TOWN OF APPLE VALLEY

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Project Title:	Project Jupiter Distribution Warehouse
Case No.	Site Plan Review 2015-001
Assessor's Parcel No.	046-323-107, -108, -110, -160; 046-323-126, -127, -128; 046-323-142 and -143
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Southwest corner of Navajo Road and Lafayette Street
Project Sponsor's Name and Address:	Todd Noethen, Vice President AVDC Inc. 300 Phillips Road Columbus, OH 43228
General Plan Designation(s):	Specific Plan (North Apple Valley Industrial Specific Plan)
Zoning:	Specific Plan (North Apple Valley Industrial Specific Plan)
Contact Person:	Carol Miller Principal Planner Town of Apple Valley
Phone Number:	(760) 240-7000, ext. 7222
Date Prepared	April, 2016

Description of the Project

The proposed project will develop a 106.5 acre parcel to accommodate a 1,360,875 square foot distribution center and associated ancillary facilities. The project occurs within the boundary of the North Apple Valley Industrial Specific Plan (Specific Plan), which was adopted by the Town in October of 2006. At that time, the Town also certified an Environmental Impact Report (EIR) for the entire Specific Plan area. Since the certification of the EIR, small projects have developed within the Specific Plan area, but the area remains mostly undeveloped.

The distribution warehouse will consist of a single, 45 foot high building consisting primarily of warehouse space. Ancillary office space, including administration, shipping and receiving offices, are included in the building envelope. Separate guard house (510 square feet) and fire pump house (1,080 square feet) buildings are proposed on the east side of the site, at the project entrance. Parking areas, located on the east and south sides of the site, will accommodate 606 automobiles, as well as 60 tractor spaces, 222 trailer shipping spaces, and 450 trailer receiving spaces. The site plan has also been designed to include storm water retention facilities on the west side of the site consistent with the requirements of the Town, the Regional Water Quality Control Board, and the Specific Plan.

The project also includes off-site improvements. These include roadway improvements to Navajo Road, Lafayette Street, and Dachshund Avenue; water main relocation and extensions on the frontage roadways; and undergrounding of power lines on Navajo Road.

An ephemeral stream crosses the site trending northeast to southwest. The streambed is proposed to be entirely relocated to the margins of the site pursuant to a Streambed Alteration Agreement between the applicant and the California Department of Fish & Wildlife as part of the project (see Biological Resources section, below).

Access to the site will be provided by a two-way driveway on Navajo Road, immediately opposite Burbank Street.

This MND/Initial Study tiers off the Specific Plan Environmental Impact Report (EIR), SCH #2006031112, which is available for review at the Town's Offices (14955 Dale Evans Parkway). This EIR was prepared to review the environmental constraints and opportunities associated with the adoption of the North Apple Valley Industrial Specific Plan. In addition to assessing the impacts associated with the Specific Plan and instituting mitigation measures, the EIR was designed to be used as an information database to facilitate the streamlining, or tiering of the environmental review process for subsequent projects proposed within the Specific Plan boundary. The prior EIR determined that all environmental impacts resulting from the construction and implementation of the Specific Plan would be less than significant with the imposition of appropriate mitigation measures, with the exception of Air Quality impacts, which were identified as significant and unavoidable. The EIR is incorporated into this document in its entirety by this reference.

The proposed project is consistent in size, land use, intensity and design with the development anticipated, analyzed, and approved as part of the approved Specific Plan and EIR. Specifically, the Specific Plan projected – and the EIR analyzed – that over 39,000,000 square feet of industrial development would be constructed and operated on 4,937 acres (EIR, Tables III-1 and III-2). Specific Plan Table III-1, Allowable Uses, specifically permits warehousing and distribution uses, like those proposed by the project, with approval of a Site Plan Review Permit, (Specific Plan page III-3 ff).

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

In the following resource areas, the EIR identified mitigation measures that would be applicable to all subsequent developments: Land Use Compatibility, Traffic/Circulation/Parking, Soils and Geology, Hydrology, Water Resources/Quality, Biological Resources, Cultural Resources, Air Quality, Hazardous and Toxic Materials, Jobs and Housing, and Public Services/Facilities.

