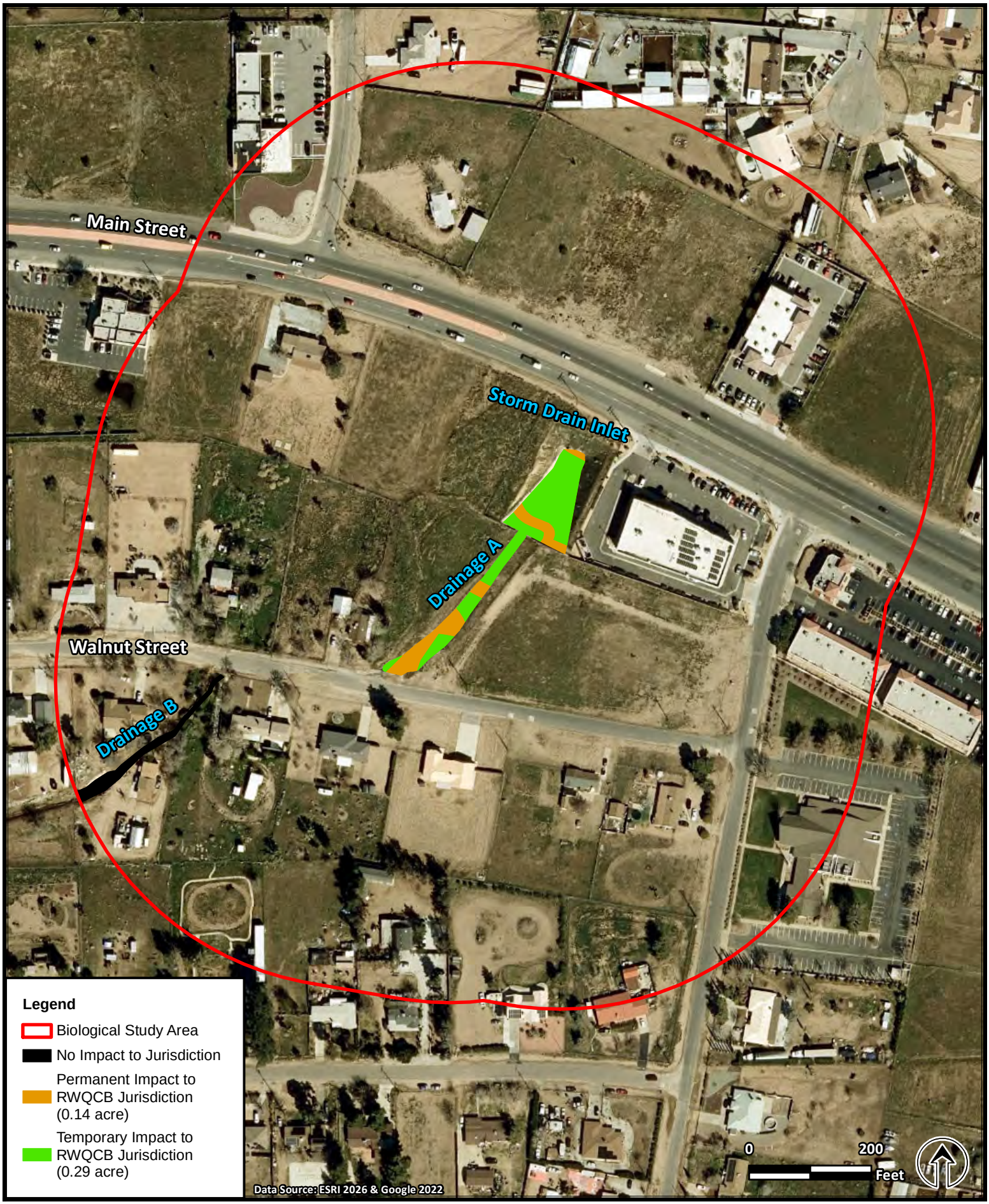
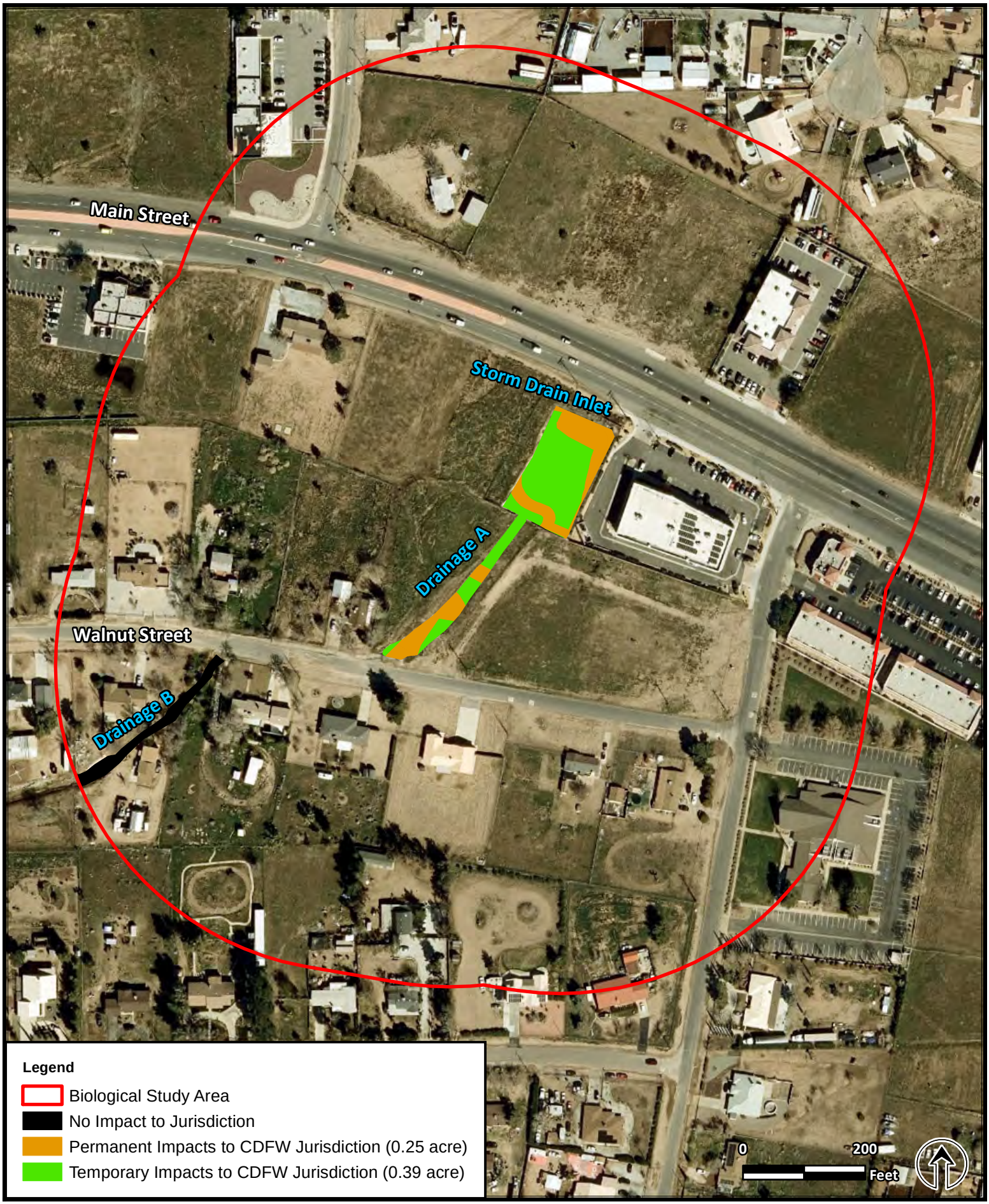


FIGURE 10. IMPACTS ON POTENTIAL REGIONAL WATER QUALITY CONTROL BOARD JURISDICTION
Walnut Basin Project



Data Source: ESRI 2026 & Google 2022

FIGURE 11. IMPACTS ON POTENTIAL CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE JURISDICTION
Walnut Basin Project

Table 6. Jurisdictional Waters Delineated within the Biological Study Area

Regulatory Agency	Temporary Impacts (acres)	Permanent Impacts (acres)
United States Army Corps of Engineers Wetlands	--	--
United States Army Corps of Engineers Non-Wetland Waters	--	--
Regional Water Quality Control Board Wetlands	--	--
Regional Water Quality Control Board Non-Wetland Waters	0.29	0.14
California Department of Fish and Wildlife Jurisdiction	0.39	0.25

Although the project would result in impacts on jurisdictional features, the project would be conducted in compliance with applicable water quality regulations, dust control regulations, and conditions within regulatory permits. With implementation of measures **BIO-7** to **BIO-12**, and mitigation measure **MM-BIO-13**, impacts would be reduced to a less than significant impact. Therefore, the project would result in a less than significant impact with mitigation related to jurisdictional features.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. The BSA is not anticipated to serve as a regional corridor for terrestrial wildlife movement but may be used for local wildlife movement and foraging (California Department of Fish and Wildlife, 2024d). The project could introduce temporary barriers to local wildlife movement and foraging. Although some movement may be temporarily impeded, project activities would be conducted within an already disturbed area and would not introduce new permanent barriers to movement. However, the new barriers would be surrounding a larger area than the existing condition, causing local wildlife to make a larger detour. However, the increase in fencing would be minor, and is not anticipated to substantially affect local wildlife movement. Following construction, the sediment and debris basin would be larger than the existing storm drain inlet; however, this would not substantially reduce available foraging habitat. Therefore, the project would result in a less than significant impact related to local wildlife movement and foraging.

There is potential for migratory birds and raptors to nest in the trees and vegetation within the BSA. Construction activities, including pedestrian and vehicle movement, staging, grading, paving, and vegetation removal, could result in direct and indirect impacts on migratory birds and raptors if these activities were conducted while birds are nesting within or adjacent to the construction area. Temporary noise generating activities, such as grading and paving, could also result in temporary indirect impacts on nesting birds and raptors if they were to be loud enough to result in disturbance. In addition, construction activities could temporarily disrupt foraging in the BSA. However, with the implementation of avoidance and minimization measures **BIO-4** to **BIO-6**, impacts would be avoided and/or minimized. Therefore, the project would result in a less than significant impact related to the movement of any native resident or migratory wildlife species.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. As described above, the only local regulation protecting biological resources is Hesperia Development Code Chapter 16.24. The project would not require the removal of vegetation or impact any areas protected by local policies or ordinances. Therefore, the project would result in no impact related to local policies or ordinances protecting biological resources.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan (HCP); Natural Community Conservation Plan; or other approved local, regional, or state HCP?

No Impact. The BSA is not within the boundary of an adopted HCP, Natural Community Conservation Plan, or any other local or regional conservation plan. Therefore, the project would result in no impact related to any conservation plans.

Avoidance, Minimization, and Mitigation Measures

Special-Status Plant Species

Western Joshua tree is the only special-status plant with potential to be in the BSA. Due to the distance of the trees from the construction area, direct and indirect impacts are not anticipated; however, due to the potential construction staging areas in the vicinity of western Joshua tree, the following measure would be implemented to avoid and/or minimize potential impacts:

BIO-1 Prior to construction, high visibility ESA protective fencing would be installed at the limits of construction work areas to prevent construction personnel or equipment from impacting western Joshua trees.

Special-Status Wildlife Species

To avoid and/or minimize impacts on the burrowing owl, the following measures would be implemented:

BIO-2 A pre-construction take avoidance survey for the burrowing owl would be conducted by a qualified biologist. The survey efforts would include a single site visit conducted no more than 14 days prior to ground or vegetation disturbing activities and would include a thorough examination of all suitable habitat within the project area and vicinity for the burrowing owl or its sign. The survey would be conducted using methodologies consistent with the CDFW's March 7, 2012, Staff Report on Burrowing Owl Mitigation or the most current CDFW survey guidance publication at the time of the survey initiation.

BIO-3 If occupied burrows or signs of occupied burrowing owl habitat (including debris piles) are observed within 500 feet of the project area, a 165-foot buffer would be installed and maintained during the non-breeding season (typically October 1 to January 31). The buffer size may be modified, under direction of a qualified biologist, and CDFW if appropriate, if it's determined that construction activities would not likely have adverse effect on the owls. Work within the buffer area would only be resumed once a qualified biologist confirms that the burrow is no longer occupied or the CDFW provides authorization to proceed.