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

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

Environmental Setting and Surrounding Land Uses

The project site is currently vacant desert land. Adjacent to the site, surrounding land uses include the following:

North: Existing Walmart distribution center and vacant land.

South: Vacant land.

East: Existing industrial building at the northeast corner of Navajo Road and Lafayette Street, vacant land on the east side of Navajo Road.

West: Vacant land, and Dale Evans Parkway beyond.

Other public agencies whose approval is required

California Regional Water Quality Control Board (Waste Discharge Requirements)
California Department of Fish and Wildlife (Streambed Alteration Permit)
State Water Resources Control Board/Regional Water Quality Control Board (Construction Stormwater Permit)

Exhibit 1 – Regional Location Map

Exhibit 2 – Project Aerial

Exhibit 3 – Project Site Plan

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding site-specific discussion on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gases	☐ Hydrology/Water Quality	☐ Land Use/Planning
☒ Hazards & Hazardous Materials		
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/ Traffic
☐ Utilities/Service Systems	☒ Mandatory Findings of Significance	

DETERMINATION: The Town of Apple Valley Planning Department has determined, on the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Carol Miller
Principal Planner

Date

PURPOSE OF THIS INITIAL STUDY

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

EVALUATION OF ENVIRONMENTAL IMPACTS

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

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact Aesthetics, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

Discussion of Impacts

a) **Less Than Significant Impact.** The proposed project site is currently vacant, and located in the heart of the Town's industrial area. Lands on all sides are zoned Industrial Specific Plan, and are part of the Specific Plan. Lands on and surrounding the project site are generally flat, and consist of alluvial deposits bisected by minor drainage features. Lands surrounding the proposed project are generally vacant on its west, east and south sides. Lands to the north of the project site are vacant at its eastern border, but consist primarily of the existing Walmart distribution center, a use and site layout very similar to that proposed for the project site.

The EIR identified sensitive viewsheds as those visible from Dale Evans Parkway and from surrounding residential development, locating in the Specific Plan vicinity. The proposed project is located 2,900 feet east of Dale Evans Parkway and approximately 1.25 miles from the nearest residence. Therefore, the project will not have any site-specific impacts on scenic vistas.

As previously set forth in the EIR, views in the area consist primarily of distant mountain views to the west and north. The proposed project site is located in an area that is generally flat, and will result in blockage of views from industrially zoned properties to its south and east. From surrounding streets, views to the north on Navajo Road will not be impacted by the proposed project, but views to the west will be temporarily reduced as cars travel the road, particularly the view of Bell Mountain to the west. Views from Lafayette Street will not be impacted by the proposed project, insofar as the views from this street are to the west and north. The site and surrounding lands are designated for industrial development, which,

unlike residential development, is not impacted by the reduction of scenic vistas. Impacts associated with scenic vistas are expected to be less than significant.

b) **No Impact.** There are no scenic trees, rock outcroppings or historic buildings on the project site, nor is the proposed project located on a scenic highway. There will be no impact to scenic resources.

c) **Less Than Significant Impact.** The proposed project will have a less than significant impact on the visual character of the area. The area surrounding the project site includes native lands, a large warehouse building to the north, and smaller industrial buildings to the northeast. The proposed project consists of the same type of industrial building as those that occur to its north and northeast. The proposed project will consists of a 45 foot tall warehouse building, which is below the maximum building height permitted in the Specific Plan and analyzed in the EIR. (See EIR pp. III-147 through III-149.). The project's finishes and colors will be reviewed for consistency with the Specific Plan's design guidelines prior to the issuance of building permits. Impacts associated with visual character are expected to be less than significant.

d) **Less Than Significant Impact.** The proposed project will generate light and glare, primarily from truck and automobile lights and building security lighting associated with the project's 24-hour operation. These light and glare characteristics are consistent with those allowed in the Specific Plan and analyzed in the EIR. Specifically, the EIR requires that all lighting be consistent with the dark sky policies in the Town's General Plan. The project shall limit outdoor lighting to the minimum needed for security and identification, and light levels at the boundaries of the project site are not permitted to spill past its boundary. As shown on the photometric plan submitted for the proposed project, as currently designed, site lighting will comply with the Specific Plan's and the Town's requirements for lighting. Accordingly, impacts associated with light and glare will be less than significant.

II. AGRICULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Introduction

The Specific Plan EIR, in its Notice of preparation, found that the development of the Specific Plan would have no impact on agricultural resources, because there are no agricultural land in the Plan area. There have been no changes in conditions, and no agricultural activities have been initiated in the area of the Specific Plan since the certification of the EIR.

Discussion of Impacts

a-c) ***No Impact.*** The proposed project is located in an area that currently consists of vacant desert lands. The project area, and all surrounding lands, are designated for industrial development. No agricultural development occurs on or in the vicinity of the proposed project. There are no Williamson Act contracts on or in the vicinity of the proposed project. There will be no impact to agricultural resources.

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Result in significant construction-related air quality impacts?	☐	☐	☒	☐
e) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact Air Quality, and included a number of mitigation measures to reduce these impacts to the greatest extent feasible. The proposed project will be subject to these mitigation measures. However, the EIR also found that even with implementation of mitigation measures, the impacts associated with air quality at build out of the Specific Plan would remain significant and unavoidable. The Town adopted Findings and a Statement of Overriding Considerations, which found that the benefits associated with build out of the Specific Plan outweighed the potential impacts to air quality.

Discussion of Impacts

The Specific Plan and EIR provided a comprehensive mitigation program to reduce all construction and operational air quality emissions to the fullest extent feasible. The EIR mitigation measures are provided below. In view of this, the EIR does not impose any requirement for further site-specific analysis where, as here, site-specific proposals are consistent with and within the scope of the EIR's analysis.

Nonetheless, in order to confirm the project's impacts to air quality are within the scope of the EIR's analysis, the CalEEMOD model was used. Development of the proposed project will impact air quality during construction activities and over the long term operation of the project. These impacts are discussed below.

a) Less Than Significant Impact. The Town of Apple Valley is subject to the jurisdiction of the MDAQMD which sets forth policies and other measures designed to help the District achieve federal and state ambient air quality standards. These rules, along with the MDAQMD CEQA and Federal Conformity Guidelines[1], are intended to satisfy the planning requirements of both the federal and state Clean Air Acts. The MDAQMD also monitors daily pollutant levels and meteorological conditions throughout the District.

The Apple Valley General Plan Land Use Plan serves as the basis for the assumptions used in the MDAQMD's planning documents for air quality maintenance and improvement. The project is consistent with the Town's General Plan, and with development already occurring in the area. Therefore, it will not exceed AQMP assumptions or criteria, or result in inconsistencies with the AQMP.

b)-e) Less Than Significant Impact. In order to calculate the potential impacts to air quality from the proposed project, it was assumed that construction would occur in 2017, and that the first operational year for the project would be 2018.

Criteria Air Pollutants

Criteria air pollutants will be released during both the construction and operational phases of the project. The California Emissions Estimator Model (CalEEMod Version 2013.2.2) was used to project air quality emissions generated by the proposed project.

Construction Emissions

The EIR fully analyzed worst-case construction emissions. (See EIR p. III-58.) Based on those worst-case assumptions, all construction emission impacts were projected to be less than significant. Nonetheless, site-specific construction emission modeling was performed for the proposed project. The construction analysis includes all aspects of project development, including site preparation, grading, building construction, paving, and application of architectural coatings. As shown in Table 1, none of the analyzed criteria pollutants will exceed regional emissions thresholds during the construction phase. Construction air quality impacts of the proposed project will be less than significant.