Migratory Birds and Raptors

To avoid and/or minimize potential impacts on birds and raptors, the following measures would be implemented:

BIO-4 Vegetation removal would be minimized and performed outside of the nesting season (February 1 to September 30), to the extent feasible.

BIO-5 If vegetation must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist no more than three days prior to clearing activities to determine if nesting birds are within the affected vegetation. Surveys would be conducted within 300 feet of the construction area for songbirds and within 500 feet of the construction area for raptors, as feasible. Nesting bird surveys would be repeated if removal activities are suspended for five days or more.

BIO-6 If nesting birds are found within 500 feet of the construction area, appropriate buffers consisting of orange flagging/fencing or similar (typically 300 feet for birds and 500 feet for raptors) would be installed and maintained until nesting activity has ended, as determined in coordination with the project biologist and regulatory agencies, as appropriate.

Jurisdictional Resources

To avoid and/or minimize potential impacts on jurisdictional resources, the following measures would be implemented:

BIO-7 Work areas would be reduced to the maximum extent feasible.

BIO-8 Equipment staging and storage areas for vehicles, equipment, materials, fuels, lubricants, and solvents would be restricted to designated areas located a minimum of 100 feet away from Drainage A, Drainage B, and the Storm Drain Inlet.

BIO-9 Best Management Practices (BMP), such as silt fencing, fiber rolls, straw bales, or other measures would be implemented during construction to minimize dust, dirt, and construction debris from entering Drainage A, Drainage B, and the Storm Drain Inlet, and/or leaving the project area.

BIO-10 Appropriate hazardous material BMPs would be implemented to reduce the potential for chemical spills or contaminant releases into Drainage A, Drainage B, and the Storm Drain Inlet, including any non-stormwater discharge.

BIO-11 All equipment refueling and maintenance would be conducted in the staging area no less than 100 feet away from Drainage A, Drainage B, and the Storm Drain Inlet. In addition, vehicles and equipment would be checked daily for fluid and fuel leaks, and drip pans would be placed under the equipment that is parked and not in operation. Any leaking vehicle or equipment would not be operated in the project area until repaired. All workers would be informed of the importance of preventing spills and the appropriate measures to take should a spill happen.

BIO-12 Stationary equipment such as motors, pumps, generators, compressors, and welders within 100 feet of Drainage A, Drainage B, and the Storm Drain Inlet would be positioned over drip-pans, including when in operation.

Compensatory Mitigation

To mitigate for impacts on jurisdictional waters the following measure is proposed:

MM-BIO-13 Permanent impacts on jurisdictional resources will be mitigated at a 2:1 ratio through the purchase of mitigation credits through the use of a mitigation bank (e.g., West Mojave Mitigation Bank) or other applicant-sponsored mitigation. Final mitigation ratios and credits shall be determined in consultation with the RWQCB and/or CDFW during the regulatory permitting process.

4.5 Cultural Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☒	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

The following discussion incorporates the results of the Cultural and Paleontological Resource Assessment that was prepared for this project (Duke Cultural Resources Managment, LLC, 2025).

Regulatory Setting

State Regulations

CEQA Section 15064.5

Under CEQA, Title 14, CCR Section 15064.5(a)(3), a resource is considered historically significant if it meets one of the following four criteria:

- It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- It is associated with the lives of persons important in our past;
- It embodies the distinctive characteristics of a type, period, region, or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
- It has yielded, or may be likely to yield, information important in prehistory or history.

CEQA requires public agencies and private interests to identify the potential adverse impacts or environmental consequences of their project for any object or site of significance with respect to history. CEQA also provides protection for paleontological remains.

California Public Resources Code

PRC Sections 21083.2, 5097.5, 30244, and 21084.1

According to PRC 21083.2 (a), if archaeological resources are determined to be significant, then the impacts on that resource should be addressed. PRC 5097.5 prohibits the excavation and/or the removal of a "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands."

PRC 30244 requires reasonable mitigation of adverse impacts on paleontological resources resulting from development on public land.

PRC 21084.1 gives the lead agency power to determine that a resource is a historical resource, even if the resource is not listed or eligible for listing in the California Register of Historical Resources or a local register of historical places. In addition, the lead agency can also determine that a resource is a historical resource, even if it is not deemed significant in a historical resource survey.

California Health and Safety Code Section 7050.5

The California Health and Safety Code (HSC) Section 7050.5 requires that if human remains are discovered during ground disturbing activities, the County Coroner must be notified, and no further disturbance is authorized until the County Coroner has made a determination of origin and disposition of the remains. If the human remains are determined to be prehistoric, the coroner must notify the Native American Heritage Commission (NAHC), who would determine and notify a Most Likely Descendant (MLD). The MLD then inspects the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element are applicable to the project (City of Hesperia, 2010):

Goal CN-5 The City shall establish policies and procedures in compliance with state and Federal laws and regulations to identify and properly protect found historical, cultural and paleontological artifacts and resources.

Policy CN-5.2 In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and record searches shall be undertaken to determine the presence of such resources, if any.

Policy CN-5.3 All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Policy CN-5.5 Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

Environmental Setting

A pedestrian survey was conducted on August 22, 2025. The majority of the project area were accessible and was surveyed, except the existing storm drain inlet, which was behind a locked gate. The ground visibility was excellent, and the exposed sediment was observed to be yellowish brown silty sand with occasional pebbles. There are small shrubs and low cover vegetation on the undeveloped land north and west of the storm drain inlet structure. No resources were observed during the survey.

On August 11, 2025, a record search was performed at the South Central Coat Information Center (SCCIC). The SCCIC is part of the California Historical Resources Information System and is located at California State University, Fullerton. The records search included a review of all recorded cultural resources and reports within a 0.5-mile radius of the project area. The reports included archaeological and paleontological surveys, assessments, and inventories from various projects conducted previously within the project area and the surrounding 0.5-miles radius. The SCCIC did not identify any cultural resources within or adjacent to the project area which are eligible for listing on the National Register of Historic Places (NRHP).

Based on aerial photographs, the storm drain inlet structure within the project area was constructed by 1984. No historical or archaeological resources pursuant to § 15064.5 are within or adjacent to the project area. The majority of the project area appears heavily disturbed for the construction of the existing storm drain inlet structure. Based on these factors, the project area is assessed as having low sensitivity for prehistoric or intact historic era cultural resources, and no further archaeological investigation is recommended (Duke Cultural Resources Managment, LLC, 2025).

Discussion of Checklist Responses

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Less Than Significant Impact. There are no known historical or archaeological resources within or adjacent to the project area. Previously unidentified archeological deposits may be found during construction of the project. Avoidance and minimization measures **CUL-1** and **CUL-2** would be implemented as part of the project if previously unidentified resources are uncovered. Therefore, the project would result in a less than significant impact related to the significance of a historic or archaeological resource.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less Than Significant Impact. See discussion in response (a) above.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. The maximum depth of excavation is approximately 24 feet for excavation, compacting, and construction activities related to building the sediment and debris basin. Construction of the project would include ground-disturbing activities that could unearth previously undiscovered human remains interred outside of a formal cemetery, should they be present in the project area. However, the project area is not within or near a formal cemetery and the land within and surrounding the project area has already been disturbed; therefore, no human remains are expected. However, avoidance and minimization measure **CUL-3** would be implemented if human remains are discovered. Therefore, the project would result in a less than significant impact related to human remains.

Avoidance, Minimization, and/or Mitigation Measures

To avoid and/or minimize potential impacts on cultural resources, the following measures would be implemented:

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 would 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, Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) would 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 (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which would 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 Monitoring and Treatment Plan accordingly.

CUL-3 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner would be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

4.6 Energy

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

State Regulations

Executive Order S-01-07 (January 18, 2007)

This order sets forth the low carbon fuel standard (LCFS) for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 30 percent by the year 2030. CARB re-adopted the LCFS regulation in September 2015, and the changes went into effect on January 1, 2016. This EO was amended again in 2018, and most recently in 2024. The program establishes a strong framework to promote the low-carbon fuel adoption necessary to achieve the Governor's 2030 and 2050 GHG reduction goals.

Energy Efficiency Strategic Plan

The California Public Utilities Commission (CPUC) adopted an Energy Efficiency Strategic Plan in September of 2008 outlining a roadmap to maximum energy savings for California's groups and sectors (California Public Utilities Commission, 2011).

California Air Resource Board Rules and Regulations

The following CARB Rule and Regulation is applicable to the project:

In-Use Off-Road Diesel Vehicle Regulations

This regulation limits vehicle idling to no more than five consecutive minutes and requires equipment to be reported to CARB and labeled.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Land Use Element are applicable to the project (City of Hesperia, 2010):

Policy LU-6.3 Support sustainable building practices that encourage the use of recycled or other building materials that promote environmental quality, economic vitality, and social

benefits. Support construction, and operational practices that limit impacts on the environment.

Environmental Setting

The project area includes an existing storm drain inlet structure. The project area does not currently require energy resources to operate.

Discussion of Checklist Responses

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. During construction, the project would require gasoline or diesel for worker vehicles, construction equipment, and generators used to power equipment. Equipment and vehicles would primarily be powered by diesel fuel and would likely require minimal electricity. Fuel consumption from construction vehicles and equipment would be temporary and would represent a negligible increase in regional energy consumption. Following construction, operation of the sediment and debris basin would not require energy usage. Therefore, the project would result in a less than significant impact related to wasteful or inefficient energy consumption.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The California Long-Term Energy Efficiency Strategic Plan provides a roadmap for achieving maximum energy savings across all major sectors in California and identifies strategies for achieving goals for energy. As discussed in response (a) above, fuel consumption from construction vehicles and equipment would be temporary and would represent a negligible increase in regional energy consumption. In addition, project construction and operation would be compliant with CARB Standards. Compliance with CARB emission standards that would reduce energy consumption associated with the use of construction equipment. During construction, the demolished PCC pavement would be used as recycled rip-rap in the sediment and debris basin, complying with the General Plan Policy LU-6.3. Once operational, there would be no energy usage. Therefore, the project would not conflict with or obstruct a state or local plan and would result in no impact related to local plans for renewable energy or energy efficiency.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on energy. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for energy.

4.7 Geology and Soils

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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 an on-site 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 in areas where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Regulatory Setting

Federal Regulations

Clean Water Act

Section 402 establishes the NPDES, a permitting system for the discharges (except for dredge or fill material) of any pollutant into waters of the U.S. The U.S. EPA delegated the implementation and administration of the NPDES program in the State of California to the California SWRCB. The SWRCB established nine RWQCBs. The SWRCB enacts and enforces the federal NPDES program, and all water quality programs and regulations that cross regional boundaries. The nine RWQCBs enact, administer, and enforce all programs, including NPDES permitting, within their jurisdictional boundaries. Section 402(p)

requires permits for discharges of stormwater from industrial, construction, and Municipal Separate Storm Sewer Systems.

State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures designed for human occupancy**.** The main purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to prevent the construction of such buildings on the surface trace of active faults. By facilitating seismic retrofitting to strengthen buildings, including historical buildings, against ground shaking, policies and criteria are also intended to provide citizens with increased safety and to minimize the loss of life during and immediately following earthquakes.

Seismic Hazard Mapping Act

The Seismic Hazards Mapping Act was passed in 1990 to address non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides. The purpose of the Seismic Hazards Mapping Act is to reduce threats to public health and safety and to minimize property damage caused by earthquakes, strong ground shaking, liquefaction, landslides, or other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazard zones, and cities, counties, and other local permitting agencies to regulate certain development projects within these zones. Before a development permit is granted for a site within a seismic hazard zone, a geotechnical investigation must be conducted, and appropriate mitigation measures must be incorporated into the project's design.

California Building Code

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC is adopted every three years by the Building Standards Commission (BSC). In the interim, the BSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

California Geological Survey

The California Geological Survey (formerly the Division of Mines and Geology) was created in 1860 and is dedicated to providing scientific products and services related to the state's geology, seismology, and mineral resources that affect the health, safety, and business interests of the people of California. Seismic and Geotechnical Hazard Zones include active and potentially active faults identified by the California Geological Survey under the provisions of the Alquist-Priolo Earthquake Fault Zones Act (California PRC, Division 2, Chapter 7.5). Faults that are considered active, based on published and unpublished information, as well as seismically induced liquefaction and landslide areas, are also identified in the Seismic and Geotechnical Hazard Zones Policy Map.

California Administrative Code, Section 4307 et seq. and Public Resources Code Section 5097.5

In California, paleontological resources are afforded protection by CEQA; California Administrative Code, Title 14, Section 4307 et seq.; and PRC Section 5097.5. CEQA requires that public agencies not approve a project as proposed if there is a feasible alternative or reasonable mitigation measures available that would substantially lessen the significant environmental effects of the project (Chapter 1, Section 21002). PRC 5097.5 protects vertebrate fossil localities situated on public land, including those localities that have produced fossilized footprints or any other paleontological feature.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Safety Element are applicable to the project (City of Hesperia, 2010):

Goal SF-1 Minimize injury, loss of life, property damage and economic and social disruption caused by seismic shaking and other earthquake-induced hazards, and by geologic hazards such as slope instability, compressible and collapsible soils, and subsidence.

Policy SF-1.2 Require all development proposals in the City to conduct, as a condition of approval, geotechnical and engineering geological investigations, prepared by State-certified professionals (geotechnical engineers and engineering geologists, as appropriate) following the most recent guidelines by the California Geological Survey and similar organizations, that address, at a minimum, the site-specific seismic and geologic hazards identified in the Technical Background Report. These reports shall provide mitigation measures to reduce those hazards identified at a site to an acceptable level.

Policy SF-1.3 City Staff or City representatives will conduct routine inspection of grading operations to ensure site safety and compliance with approved plans and specifications.

Policy SF-1.5 Liquefaction assessment studies shall be conducted as a condition of approval for all projects proposed in areas identified as potentially susceptible to liquefaction (see the Technical Background Report). The studies shall be conducted in accordance with the California Geological Survey's Special Publication 117: Guidelines for Evaluating and Mitigating Seismic Hazards in California (2008 or more recent version), and the Earthquake Engineering Research Center's Report No. EERC-2003-06 (or more recent version): Recent Advances in Soil Liquefaction Engineering.

Policy SF-1.7 If a critical facility is proposed across the trace of any of the secondary faults mapped within the City or its Sphere, the City's Building Department shall require, as a condition of approval, that geological studies to assess the location and recency of activity of the fault be conducted. These studies shall be conducted at the level of detail required by the California Geological Survey for fault studies in Alquist-Priolo earthquake fault zones. Critical facilities include fire and police stations; City communication centers; hospitals, schools, pre-schools, nursing homes and other limited-mobility or high-occupancy

populations; electrical substations and towers, water reservoirs, high-pressure or large-diameter pipelines, and bridges or other key transportation structures.

Goal SF-5 Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Environmental Setting

Paleontological Resources

Paleontological resources include fossils, which are the preserved remains or traces of animals, plants, and other organisms from prehistoric time (i.e., the period before written records). Fossils and traces of fossils are preserved in sedimentary rock units (formed by the deposition of material at the Earth's surface); and are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance or natural causes, such as erosion by wind or water.

Two geologic units are recognized with the project area. The project area is underlain by late young alluvial-fan deposits, unit 3. Under the late young alluvial-fan deposits, unit 3, the project area is underlain by very old alluvial-fan deposits (Duke Cultural Resources Managment, LLC, 2025). Late young alluvial-fan deposits, unit 3, from the middle Holocene period are considered to have undetermined sensitivity for paleontological resources and very old alluvial-fan deposits from the early to middle Pleistocene period are considered to have a high paleontological sensitivity (Duke Cultural Resources Managment, LLC, 2025).

Seismicity

The project area is not within an Alquist-Priolo Earthquake Zone and there are no active faults within the vicinity of the project area. The project area is not within an Earthquake Fault Zone, as designated by the State Geologist. The nearest fault zone is the Ord Mountains Fault, approximately 7.2 miles east of the project area (California Department of Conservation, 2022).

Soil Characteristics

According to the NRCS Web Soil Survey, there are three soil units within the project area: Cajon Sand 0 to 2 Percent Slopes, Helendale Loamy Sand 0 to 2 Percent Slopes, and Hesperia Loamy Fine Sand 2 to 5 Percent Slopes (Natural Resource Conservation Service, 2025).

An expansive soil is prone to large volume changes (swelling and shrinking) that are directly related to changes in water content; with higher moisture levels, the soils would swell, and with lower moisture levels, the soils would shrink. The soil textures in the project area have a low shrink and swell characteristics. According to the NRCS Web Soil Survey, Cajon Sand 0 to 2 Percent Slopes has a low soil erosion rating, while Helendale Loamy Sand 0 to 2 Percent Slopes and Hesperia Loamy Fine Sand 2 to 5 Percent Slopes have a moderate soil erosion rating (Natural Resource Conservation Service, 2025). Soils within the project area have a low to moderate potential for soil erosion (Michigan State University, 2002).

Soil liquefaction occurs when a saturated or partially saturated soil substantially loses strength and stiffness in response to an applied stress, usually earthquake shaking or other sudden change in stress

condition, causing it to behave like a liquid. Other types of ground failure resulting from seismic activities include collapsible soils, subsidence (the gradual caving in or sinking of an area of land), landslides, and lateral spreading (landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement). According to the CDOC, the project area is not susceptible to landslides, lateral spreading, or liquefaction (California Department of Conservation, 2022). According to the United States Geological Survey (USGS), the project is not in an area of subsidence (United States Geological Survey, n.d.).

Discussion of Checklist Responses

a. Would the project 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?

No Impact. The project area is not within an Earthquake Fault Zone, as designated by the State Geologist (California Department of Conservation, 2022). The new sediment and debris basin would not include any features with could increase the risk of loss, injury, or death due to the rupture of a known earthquake fault. Therefore, the project would result in no impact related to fault zones.

ii) Strong seismic ground shaking?

No Impact. The project is not within an Earthquake Fault Zone, as designated by the State Geologist, and the project would not increase exposure to existing hazards in the project area. Therefore, the project would result in no impact related to seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. The project area is not susceptible to liquefaction. Therefore, the project would result in a less than significant impact related to seismic ground shaking.

iv) Landslides?

Less than Significant Impact. The project area is not susceptible to landslides. Therefore, the project would result in no impact related to landslides.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. The project would result in an increased impervious surface area of 1.2 acres; however, the project would be designed to current design and drainage standards. The increase in surface runoff from the additional impervious surface area would be channeled into the sediment and debris basin and would not run over loose soil which would increase erosion. During construction, water would be used for dust control to reduce erosion. Therefore, the project would result in a less than significant impact related to soil erosion or the loss of topsoil.

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

Less than Significant Impact. The project area is not susceptible to lateral spreading, subsidence, or collapse. Therefore, the project would result in no impact related to unstable soil.

d. Would the project be located on expansive soil, creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. The soil in the project area has a low potential to shrink and swell (Natural Resources Conservation Service, 2021). In addition, the project would not include the construction of any new property development or habitable structure that could create substantial risks. Therefore, the project would result in a less than significant impact related to creating substantial direct or indirect risks to life or property.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the project would result in no impact related to septic tanks and alternative wastewater systems.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. There are deposits with high sensitivity for paleontological resources at depths of and exceeding 10 feet beneath the project area (Duke Cultural Resources Managment, LLC, 2025). Excavations for the project are anticipated to extend to approximately 24 feet below ground surface (bgs). Excavations exceeding 10 feet could potentially unearth unknown paleontological resources. However, with the implementation of avoidance and minimization measure **GEO-1**, impacts on unknown paleontological resources would be minimized. Therefore, the project would result in a less than significant impact related to paleontological resources or unique geological features.

Avoidance, Minimization, and/or Mitigation Measures

To avoid and/or minimize potential impacts on geology and soils, the following measures would be implemented:

GEO-1 Monitoring efforts related to paleontological resources are recommended at depths at and exceeding 10 feet below ground surface (bgs). If any paleontological resources are discovered during any excavations for the project, work would stop until the project paleontologist is able to identify the best course of action for the protection of, or mitigation of impacts on, the paleontological resources.

4.8 Greenhouse Gas Emissions

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☒	☐

The following discussion incorporates the results of the Air Quality & Greenhouse Gas Impact Analysis Technical Memorandum that was prepared for this project (AMBIENT Air Quality & Noise Consulting, 2025a).

Regulatory Setting

Local Regulations

Mojave Desert Air Quality Management District

The MDAQMD has established significant GHG emissions thresholds that apply to both construction and operations. The MDAQMD-recommended GHG significance thresholds are 548,000 lbs/day CO_2e or 100,000 short tons of CO_2e per year.

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element are applicable to the project (City of Hesperia, 2010):

Goal CN-7 Develop, promote and implement policies to reduce and limit GHG emissions.

Policy CN-7.5 Promote the utilization of environmentally sensitive construction materials to limit impacts on the ozone, global climate change and mineral resources.

Policy CN-7.7 Promote energy conservation through site layout, building design, natural light and efficient mechanical and electrical products in development.

Policy CN-7.9 Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.

Environmental Setting

The project area includes an existing storm drain inlet. There are no current operations in the project area that result in GHG emissions.

Discussion of Checklist Responses

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. Use of construction equipment, delivery of construction materials and waste, and worker commutes would contribute to the generation of GHGs, mainly from vehicle exhaust. These emissions would be produced at different levels throughout the construction phase. **Table 7** provides a summary of projected construction-generated GHG emissions.

Table 7. Estimated Construction GHG Emissions

Construction Activity	CO_2e (Pounds/Day)	
Demolition (2026)	1,144	
Site Preparation (2026)	1,038	
Grading & Excavation (2026)	1,251	
Facility Construction (2026)	745	
Facility Construction (2027)	745	
Paving (2027)	150	
Maximum Daily Emissions (lbs/day):	1,251	
MDAQMD Daily Significance Threshold (lbs/day):	548,000	
Exceeds Daily Significance Threshold?:	No	
Construction Year	**$MTCO_2e$/Year**	**Short Tons/Year**
Year 1	105	116
Year 2	31	34
Total:	136	150
Maximum Annual Emissions (tons/year):		116
MDAQMD Annual Significance Threshold (tons/year):		100,000
Exceeds Annual Significance Threshold?:		No

Source: (AMBIENT Air Quality & Noise Consulting, 2025a)

Construction of the project would generate a maximum of approximately 1,251 metric tons of carbon dioxide equivalent ($MTCO_2e$) per day, for a total of approximately 136 $MTCO_2e$. Emissions would vary depending on various factors, including the activities being conducted and project schedule. Construction of the project would be temporary and GHG emissions would cease following construction completion. Operation of the project would not increase GHG emissions, since no project features included in the project result in emissions, such as vehicles. Therefore, the project would result in a less than significant impact related to GHG emissions.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. As shown in **Table 7**, daily and annual GHG emissions would not exceed MDAQMD's recommended significance thresholds. Implementation of the project would not result in long-term increases of GHGs that would conflict with applicable plans, policies, or regulations.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact related to GHG emissions. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for GHG emissions.

4.9 Hazards and Hazardous Materials

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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 that 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?	☐	☐	☒	☐

The following discussion incorporated the results of the Limited Phase Initial Site Assessment (ISA) that was prepared for this project (Crawford & Associates, Inc., 2025).

Regulatory Setting

Federal Regulations

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act or "Superfund Act" was created in 1980 to clean up uncontrolled or abandoned hazardous waste sites. The Superfund Act gives the U.S. EPA the authority to enforce responsible parties from any accident, spill, or other emergency release of pollutants and contaminants to cooperate in the cleanup. The U.S. EPA is authorized to

implement the Superfund Act in all 50 states and U.S. territories through state environmental protection or waste management agencies.

Clean Water Act, Section 402: National Pollutant Discharge Elimination System Permits

The CWA Section 402 requires permits for discharge of pollutants. A permit may be issued for the discharge of pollutants or combination of pollutants that meet all applicable requirements under Sections 1311, 1312, 1316, 1317, 1318, and 1343 or prior implementation necessary related to all requirements, as determined by the administrator.

Emergency Planning and Community Right-to-Know Act

The Emergency Planning and Community Right-to-Know Act (EPCRA) was passed in 1986 to respond to concerns related to environmental hazards posed by storage and handling of toxic chemicals. The EPCRA was created to inform the public of hazardous and toxic chemicals that could potentially be released into the environment from individual facilities. It allows communities to access information to improve chemical safety and protect public health and the environment.

Department of Transportation Hazardous Materials Regulations

The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has developed regulations and standards for classifying, handling, and packaging hazardous materials in the United States. Handling hazardous materials must comply with the Electronic CFR Title 49 part 100-185 and the Historical CFR. Additionally, there is guidance on the Federal Hazmat Transportation Law.

Occupational Safety and Health Administration Standards

The Occupational Safety and Health Administration (OSHA) Standards were developed to protect employees from hazards. The OSHA Standards are rules for construction work, maritime operations, and general industry that must be complied with at worksites. OSHA requires worksites to comply with several health and safety rules and regulations to keep employees safe.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) was created in 1976 to govern the disposal of solid waste and hazardous waste. RCRA gives the U.S. EPA the authority to control hazardous waste, creating a "cradle-to-grave" waste management system. The goal is to reduce environmental impacts due to improper disposal of waste. States implement non-hazardous waste programs and issue permits in compliance with U.S. EPA and state regulations. U.S. EPA enforces regulations for hazardous waste and implements hazardous waste permits.

State Regulations

California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. The law states that generators have the primary duty to determine whether their waste is hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous waste.

The law exceeds federal requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of waste and waste management activities that are not covered by RCRA.

California Environmental Protection Agency

The California EPA develops laws to regulate air, water and soil quality, pesticide use and waste recycling and reduction. The California EPA consists of CARB, the Department of Pesticide Regulation, the Department of Resources Recycling Recovery, the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment, and the SWRCB. CARB regulates air pollution and greenhouse gas emissions under AB 32. The Department of Pesticide Regulation ensures safe uses of pesticides through registration, permitting, and training. The Department of Resources Recycling Recovery implements programs to achieve waste reduction and promote recycling, reuse, and environmental sustainability. DTSC regulates hazardous waste sites to reduce blight and environmental contamination. The Office of Environmental Health Hazard Assessment provides valuable information to consumers, policy makers, and manufacturers on the safety of chemicals in the environment. SWRCB regulates the quality of drinking water and clean waterways.

California Labor Code

The California Labor Code is a collection of civil law statues for the State of California. Several California Labor codes are enforced to provide health and safety regulations related to the environment and hazardous materials.

Department of Toxic Substances and Chemicals

DTSC regulates hazardous waste by enforcing hazardous waste laws and regulations. DTSC enforces and oversees cleanup of hazardous waste on contaminated properties, makes decisions on permit application from companies that want to store, treat, or dispose of hazardous waste and protects consumers against toxic ingredients in everyday products.

Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. The DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the Cortese List.

California Code of Regulations

Most state and federal regulations and requirements that apply to generators of hazardous waste are spelled out in the CCR, Title 22, Division 4.5. Title 22 contains detailed compliance requirements for hazardous waste generators and transporters, and treatment, storage, and disposal facilities. Because California is a fully authorized state according to RCRA, most RCRA regulations (those contained in 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the DTSC regulates hazardous waste more stringently than the U.S. EPA, Title 22 contains fewer exemptions and exclusions

than 40 CFR 260. Title 22 also regulates a wider range of waste types and waste management activities than RCRA regulations in 40 CFR 260. To make regulatory requirements more accessible and easier to follow, the state compiled the hazardous materials, waste, and toxics-related regulations contained in CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24, and 27 into one consolidated CCR Title 26 "Toxics." However, California hazardous waste regulations are still commonly referred to as Title 22.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Safety Element are applicable to the project (City of Hesperia, 2010):

Goal SF-3 Reduce the risk of death, injury, property damage and economic loss due to vegetation and structure fires.

Goal SF-4 Reduce the potential for hazardous materials contamination in Hesperia.

Policy SF-4.4 The City will continue to reduce or eliminate the use of hazardous materials by using instead non-toxic, safer alternatives that do not pose a threat to the environment, or buying and using only the smallest amount of a hazardous substance to get the intended job done. The City will encourage residents and businesses in the city to do the same.

Environmental Setting

Contaminated Sites

To assess existing conditions in the project area, geologic and hydrogeologic conditions in the project area vicinity were reviewed, a database search report was prepared by Environmental Risk Information Services (ERIS) was performed to determine if areas of environmental concern exist at or near the project area, and online databases of known environmental conditions were reviewed.

The database search report performed by ERIS to identify sites with known releases of hazardous materials or petroleum products, and sites with the potential for such releases, identified eight sites within 0.25-mile of the project area that could impact the project area if hazardous materials were released (Crawford & Associates, Inc., 2025). However, no unauthorized releases of hazardous materials, hazardous wastes, or petroleum products were reported at any of the eight sites ERIS identified and the likelihood these sites have impacted the project area appears low. The online database search performed by Crawford & Associates, Inc. did not identify any additional sites that could impact the project area (Crawford & Associates, Inc., 2025).

Based on the government records search, site investigation, aerial photograph review, and historical stewardship of the project area, no Recognized Environmental Conditions (REC) controlled RECs (CREC), or historical RECs (HREC) were identified in the project area or within 0.25-mile of the project area. However, two potential hazardous materials issues were identified for the project area. The existing storm drain inlet structure is constructed of concrete and may contain asbestos and asbestos containing construction material (ACCM). In addition, there is potential for lead to be present in soil at hazardous

levels due to the historic use of leaded gasoline for on-road vehicles in California from the 1920s until about 1992.

Disaster Routes

Disaster Routes are used during times of crisis to save lives, protect property, and minimize impacts on the environment. During a disaster, pre-identified disaster routes have priority for clearing, repairing, and restoration over all over roads. The City developed an Emergency Operations Plan to address planned responses to extraordinary emergency situations. The Emergency Response identifies Main Street, adjacent to the project area, as part of an evacuation route.

Airports

There is one public use airport within the city: Hesperia Airport, approximately 3.25 miles southeast of the project area.

Schools

The nearest school is the Options for Youth Charter School, approximately 0.1 mile east of the project area.

Wildfire

According to the General Plan Health and Safety Element 2024 Update, wildland fires are generally limited to outside of city limits (City of Hesperia, 2024). The project area is approximately 1.2 miles from the nearest fire hazard severity zone.

Discussion of Checklist Responses

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Hazardous materials stored or disposed of during project construction could present a hazard to construction workers, the public, or the environment. During construction, vehicles and equipment would contain or require the temporary use of potentially hazardous substances, such as fuels, lubricating oils, and hydraulic fluid. Lead at hazardous levels could also create unsafe working conditions for construction workers and others traveling through the project area if soil is disturbed. During excavation of the soil and demolition of the storm drain inlet, aerially deposited lead and asbestos could be encountered. However, with the implementation of avoidance and minimization measures **HAZ-1** and **HAZ-2**, impacts related to hazardous waste would be minimized. Therefore, the project would result in a less than significant impact related to the transport, use, and disposal of hazardous materials.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. Construction could result in accidental release of hazardous materials, including fuels, lubricating oils, and hydraulic fluid, into the environment. Standard BMPs would be included in the project to avoid or minimize the release of contaminants into the environment. However,

with implementation of avoidance and minimization measures **BIO-9** through **BIO-12**, impacts related to the accidental release of hazardous materials would be minimized. Therefore, the project would result in a less than significant impact related to the accidental release of hazardous materials into the environment.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The nearest school is the Options for Youth Charter School, approximately 0.1 mile east of the project area; therefore, hazardous materials could be emitted within 0.25 mile of a school. Hazardous materials would be handled in accordance with all federal, state, and City regulations. Project impacts would be temporary and following construction the project would not create any hazard to the school. In addition, **HAZ-1** and **HAZ-2** would be implemented to avoid and/or minimize the emission of hazardous waste. Therefore, the project would result in a less than significant impact related to hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. There are no Cortese List sites in the project area. Therefore, the project would result in no impact related to hazardous waste sites.

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

No Impact. The project area is not within two miles of any public or private airport or airstrip. The project would not conflict with any airport land use plan or operation of nearby airports and would not pose any airport-related safety hazard to people working in the project area. Therefore, the project would result in no impact related to an airport land use plan.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. Project construction is anticipated to last approximately five months. Construction of the project would primarily be limited to project area. Limited delays would result from the transportation of construction equipment and materials along Main Street. The project would generate five daily trips for concrete and asphalt delivery and 40 daily trips for the import and export of materials for haul trucks. These trips are not anticipated to substantially impact emergency response times or the emergency evacuation plan. Therefore, the project would result in a less than significant impact related to emergency response and evacuation plans.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. FHSZs are created based on the probability of a hazard from wildland fires. Because the project area is outside of the FHSZ, the likelihood for a wildland fire to occur is low. Construction and maintenance of the sediment and debris basin would include combustible equipment that could create sparks. The presence of construction equipment and fuel sources could temporarily exacerbate fire risk in the project area. The proposed sediment and debris basin would be installed in accordance with standard practices to prevent the risk or spread of fire and would not exacerbate fire risk or result in temporary or ongoing impacts on the environment. Therefore, the project would result in a less than significant impact related to wildland fires.

Avoidance, Minimization, and/or Mitigation Measures

BIO-9 through **BIO-12** are also applicable for minimizing hazardous waste impacts. See avoidance, minimization, and mitigation measures in *Section 4.4 Biological Resources*. To avoid and/or minimize potential impacts on hazards and hazardous materials, the following measures would be implemented:

HAZ-1 Soil adjacent to Walnut Avenue would be tested for aerially deposited lead concentrations that exceed hazardous waste limits prior to the start of construction.

HAZ-2 The existing concrete storm drain inlet structure would be tested for asbestos and ACCM prior to demolition.

4.10 Hydrology and Water Quality

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 that would:	☐	☐	☒	☐
	Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	Impede or redirect flood flows?	☐	☐	☐	☒
d.	In flood hazard, tsunami, or seiche zones, rise release of pollutants due to project inundation?	☐	☐	☐	☒
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Regulatory Setting

Federal Regulations

Clean Water Act

The USACE regulates the placement of dredged and fill material into waters of the U.S., including wetlands, under Section 404 of the CWA. No discharge of dredged or fill material into jurisdictional features is permitted unless authorized under an USACE Nationwide Permit or Individual Permit.

Clean Water Act Section 404

Please refer to Section 4.4, Biological Resources, for a discussion on CWA Section 404.

Clean Water Act Section 402

Please refer to Section 4.7, Geology and Soils, for a discussion on CWA Section 402.

State Regulations

Porter Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. The act predates the CWA and regulates discharges to waters of the state. Waters of the state include groundwater and surface waters not considered waters of the U.S. Discharges under the Porter-Cologne Act are permitted by WDRs and may be required even when the discharge is already permitted or exempt under the CWA. Section 13240 of the Porter-Cologne Act requires each RWQCB to formulate and adopt water quality control plans, or basin plans, for all areas within its respective region. The project is within the Mojave River Watershed and under the jurisdiction of the Lahontan RWQCB Office.

Water Quality Control Plan for the Lahontan Region

The Water Quality Control Plan for the Lahontan Region (Basin Plan) lists the beneficial uses of surface waters and ground waters in the Upper Mojave River Groundwater Basin (Lahonton Regional Water Quality Control Board, 2025). Beneficial uses generally include, but are not limited to, domestic, municipal, agricultural, and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves. The Basin Plan also includes water quality objectives, which are the limits or levels of water quality constituents or characteristics that are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act consists of three bills signed by California Governor Edmund G. Brown Jr. in 2014 that allows local agencies to customize groundwater sustainability plans to suit the economic and environmental needs of their region. Under this legislation, local and regional authorities have developed Groundwater Sustainability Agencies that oversee the preparation and implementation of local Groundwater Sustainability Plans (University of California Davis, Division of Agriculture and Natural Resources, 2019).

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element and Safety Element are applicable to the project (City of Hesperia, 2010):

Goal CN-1 Conserve water resources within the Upper Mojave River Groundwater Basin.

Policy CN-1.1 Promote the use of desert vegetation with low water usage and drought tolerant materials in landscaped areas.

Policy CN-1.3 Promote reduced use of high nitrate fertilizers, herbicides, pesticides and other chemicals in landscaping areas that can contaminate the quality of the groundwater.

Policy CN-1.4 Limit the disturbance of natural water hydrology by minimizing the creation of impervious surface area and continued utilization underground retention/detention facilities to recharge groundwater.

Goal CN-2 Establish building and development standards to maximize the reclamation of water resources.

Policy CN-2.1 Minimize impacts to washes that convey drainage by prohibiting development within drainage corridors that are not consistent with the Master Plan of Drainage.

Goal CN-3 Minimize development and set aside necessary open space near and along the surface waters as well as those washes and other water passageways located in the City to preserve and protect plant and animal species and their natural habitat dependent on such surface waters and water ways.

Goal SF-2 Minimize injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.

Policy SF-2.7 The City will regulate development in drainages, especially in Flood Zones A and AE, pursuant to FEMA regulations.

Goal SF-5 Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Environmental Setting

The project area is in the Upper Mojave River Valley Groundwater Basin (Basin). The Basin underlies an elongate north-south valley, with the Mojave River flowing through the valley from the San Bernardino Mountains on the south, northward into the Middle Mojave River Valley Groundwater Basin at the town of Helendale. Natural recharge of the Basin is from direct precipitation, ephemeral stream flow, infrequent surface flow of the Mojave River, and underflow of the Mojave River into the Basin from the southwest (California Department of Water Resources, 2004).

Hydrology

The project area is in the Antelope Valley-Mojave River sub watershed (HUC 180902080702), part of the larger Mojave River Watershed (HUC 18090208) (United States Geologic Survey, 2024). The Mojave Watershed encompasses approximately 4,500 square miles within the county. The primary hydrological feature in the Mojave River Watershed is the Mojave River. The headwaters of the Mojave River are in the San Bernardino Mountains. The Mojave River Watershed is under the jurisdiction of the Lahontan

RWQCB, and therefore under the RWQCB's Basin Plan (California Water Boards, 2002). Hydrological features in the BSA include Drainage A, Drainage B, and the Storm Drain Inlet.

Drainage A

Drainage A is an unlined channel that runs southwest to northeast, connecting Walnut Street to the storm drain inlet. It is predominantly supplied by ephemeral sources originating from neighboring properties and lots, with most of the water flowing into the drain from Walnut Street during rainfall. Drainage A was dry during the surveys conducted on May 14, 2024, and June 19, 2024.

Drainage B

The assessment of Drainage B utilized aerial imagery and visual surveys due to restricted access to private property, limiting bed and bank surveys further upstream. Drainage B is an unlined channel that flows southwest to northeast, south and adjacent to Walnut Street. Drainage B collects water from urban runoff and storm water and appears to originate just north of Orange Street, beyond the boundaries of the BSA. During rainfall, water flows northeast, occasionally causing flooding on Walnut Street, which then drains into Drainage A. Drainage B was dry during the surveys.

Storm Drain Inlet

The storm drain inlet structure is a concrete lined bottom storm drain inlet built to accommodate flows from precipitation events that originate in Drainage A. The storm drain inlet was dry during the surveys.

Soils

Utilizing the NRCS online Web Soil Survey tool, a soils report was generated for the project area (Natural Resource Conservation Service, 2025). According to the NRCS Custom Soil Resource Report for San Bernardino County, California, three soil types are mapped in the BSA: Cajon Sand 0 to 2 Percent Slopes, Helendale Loamy Sand 0 to 2 Percent Slopes, and Hesperia Loamy Fine Sand 2 to 5 Percent Slopes (Natural Resource Conservation Service, 2025). The soil types are described below.

Cajon Sand 0 to 2 Percent Slopes

The BSA consists of 94 percent of this soil type. Cajon sand is an alluvial fan soil that is found on the backslope of the landform. Cajon sand is derived from alluvium sourced from granite. The typical profile of Cajon sand consists of several layers, including sand, gravelly sand, and stratified sand to loamy fine sand. Cajon sand is somewhat excessively drained and has a high to very high capacity to transmit water. The depth to the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Helendale Loamy Sand 0 to 2 Percent Slopes

The BSA consists of 5.4 percent of this soil type. This soil is primarily composed of Helendale and similar soils, accounting for 85 percent of the composition, with minor components making up the remaining 15 percent. Helendale loamy sand is well drained, with a high capacity for water transmission. The depth of the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Hesperia Loamy Fine Sand 2 to 5 Percent Slopes

The BSA consists of 0.5 percent of this soil type. This soil primarily consists of Hesperia and similar soils, accounting for 85 percent of the composition, with minor components making up the remaining 15 percent. The slope of this soil ranges from two to five percent. It is well drained, with a high capacity for water transmission. The depth of the water table is more than 80 inches, and there is no frequency of flooding or ponding. This soil does not have a hydric soil rating.

Floodplains

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) Panel, the project area lies within Zone X, areas of minimal flood hazard (Federal Emergency Management Agency, 2008).

Tsunami and Seiche Hazard Zone

A tsunami is a series of traveling ocean waves of extremely long length generated primarily by vertical movement on a fault (earthquake) occurring along the ocean floor. The project area is not within a tsunami hazard zone and would not be subject to inundation by tsunami (California Department of Conservation, n.d.). In addition, the project area is not near a large inland body of water that could generate a seiche during seismic ground shaking.

Discussion of Checklist Responses

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact. Construction activities, such as grading, excavation, and equipment storage and fueling would generate loose soils and/or other construction wastes and fuels. Construction materials, dust, and debris could result in temporary impacts on water quality if they were to enter the storm drain inlet. Groundwater is not expected to be encountered at this depth; therefore, construction and operation of the project would not affect groundwater quality. The project would comply with the regulations of the NPDES CGP, RWQCB WDR, and CDFW Section 1602 Streambed Alteration Agreement. In addition, avoidance and minimization measures **BIO-7** through **BIO-12** would be implemented to reduce construction impacts related to water quality. Therefore, the project would result in less than significant impact to water quality standards, WDRs, or substantially degrade surface or groundwater quality.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. Construction would result in temporary alterations to existing drainage patterns. Following construction, drainage within the project area would be permanently altered to accommodate increased stormwater runoff and flooding. The larger sediment and debris basin would lower the amount of water able to percolate into the groundwater due to the increased impervious surface area; however, the reduced amount of water entering the soil would not be substantial, and would

not conflict with the Basin Plan. Therefore, the project would result in a less than significant impact related to groundwater supplies.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surface, in a manner that would:

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

Less Than Significant Impact. Construction would require excavation; however, this is not anticipated to result in substantial erosion or siltation within the project area. Alterations in drainage patterns may result from changes in topography and an increase in impervious surfaces. Although the project would increase impervious surface area, the project would be designed to decrease stormwater flow velocity, and, therefore, would not result in an increase in erosion. Therefore, the project would result in a less than significant impact related to erosion and siltation.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. Operation of the project would result in an increase in impervious surface area. With the minor increase to impervious surface area, the project would result in a minimal increase in runoff flow. However, the project would be designed to improve drainage throughout the project area. Therefore, the project would have a less than significant impact related to surface runoff.

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?

Less Than Significant Impact. The project would be designed to better manage stormwater flows within the project area to reduce flooding. The project would be designed to accommodate existing and anticipated runoff levels and would not result in substantial increases in polluted runoff. Temporary stormwater BMPs would be developed by the contractor as part of the Stormwater Pollution Prevention Plan (SWPPP), as required under the NPDES permit. Although portions of the basin would be impervious, the sediment and debris basin would include impervious surface area, where stormwater would be able to percolate into the soil. The project is not anticipated to result in additional stormwater compared to the existing levels. Therefore, the project would result in a less than significant impact related to existing or planned stormwater drainage systems.

iv) Impede or redirect flood flows?

Less than Significant Impact. The project area is not within a floodplain, or within a federal regulatory floodway and flood flows are not anticipated (Federal Emergency Management Agency, 2008). In addition, construction would not require water diversion or any redirection of flood flow. The new sediment and debris basin would be able to better accommodate stormwater flows and reduce flooding. Therefore, the project would result in a less than significant impact related to flood flow.

d. Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The project area is not within a floodplain, a federal regulatory floodway, tsunami hazard zone, or near a body of water that could generate a seiche (Federal Emergency Management Agency, 2008; California Department of Conservation, n.d.). The existing hydrology of the storm drain inlet would be substantially altered as construction of the sediment and debris basin would be designed to reduce runoff velocities and flow capacities, allowing sediment to settle from runoff prior to entering the storm drain system. However, runoff would not be substantially increased in a manner that would increase flooding in the project area. Therefore, the project would result in no impact related to flood hazard, tsunami, or seiche zones.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The project would be conducted in compliance with all applicable water quality control or sustainable groundwater management plans. With the implementation of **BIO-9**, standard BMPs such as silt fencing, fiber rolls, straw bales, or other measures would be included in the project to avoid or minimize the release of sediments and pollutants into the groundwater. Implementation of standard BMPs and compliance with regulatory requirements would minimize any risk of the project conflicting or obstructing the Basin Plan or the General Plan. Therefore, the project would result in no impact related to conflicts with water quality control or sustainable groundwater management plans.

Avoidance, Minimization, and/or Mitigation Measures

BIO-7 through **BIO-12** are also applicable for minimizing water quality impacts. See avoidance, minimization, and mitigation measures in *Section 4.4 Biological Resources*.

4.11 Land Use and Planning

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

State Regulations

California Government Code Section 65300

California Government Code Section 65300, et seq. establishes the obligation of cities and counties to adopt and implement general plans. The general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that, in the city's or county's judgment, bears relation to its planning. The general plan addresses a broad range of topics, including at a minimum land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the city's or county's vision for the area.

California State Zoning Law

The State Zoning Law (California Government Code Section 65800, et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific zone district, are required to be consistent with the general plan.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Land Use Element are applicable to the project (City of Hesperia, 2010):

Goal LU-8 Provide for a fiscally sound and balanced mix of land uses with the best and most efficient use of infrastructure and services. Development shall occur in an orderly, beneficial manner that does not fiscally impact the existing community.

Policy LU-8.1 Ensure that new development is fiscally sound and able to pay for the infrastructure and services needed to support it, in order to protect the City and existing residents from incurring additional costs to support growth.

Policy LU-8.5 Adopt design standards which will assure land use compatibility and enhance the visual environment, by providing attractive, aesthetically pleasing development which is sensitive to the unique local characteristics of the Hesperia community.

Environmental Setting

The project area is within APNs 0408-182-14, 0408-182-10, and 0408-182-02, which include the existing storm drain inlet structure and land surrounding the storm drain inlet structure. Land uses within the project area include Specific Plan – Office Commercial and Specific Plan – Low Density Residential (City of Hesperia, 2023).

Discussion of Checklist Responses

a. Would the project physically divide an established community?

No Impact. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within the existing community or between a community and outlying areas. The project would not divide the community because it would include replacement of the existing storm drain inlet structure with a sediment and debris basin, and the structure would not create a barrier to existing access. This replacement would not result in any long-term changes in access to and from nearby neighborhoods. Therefore, the project would result in no impact related to the division of an established community.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. As shown in **Table 8**, the project would be consistent with existing General Plan policies. Therefore, the project would result in no impact related to conflicting with a land use plan, policy, or regulation.

Table 8: Consistency with General Plan

General Plan Policy	Project Consistency Evaluation
LU-8.1: Provide for a fiscally sound and balanced mix of land uses with the best and most efficient use of infrastructure and services. Development shall occur in an orderly, beneficial manner that does not fiscally impact the existing community.	**Consistent.** The project would include replacing an ineffective storm drain inlet with an improved sediment and debris basin to reduce flooding, which would benefit the community.
LU-8.5: Adopt design standards which will assure land use compatibility and enhance the visual environment, by providing attractive, aesthetically pleasing development which is sensitive to the unique local characteristics of the Hesperia community.	**Consistent.** Design of the sediment and debris basin would be similar to the existing condition and is compatible with the existing land use.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in no impact on land use. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for land use.

4.12 Mineral Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796) encourages the production, conservation, and protection of California's mineral resources. SMARA requires that the State Mining and Geology Board map areas throughout the State of California that contain regionally significant mineral resources. These mineral resources are classified based on the Mineral Resource Zone (MRZ) system, which classifies MRZs into four categories:

- MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- MRZ-3: Areas containing mineral deposits for which the significance cannot be determined from available data.
- MRZ-4: Areas where available information is inadequate for assignment of any other MRZ category.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element are applicable to the project (City of Hesperia, 2010):

Policy CN-7.5 Promote the utilization of environmentally sensitive construction materials to limit impacts on the ozone, global climate change and mineral resources.

Environmental Setting

The county produces three primary mineral commodities and has multiple active mines. Within the city, types of mineral resources include sand, gravel, and stone, and are primarily in the wash areas and Summit

Valley (City of Hesperia, 2010). The project area is designated as MRZ-4, or areas where available information is inadequate for assignment of any other MRZ category (Shumway & Hill, 1995).

Discussion of Checklist Responses

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The project area is not within a known mineral resource area. Therefore, the project would result in no impact related to mineral resources.

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. See discussion in response (a) above.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in no impact on mineral resources. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for mineral resources.

4.13 Noise

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:					
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?	☐	☐	☐	☒

The following discussion incorporates the results of the Construction Noise & Groundborne Vibration Impact Analysis Technical Memorandum that was prepared for this project (AMBIENT Air Quality & Noise Consulting, 2025b).

Regulatory Setting

Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual

The Federal Transit Administration has identified criteria for the assessment of construction-generated noise levels. For noise-sensitive land uses, the Federal Transit Administration's recommended detailed analysis of construction noise identifies daytime and nighttime noise standards of 80 dBA equivalent continuous sound pressure level (L_{eq}) and 70 dBA L_{eq}, respectively. These thresholds are based on an 8-hour average (AMBIENT Air Quality & Noise Consulting, 2025b).

Local Regulations

City of Hesperia Municipal Code

The City of Hesperia Municipal Code, Chapter 16.20, General Regulations, Section 16.20.125-Noise, identifies noise standards for various noise-generating sources. Temporary construction, repair, or demolition activities between the hours of 7:00 a.m. and 7:00 p.m., except Sundays and federal holidays, are exempt from the City's noise standards. Municipal Code Chapter 16.20, General Regulations, Section 16.20.130-Vibration establishes a vibration standard of 0.2 inches per second peak particle velocity (in/sec ppv). As with the City's noise standards, temporary construction, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and federal holidays, are exempt from the City's vibration standards (AMBIENT Air Quality & Noise Consulting, 2025b).

City of Hesperia General Plan

The following goals and policies from the General Plan Noise Element are applicable to the project (City of Hesperia, 2010):

Goal NS-1 To achieve and maintain an environment which is free from excessive or harmful noise through identification, control and abatement.

Policy NS-1.1 Incorporate noise reduction features during site planning and into land use planning decisions to mitigate anticipated noise impacts on affected noise-sensitive land uses.

Policy NS-1.2 Control and abate undesirable sounds through the use of the land use compatibility criteria shown in Exhibit NS-1, Table N-3, and Municipal Code Section 16.20.125(B).

Policy NS-1.10 Limit the hours of construction activity in, and around, residential areas in order to reduce the intrusion of noise in the early morning and late evening hours and on weekends and holidays.

Policy NS-1.13 Ensure adequate noise control measures at construction sites by requiring that construction equipment be fitted with manufacturer-recommended mufflers and ensuring physical separation of machinery maintenance and staging areas from adjacent residential uses.

Goal NS-2 To achieve and maintain an environment which is free from excessive vibration.

Policy NS-2.1 Control exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels as set forth in Table NS-1 and Municipal Code Section 16.20.130.

Environmental Setting

The land adjacent to the project area includes a mix of predominantly commercial and residential land uses. Undeveloped lots are to the north, east, and west of the project area. The nearest sensitive land use is residential land adjacent to and west of the project area, along Walnut Street. In addition, a place of worship (The Church of Jesus Christ of Latter-day Saints) is approximately 430 feet southeast of the project area, along Hickory Avenue.

The nearest airport is Hesperia Airport, approximately three miles southeast of the project area. The project area is not within the projected noise contour zones of Hesperia Airport.

Discussion of Checklist Responses

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

Less Than Significant With Mitigation Incorporated. During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. **Table 9** summarizes noise levels produced by construction equipment commonly used on roadway and bridge construction projects.

Table 9. Typical Construction Equipment Noise Levels

Equipment	Noise Level (dBA at 50 feet)	
	L_{max}	L_{eq}
Bulldozers	82	78
Concrete Mixer Truck	79	75
Dump Trucks	77	73
Excavator	81	77
Grader	85	81
Rollers	80	73

Notes: Based on measured instantaneous noise levels (L_{max}), average equipment usage rates, and calculated average-hourly (L_{eq}) noise levels derived from the FHWA Roadway Construction Noise Model.

Source: (AMBIENT Air Quality & Noise Consulting, 2025b)

As noted in **Table 9**, noise levels generated by individual pieces of construction equipment typically range from approximately 77 to 85 dBA L_{max} at 50 feet. Typical operating cycles may involve two minutes of full power, followed by three to four minutes at lower settings. Average-hourly noise levels associated with construction equipment generally range from approximately 73 to 81 dBA L_{eq} at 50 feet (AMBIENT Air Quality & Noise Consulting, 2025b).

Predicted construction-generated noise levels at the nearest residence for each construction phase is provided in **Table 10**. As noted in **Table 10**, construction noise levels at the nearest residence would range from approximately 80 to 83 dBA L_{eq}, depending on the phase of construction. Predicted noise levels at this nearest residence would exceed the daytime standard of 80 dBA L_{eq}. Night work would not be conducted, so noise levels would not exceed nighttime standards.

Table 10. Predicted Construction Noise Levels at Nearest Noise Sensitive Land Use

Activity[1]	Predicted Noise Level (dBA L_{eq})[1]	Threshold[2] (Daytime/Nighttime)	Exceeds Threshold? (Daytime/Nighttime)
Demolition	81	80/70	Yes/No
Site Preparation	80	80/70	Yes/No
Grading/Excavation	81	80/70	Yes/No
Construction	80	80/70	Yes/No
Asphalt Paving	83	80/70	Yes/No

Notes: 1. Assumes the operation of the two loudest activity equipment operating simultaneously at 45 feet.

2. Thresholds derived from FTA Transit Noise and Vibration Impact Assessment Manual. To be conservative, predicted noise levels equaling the threshold were considered to potentially exceed.

Source: (AMBIENT Air Quality & Noise Consulting, 2025b)

Because exterior ambient noise levels typically decrease during the evening and nighttime hours, as community activities (e.g., commercial activities, vehicle traffic) decrease, construction activities performed during these more noise-sensitive periods of the day may result in increased annoyance and

potential sleep disruption for occupants of nearby residential dwellings. However, with the implementation of mitigation measures **MM-NOI-1** through **MM-NOI-3**, impacts related to construction-generated noise would be reduced. Implementation of the attenuation measures would reduce off-road equipment noise levels by approximately 10 dBA, or more, reducing the noise levels below the identified thresholds. Following construction, the project would not result in any noise-generating activities. Therefore, the project would result in a less than significant impact with mitigation incorporated related to related to generating noise exceeding standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Construction-related groundborne vibration levels associated with the project would be largely associated with the operation of off-road equipment (e.g., vibratory rollers, hoe rams, bulldozers, trucks, and jackhammers). In addition, the use of pile drivers is anticipated to be required for this project. Groundborne vibration levels commonly associated with off-road equipment used on construction projects are summarized in **Table 11**. As indicated, groundborne vibration levels generated by typical construction equipment (e.g., bulldozers, rollers, trucks) would range from approximately 0.003 to 0.21 in/sec ppv at 25 feet.

Table 11. Representative Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity at 25 Feet (in/sec ppv)
Vibratory Rollers	0.210
Large Bulldozers	0.089
Loaded Trucks	0.076
Small Bulldozers	0.003

Notes: In/sec ppv = inches per second peak particle velocity

Source: (AMBIENT Air Quality & Noise Consulting, 2025b)

The nearest existing structure/sensitive land use is a residential dwelling adjacent to and west of the project area, approximately 45 feet from the nearest onsite construction area (perimeter road). Assuming a maximum equipment vibration level of 0.210 in/sec ppv at 25 feet, predicted groundborne vibration levels associated with project construction would be approximately 0.098 in/sec ppv, or less, at this residence. Predicted groundborne vibration levels would not exceed the threshold of 0.2 in/sec ppv. Construction activities would be short-term and potential disturbance associated with groundborne vibration would be minimal. Operation of the project would not result in any vibration-generating activities. Therefore, the project would result in a less than significant impact related to generation of excessive groundborne vibration.

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

No Impact. The project area is not within two miles of a public airport or within the projected noise contour zones of Hesperia Airport. Therefore, the project would result in no impact related to an airport land use plan.

Avoidance, Minimization, and/or Mitigation Measures

To attenuate potential impacts related to construction noise and vibration levels, the following measures would be implemented:

MM-NOI-1 Construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. Construction activities shall be prohibited on Sundays and federal holidays.

MM-NOI-2 Off-road construction equipment shall be fitted with mufflers and engine shrouds in accordance with equipment manufacturer's specifications.

MM-NOI-3 Off-road equipment and on-road vehicles shall not idle when not in use.

4.14 Population and Housing

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

No federal, state, or local regulations are applicable to the project.

Environmental Setting

According to the 2020 U.S. Census population estimate, Hesperia has a population of 99,818 individuals and a total of 30,344 housing units (United States Census Bureau, 2020).

Discussion of Checklist Responses

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

No Impact. Construction workers would be present temporarily but are not expected to contribute to population growth within the regional area. The project would not include the construction of new homes or businesses. In addition, the project would not increase capacity of any roadway and would not influence growth in the project area. Therefore, the project would result in no impact related to population growth.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The project would not require any temporary or permanent easements or acquisitions that could result in the displacement of housing units or people. Therefore, the project would result in no impact related to displacing people or housing.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in no impact on population and housing. Therefore, the project would not require avoidance, minimization, and/or mitigation Measures for population and housing.

4.15 Public Services

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i. Fire protection?	☐	☐	☒	☐
	ii. Police protection?	☐	☐	☒	☐
	iii. Schools?	☐	☐	☒	☐
	iv. Parks?	☐	☐	☐	☒
	i. Other public facilities?	☐	☐	☒	☐

Regulatory Setting

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Land Use Element are applicable to the project (City of Hesperia, 2010):

Goal LU-5 Designate and protect land for public uses to serve the needs of the community for schools, parks, community facilities, open space, utilities and infrastructure.

Policy LU-6.7 Encourage the development of public facilities in a manner which assures adequate levels of service, while remaining compatible with existing and future land uses.

Environmental Setting

Emergency services that serve the project area include the City's Police Department and County's Fire Department. The nearest fire station is San Bernardino County Fire Station 301, approximately 0.3 mile southeast of the project area. The nearest police station is the Hesperia Police Department, approximately 0.7 mile northeast of the project area. The nearest hospital, Friendly Medical Center, is 0.1 mile east of the project area. The nearest school is the Options for Youth Charter School, approximately 0.1 mile east of the project area. The nearest park is Hesperia Civic Plaza Park, approximately 0.6 mile northeast of the project area.

Discussion of Checklist Responses

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

i) Fire protection?

Less Than Significant Impact. It is anticipated that continuous access would be provided for vehicles, bicycles, and pedestrians during the entire construction phase. No full or partial street closures are anticipated during construction. During construction, it is anticipated that continuous access would be provided along Walnut Street and Main Street. Limited delays would result from the transportation of construction equipment and materials along Main Street. The project would generate 45 daily haul truck trips for concrete and asphalt delivery and import and export of materials. However, any delays would be temporary and traffic flow would return to existing conditions following completion of construction. The project would not result in induced growth or result in the need for new emergency facilities. Therefore, the project would result in a less than significant impact related to emergency responders.

ii) Police Protection

Less Than Significant Impact. See discussion in response (a.i.) above.

iii) Schools?

Less than Significant Impact. The project would not include residential development or result in an increase in population that would increase the potential number of students within the service area. Main Street is used for access to the Options for Youth Charter School. The project is not anticipated to impact access to the school, and access points on Main Street, Hickory Avenue and 11th Avenue would be maintained during project construction. Therefore, the project would result in a less than significant impact related to schools.

iv) Parks?

No Impact. The project would not include residential development and would not increase the potential number of residents within the service area of the City's Parks and Recreation Department. Furthermore, the project would not impact access to Hesperia Civic Plaza Park. Therefore, the project would result in no impact related to parks.

v) Other Public Facilities?

Less Than Significant Impact. The project would not include residential development and would not increase the potential number of residents within the project vicinity that could result in an increase in demand for other public services such as public libraries or hospitals. During construction, it is anticipated that continuous access would be provided along Walnut Street and Main Street. Limited delays would result from the transportation of construction equipment and materials along Main Street. The project would generate 45 daily haul truck trips for concrete and asphalt delivery and import and export of

materials. However, any delays would be temporary and traffic flow would return to existing conditions following completion of construction. Therefore, the project would result in a less than significant impact related to other public facilities.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on public services. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for public services.

4.16 Recreation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	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.	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Regulatory Setting

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Open Space Element are applicable to the project (City of Hesperia, 2010):

Goal OS-5 Continue to work with the Hesperia Recreation and Park District to create and maintain a diverse park system that includes parks, community facilities, natural open space areas, and trails for residents to enjoy.

Goal OS-6 Provide connectivity among natural open space areas, parks, and regional trails and open spaces with a trails system that allows hiking, bicycling, and equestrian uses.

Policy OS-6.2 Continue to maintain and provide access to open space areas and recreational facilities.

Hesperia Main Street and Highway Corridor Specific Plan

The following goals and policies from the City's Specific Plan Urban Design and Open Space Element are applicable to the project (City of Hesperia, 2010):

Goal UD-3 Take advantage of the City's climate and natural setting while preserving existing open space resources and planning for new resources.

Policy UD-3 Take advantage of the City's climate and natural setting while preserving existing OS resources and planning for new resources.

Policy UD-3.1 Recognize and preserve the washes' multiple functions: a place for recreation, a natural habitat and a natural drainage course.

Policy UD-3.2 Establish a goal of 5 acres of park space per 1,000 residents.

Policy UD-3.3 Create a network of parkways to establish stronger connections between parks.

Environmental Setting

There are no parks or recreational facilities within or adjacent to the project area. The City operates 15 parks and recreational facilities throughout the city (City of Hesperia Recreation & Park District, n.d.). The closest recreational facility is Hesperia Civic Plaza Park, approximately 0.6 mile northeast of the project area. The City maintains and operates this recreational facility.

Discussion of Checklist Responses

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

No Impact. The project would not result in population growth or generate increased demand for recreational facilities. Therefore, the project would result in no impact related to the increased use of existing neighborhoods, regional parks, or recreational facilities.

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

No Impact. The project would not result in population growth or generate increased demand for recreational facilities. Therefore, the project would result in no impact related to the construction or expansion of recreational facilities.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in no impact on recreation. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for recreation.

4.17 Transportation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☒	☐

Regulatory Setting

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Circulation Element are applicable to the project (City of Hesperia, 2010):

Goal CI-1 Develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the city and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, equestrian, rail, air, and public transit needs which will meet current and future development requirements within the planning area.

Policy CI-1.3 Ensure that the appropriate street design is provided for all streets based on their designation on the City's adopted Transportation Plan.

Policy CI-1.10 Ensure that new development provides for adequate road improvements to serve internal circulation needs, as well as to mitigate impacts of increased traffic on the existing road system.

Environmental Setting

I-15 provides regional access to the project area via highway entrances at Main Street from a 6-lane highway that serves much of the southwestern portion of the county. The project area can be accessed via Main Street and Walnut Street, which connect to an existing on-site access road leading to the storm drain inlet structure. Main Street is designated as an evacuation route within Hesperia (City of Hesperia, 2010).

Discussion of Checklist Responses

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

No Impact. The project would not result in changes to traffic volumes or the types of vehicles accessing the site. The project would not result in modifications to the circulation system, and would not conflict with any program, plan, ordinance, or policy. Project construction would be temporary in nature and would not result in long-term effects on transportation. Therefore, the project would result in no impact related to a program, plan, ordinance, or policy regarding the circulation system.

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

No Impact. Section 15064.3, subdivision (b) established new methodology for determining the significance of transportation impacts using vehicle miles traveled (VMT) as the metric for analyzing transportation impacts. The project would not result in alterations to the daily traffic volumes or increase VMT. Therefore, the project would result in no impact related to VMT.

c. Would the project substantially increase hazards due to a geometric design feature or incompatible uses?

No Impact. The project would not result in changes to traffic volumes, types of vehicles accessing the site, or road geometry. The project would not result in hazardous features for vehicles or pedestrians. The proposed access road would be constructed in accordance with relevant regulations and would not be open for public use. Therefore, the project would result in no impact related to a geometric design feature or incompatible use.

d. Result in inadequate emergency access?

Less Than Significant Impact. The project would not require any full or partial street closures during construction. During construction, it is anticipated that continuous access would be provided along Walnut Street and Main Street. Limited delays would result from the transportation of construction equipment and materials along Main Street. The project would generate 45 daily haul truck trips for concrete and asphalt delivery and import and export of materials. Traffic flow would return to existing conditions following completion of construction. Following construction, there would be no change in emergency access. The project would not result in inadequate emergency access. Therefore, the project would result in a less than significant impact related to emergency access.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on transportation. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for transportation.

4.18 Tribal Cultural Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a.	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or	☐	☐	☒	☐
b.	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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

The following discussion incorporates the results of the Cultural and Paleontological Resource Assessment that was prepared for this project (Duke Cultural Resources Managment, LLC, 2025).

Regulatory Setting

State Regulations

CEQA Section 15064.5

Under CEQA, Title 14, CCR Section 15064.5(a)(3), a resource is considered historically significant if it meets one of the following four criteria:

- It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- It is associated with the lives of persons important in our past;
- It embodies the distinctive characteristics of a type, period, region, or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
- It has yielded, or may be likely to yield, information important in prehistory or history.

CEQA requires public agencies and private interests to identify the potential adverse impacts or environmental consequences of their project for any object or site of significance with respect to history. CEQA also provides protection for paleontological remains.

California Public Resources Code

Public Resource Code 21083.2, 5097.5, 30244, and 21084.1

According to PRC 21083.2 (a), if archaeological resources are determined to be significant, then the impacts on that resource should be addressed. PRC 5097.5 prohibits the excavation and/or the removal of a "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands." PRC 30244 requires reasonable mitigation of adverse impacts on paleontological resources resulting from development on public land.

PRC 21084.1 gives the lead agency power to determine that a resource is a historical resource, even if the resource is not listed or eligible for listing in the California Register of Historical Resources or a local register of historical places. In addition, the lead agency can also determine that a resource is a historical resource, even if it is not deemed significant in a historical resource survey.

Native American Heritage Act (Public Resource Code 5097.9)

The Native American Heritage Act, passed by the State of California in 1976, established the NAHC for protecting Native American religious values on state property. The NAHC not only protects the heritage of Native Americans but also ensures their participation in matters concerning heritage sites. The commission's duty is to assist both federal and state agencies in protecting Native American sacred places and provide recommendations concerning Native American heritage in accordance with environmental law and policy. The act protects burials from disturbance, vandalism, and accidental destruction. It also stipulates which specific procedures laid out in the HSC must be implemented if a Native American burial is uncovered during project construction or archaeological data recovery.

Assembly Bill 52 (Public Resource Code 21080.1, 21080.3.1, and 21080.3.2)

As of July 1, 2015, AB 52 requires public agencies to consult with California Native American tribes identified by the NAHC for the purpose of mitigating impacts on tribal cultural resources. AB 52 requires that the lead agency shall provide formal notification to California Native American tribes that have requested notice with a written notification that includes a brief description of the project and its location, the lead agency contact information. The California Native American Tribe has 30 days upon receipt of that notice to request consultation.

California Health and Safety Code Section 7050.5

HSC Section 7050.5 requires that if human remains are discovered during ground disturbing activities, the County Coroner must be notified, and no further disturbance is authorized until the County Coroner has determined the origin and disposition of the remains. If the human remains are determined to be prehistoric, the coroner must notify the NAHC, who determines and notifies the MLD. The MLD then inspects the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Conservation Element are applicable to the project (City of Hesperia, 2010):

Goal CN-5 The City shall establish policies and procedures in compliance with state and Federal laws and regulations to identify and properly protect found historical, cultural and paleontological artifacts and resources.

Policy CN-5.2 In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and record searches shall be undertaken to determine the presence of such resources, if any.

Policy CN-5.3 All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Policy CN-5.5 Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

Environmental Setting

On August 11, 2025, a record search request was submitted for the project area and a 0.5-mile buffer to the SCCIC. No tribal cultural resources were identified by the record searches (Duke Cultural Resources Managment, LLC, 2025).

Native American Consultation

An inquiry to the NAHC was submitted on August 20, 2025 to ascertain the presence of known sacred sites, Native American cultural resources, and/or human remains within the project area. The NAHC responded on August 21, 2025, indicating that the Sacred Lands File was positive for Native American sacred sites within or adjacent to the project area (Duke Cultural Resources Managment, LLC, 2025).

AB 52 consultation outreach was initiated on October 10, 2025, with 11 individuals from seven Native American tribes, including the Morongo Band of Mission Indians, Quechan Indian Tribe of the Fort Yuma Reservation, San Fernando Band of Mission Indians, Serrano Nation of Mission Indians, Twenty-Nine Palms Band of Mission Indians, YSMN, and Torres Martinez Desert Cahuilla Indians. Follow-up emails were sent on October 29, 2025 to those groups with email addresses listed. Additionally, phone calls were made on November 5, 2025, to further elicit responses.

On October 21, 2025, YSMN emailed the City that the project area is within a culturally sensitive landscape for the Tribe and requested government to government consultation pursuant to AB 52. The City responded to the request on November 4, 2025, and the Cultural and Paleontological Resource Assessment prepared for the project was sent to the tribe on December 15, 2025. After review of the Cultural and Paleontological Resource Assessment and location of the project, YSMN acknowledged they

do not have any concerns with implementation of the project as planned. However, on December 22, 2025, YSMN did propose that measures be implemented during project construction. After coordination, the City and YSMN agreed on the proposed measures on January 12, 2025, which concluded AB 52 consultation with the tribe.

On October 29, 2025, the Quechan Indian Tribe of the Fort Yuma Reservation requested the project information via email; however, stated the project is not of interest to the Tribe. No response was received from the Morongo Band of Mission Indians, San Fernando Band of Mission Indians, Serrano Nation of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and Torres Martinez Desert Cahuilla Indians as of November 17, 2025.

Discussion of Checklist Responses

Would the project cause a substantial adverse change in the significance of a tribal cultural resource (TCR), defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k)?

Less Than Significant Impact. Due to the nature of previously disturbed ground disturbance within the project area, the potential to unearth unknown, potentially intact buried tribal cultural resources that might be eligible for NRHP listing is low. However, construction would include ground disturbing activities that could unearth tribal cultural resources, should they be present in the project area. If tribal cultural resources are unearthed, implementation of the avoidance and minimization measures **CUL-1** through **CUL-3**, **TCR-1**, and **TCR-2**, which were developed in coordination with YSMN, would be implemented. Therefore, the project would result in a less than signification impact related to tribal cultural resources.

b. 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact. See discussion in response (a) above.

Avoidance, Minimization, and/or Mitigation Measures

CUL-1 and **CUL-2** are also applicable to minimizing tribal cultural resources impacts. See avoidance, minimization, and mitigation measures in *Section 4.5 Cultural Resources*. To avoid and/or minimize potential impacts on tribal cultural resources, the following measures would be implemented:

TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resources 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 (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan would be created by the archaeologist, in coordination with

YSMN, and all subsequent finds would be subject to this Monitoring and Treatment Plan. The Monitoring and Treatment Plan would 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 Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the construction of the project.

4.19 Utilities and Service Systems

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

State Regulations

California Assembly Bill (AB) 939 (California Integrated Waste Management Act)

AB 939 (California Integrated Waste Management Act) requires each city and county to divert 50 percent of its solid waste from landfill disposal through source reduction, recycling, and composting.

Senate Bill 1016 (The Solid Waste Disposal Measurement Act)

Senate Bill 1016 (The Solid Waste Disposal Measurement Act) was implemented to provide a simplified measure of a jurisdiction's performance in accordance with AB 939 by moving to a per capita disposal rate.

Environmental Setting

Water

The Hesperia Water District provides service to approximately 94,000 people. The City's water distribution system consists of over 600 miles of pipeline, 5,000 fire hydrants, 27,000 service lines, and 14,000 valves used to isolate sections of water mains (City of Hesperia, n.d.). The City's water supply is derived from 15 groundwater wells throughout the service area.

Wastewater

The City's wastewater is collected by 150 miles of sewer main and serviced using 2,300 manholes. The City's effluent wastewater flows to the Victor Valley Wastewater Reclamation Authority regional and sub-regional treatment facilities.

Solid Waste

Solid waste disposal services are provided by the City's franchise waste hauler, Advanced Disposal. Advanced Disposal implements the California Green Building Code Standards, which requires construction and demolition projects to develop a waste management plan to divert a minimum of 65 percent landfill-bound waste from qualifying projects.

Electricity and Gas

Southern California Edison (SCE) is the primary provider of electric power in the city and provides electricity to over 98,000 residents and businesses. The Southwest Gas Corporation is the primary provider of natural gas to the city.

Discussion of Checklist Responses

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

Less than Significant Impact. The project would not require the relocation of existing facilities; however, the project would include constructing a new sediment and debris basin that would connect to the existing storm drain inlet structure. During construction, the existing storm drain inlet structure would remain operational and be able to convey storm water runoff. Following the completion of construction, the sediment and debris basin would reduce flooding and flow capacities, allowing sediment to settle from runoff prior to entering the storm drain system. The City is constructing a Capital Improvement Project downstream of the proposed sediment and debris basin, which would better control flows before they discharge to natural areas (City of Hesperia, 2025).

The project would not result in modifications to wastewater facilities or require additional facilities. During construction, sanitary needs would be met by using portable toilets. Once in operation, the project would not result in the generation of wastewater.

The project is anticipated to alter drainage patterns within the project area. The project would result in an increase of 1.2 acres of net new impervious surface area and 0.16 acre of replaced impervious surface

area. However, the new sediment and debris basin would be designed to accommodate increased stormwater flows and reduce flooding in the project area. Therefore, the project would result in a less than significant impact related to the construction or relocation of utilities.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. Project construction would require the use of a minimal amount of water for dust control. Operation of the project would not require the use of water, and would not increase population or alter the distribution of the population in the project such that additional water supplies would be required. Therefore, the project would result in a less than significant impact related to water supplies available to serve the project.

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

No Impact. The project would not require the need for wastewater treatment. Therefore, the project would result in no impact related to wastewater treatment capacity.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. During construction, solid waste would be collected and disposed of at one or more of the appropriate landfills and/or transfer station facilities nearby. The excavated material would be imported to a City disposal site, located at Escondido Avenue and Cromdale Street. Construction would not 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. No solid waste would be generated during project operation and the project would not result in a permanent increase in solid waste generation. The sediment and debris build up would be disposed of off-site similar to existing procedures. Therefore, the project would result in a less than significant impact related to solid waste management, regulations, generation, and local infrastructure capacity.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. Construction of the project would result in short-term needs for the disposal of solid waste, and would be conducted in compliance with federal, state, and local regulations related to solid waste. Operation of the project would not result in the generation or disposal of solid waste. Therefore, the project would result in no impact related to federal, state, and local management and reductions statutes and regulations related to solid waste.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on utilities and service systems. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for utilities and service systems.

4.20 Wildfire

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
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?	☐	☐	☐	☒

Regulatory Setting

State Regulations

Government Code Section 51179

California Government Code Section 51179 requires the California Department of Forestry and Fire Protection to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors (California Department of Forestry and Fire Protection, 2013). These areas at risk of interface fire losses are referred to by law as "Fire Hazard Severity Zones" (FHSZ). The law requires different zones to be identified (Moderate to Very High). All "State Responsibility Areas" and any "Fire Hazard Severity Zone" designations require wildfire protection building construction and defensible space regulations, with limited exceptions. Wildfire protection building construction and defensible space regulations require managing the hazardous vegetation around houses to reduce the potential severity of wildfire exposure.

Local Regulations

City of Hesperia General Plan

The following goals and policies from the General Plan Safety Element are applicable to the project (City of Hesperia, 2010):

Goal SF-5 Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Environmental Setting

Land uses within the project area include Specific Plan – Office Commercial and Specific Plan – Low Density Residential (City of Hesperia, 2023). The General Plan designated Main Street as an evacuation route for the city (City of Hesperia, 2010).

The project area is within a Local Responsibility Area, meaning the financial responsibility of preventing and suppressing wildfires is primarily the responsibility of the city and county. The project area is not in an area with moderate fire risk. The nearest FHSZ is 1.5 miles northeast of the project area, designated as an area with moderate fire risk (CalFire, 2025). Vegetation and wind are key factors when determining fire risk. Vegetation that has high oil or resin content, dry leaves or bark provide a better fuel source for wildfires. High winds supply more oxygen, carry embers, and spread flames, which exacerbate fire risk. There are small shrubs and low cover vegetation on the undeveloped land north and west of the storm drain inlet structure. The terrain surrounding the storm drain inlet structure is primarily flat with no substantial landforms. Hesperia experiences high winds, with daily winds of 10.9 miles per hour (CIty of Hesperia, 2025).

Discussion of Checklist Responses

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. Main Street is designated as an evacuation route for the city (City of Hesperia, 2010). The project does not require work on Main Street; however, the movement of construction vehicles along Main Street may result in delays. Limited delays would result from the transportation of construction equipment and materials along Main Street during construction. The project would generate 45 daily haul truck trips for concrete and asphalt delivery and import and export of materials. However, any delays would be temporary and traffic flow would return to existing conditions following completion of construction. Therefore, the project would result in a less than significant impact related to an emergency response plan or emergency evacuation plan.

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

Less Than Significant Impact. The project area is in an area with high winds. Construction and maintenance of the sediment and debris basin would require equipment that could create sparks. The presence of construction equipment and fuel sources could temporarily exacerbate fire risk in the project area. The proposed sediment and debris basin would be installed in accordance with standard practices to prevent the risk or spread of fire and would not exacerbate fire risk or result in temporary or ongoing impacts on the environment. The project would not result in an increased risk of pollutant emissions from wildfire or uncontrolled spread of wildfire. Therefore, the project would result in a less than significant

impact related to wildfire pollutant exposure.

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

Less than Significant Impact. A maintenance road and fencing would be constructed around the sediment and debris basin as part of the project. Construction and maintenance of the sediment and debris basin and associated project features would require the use of combustible equipment that could create sparks. The presence of construction equipment and fuel sources could temporarily exacerbate fire risk in the project area. BMPs, including site vegetation management, would be implemented to reduce the potential for fire hazards in the project area. In addition, the proposed sediment and debris basin would be installed in accordance with standard practices found in the Local Hazard Mitigation Plan to prevent the risk or spread of fire and would not exacerbate fire risk or result in temporary or ongoing impacts on the environment (City of Hesperia, 2024). Therefore, the project would result in a less than significant impact related to risk of fire from associated infrastructure.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impact. See discussion in response (b) above.

Avoidance, Minimization, and/or Mitigation Measures

The project would result in a less than significant impact on wildfire. Therefore, the project would not require avoidance, minimization, and/or mitigation measures for wildfire.

4.21 Mandatory Findings of Significance

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion of Checklist Responses

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

Less Than Significant With Mitigation Incorporated. The project would not substantially degrade the quality of the environment. In addition, the project would be constructed in compliance with all required permits. As described in the *Biological Resources* section, measures **BIO-1** through **BIO-12** and **MM-BIO-13** would be implemented to avoid or minimize impacts on biological resources. The *Cultural Resources* and *Tribal Cultural Resources* sections describe measures **CUL-1** through **CUL-3**, **TCR-1**, and **TCR-2**, which would avoid or minimize impacts on cultural and tribal resources. Therefore, the project would result in a less than significant impact with mitigation incorporated on the quality of the environment, fish or wildlife species habitat, fish or wildlife population, plant or animal communities, number or restricting the range of a rare or endangered plant or animal, or important examples of the major periods of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable?

Less Than Significant Impact With Mitigation Incorporated. According to 14 CCR § 15355, "Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or

which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment which results from the incremental impact when added to other closely related past, present, and reasonably foreseeable future projects. **Table 12** provides a summary of projects within two miles of the project area, which is used in the cumulative impacts analysis.

Table 12. Projects Within Two Miles of the Project Area

Project Name	Project Description	Project Location in Relation to Project Area	Status
H-01 Drainage Facility - Section 3A (Fourth Avenue to Third Avenue)	The project includes flood control improvements to control flows.	Approximately 1.4 mile northeast of the project area.	Right-of-way (ROW) acquisition was completed in Fiscal Year (FY) 2024-25. Preliminary engineering is planned to begin in FY 2025-26.
A-04 Drainage Program	The project includes flood control improvements such as a new detention basin, low flow outlet, and spillway.	Approximately 1.7 mile west of the project area.	Pursuit of grant funding opportunities began in FY 2017-18. ROW acquisition, design, and environmental clearance may begin in phases as funding is secured.

Source: (City of Hesperia, 2025)

There are two planned projects within two miles of the project area that could be constructed at the same time as the project. The project would result in temporary impacts on the environment during construction; however, all projects would be constructed in compliance with the applicable laws and regulations. In addition, the project would not result in operational impacts on the environment. Implementation of **VIS-1**, **BIO-1** through **BIO-12** and **MM-BIO-13**, **CUL-1** through **CUL-3**, **GEO-1**, **HAZ-1** and **HAZ-2**, **MM-NOI-1** through **MM-NOI-3**, and **TCR-1** and **TCR-2** would further reduce impacts. Therefore, project impacts would be less than cumulatively considerable with mitigation incorporated.

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

Less Than Significant Impact With Mitigation Incorporated. The project would not result in environmental impacts that would have environmental effects causing substantial adverse effects on human beings, directly or indirectly. Impacts associated with aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, and noise would be reduced with implementation of **VIS-1**, **BIO-1** through **BIO-12** and **MM-BIO-13**, **CUL-1** through **CUL-3**, **GEO-1**, **HAZ-1** and **HAZ-2**, **MM-NOI-1** through **MM-NOI-3**, and **TCR-1** and **TCR-2**. Therefore, the project would result in less than significant impacts with mitigation incorporated related to adverse environmental effects on human beings.

5.0 List of Preparers

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6.0 List of Technical Studies

The following studies were prepared for this environmental document:

- AMBIENT Air Quality & Noise Consulting. Construction Air Quality & Greenhouse Gas Impact Analysis for the Walnut Basin Project. 2025.
- AMBIENT Air Quality & Noise Consulting. Construction Noise & Groundborne Vibration Impact Analysis for the Walnut Basin Project. 2025.
- Crawford & Associates. Limited Phase I Initial Site Assessment – Walnut Basin Project. 2025
- Duke Cultural Resources Management, LLC. Cultural and Paleontological Resource Services for the Walnut Basin Project, City of Hesperia, San Bernardino County, California. 2025.
- GPA Consulting. Aquatic Resource Delineation – Hesperia Walnut Street Debris Basin Project, Hesperia, California. 2025
- GPA Consulting. Biological Resources Assessment – Hesperia Walnut Basin Project, Hesperia, California. 2025
- GPA Consulting. Burrowing Owl Focused Survey Report – Hesperia Walnut Street Debris Basin Project, Hesperia, California. 2025

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