Table 1
Construction-Related Emissions Summary
Jupiter, Apple Valley
(pounds per day)

Construction Emissions[1]	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
2016	203.02	99.14	123.34	0.29	21.15	12.67
2017	185.02	89.60	121.24	0.29	18.77	7.66
MDAQMD Thresholds	548.00	137.00	137.00	137.00	82.00	82.00
Exceed?	No	No	No	No	No	No

[1] Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2 output tables generated 10.3.15

[1] "Mojave Desert Air Quality Management District California Environmental Quality Act and Federal Conformity Guidelines," prepared by the Mojave Desert Air Quality Management District, May 2006.

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the project. Emission sources include area sources (such as consumer products and landscape equipment), energy consumption, and mobile sources.

As set forth above, the EIR analyzed operational emission that would occur as a result of build out of the Specific Plan and found them to be significant and unavoidable. (EIR Table III-25.) Site-specific operational emission analysis was conducted in order to confirm whether the proposed project – on its own – would result in significant operational air quality impacts. Table 2 summarizes the results of that site-specific analysis. The data represent worst-case averaged summer or winter emissions. As shown, none of the analyzed criteria pollutants will exceed emissions thresholds, and site-specific operational impacts will be less than significant.

Table 2
Operational Emissions Summary
Jupiter, Apple Valley
(pounds per day)

	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
Operational Emissions[1]	218.26	49.22	81.88	0.35	22.74	6.61
MDAQMD Thresholds	548.00	137.00	137.00	137.00	82.00	82.00
Exceed?	No	No	No	No	No	No

[1] Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2

The proposed project will be required to implement the mitigation measures included in the certified EIR, which will further reduce air quality impacts emanating from the project site. The proposed project is a small fraction of the 3.9 million square feet of industrial space analyzed in the EIR, and as such was fully considered in that document. Although modeling tools have changed, the level of impact is consistent with that previously analyzed, and impacts of the proposed project will be less than significant. Although the project's direct construction and operational impacts will not exceed MDAQMD thresholds and will be less than significant, it can be expected that the emissions of this project will contribute to the emissions of the overall build out of the Specific Plan. The prior EIR disclosed that the Specific Plan's overall emissions would be significant and unavoidable, and the Town Council adopted CEQA findings and a Statement of Overriding Considerations addressing those impacts.

f) ***Less Than Significant Impact.*** Objectionable odors, including those emitted by diesel-operated vehicles and the application of asphalt pavement and paints/solvents, may be emitted during the construction phase of the project, and during operations, because of the number of diesel trucks expected to come and go from the project site. However, the site occurs in the center of the Specific Plan area, and is not in the immediate vicinity of sensitive receptors such as residences, schools, parks, or other areas of concentrated human activity. As a result, impacts associated with odors are expected to be less than significant.

EIR Mitigation Measures

II-1. Grading and development permits shall be reviewed and conditioned to require the provision of all reasonably available methods and technologies to assure the minimal emissions of pollutants from the development (see Table III-27 below), including proper vehicle maintenance and site watering schedules (see detailed list below under Developer's Air Quality Management Resources). The Town Planning and Building Divisions shall review grading plans to ensure compliance with the mitigation measures set forth in the project's environmental documentation and as otherwise conditioned by the Town.

II-2. The Town shall coordinate with the project developers to encourage the phasing and staging of development to assure the lowest construction-related pollutant emission levels practical. As part of the Town's grading permit process, the applicant shall concurrently submit a dust control plan as required by MDAQMD in compliance with Rule 403. Mitigation measures to be implemented through this plan include, but are not limited to, the use of water trucks and temporary irrigation systems, post-grading soil stabilization, phased roadway paving, as well as other measures which will effectively limit fugitive dust emissions resulting from construction or other site disturbance (see Table III-27 below).

Table III-27
Fugitive Dust Control Methods
Daily PM10 Reduction

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

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

II-3. As future demand warrants, developers shall work with the Town to promote and support the development of bus routes/public transit that serve those residing at and employed by the project.

Developer's Air Quality Management Resources

In response to requirements of MDAQMD to monitor air quality impacts associated with fugitive dust from site disturbance and grading activities, all construction activities within the project boundary shall be subject to Rule 401 Visible Emissions, Rule 402 Nuisance, and Rule 403 Fugitive Dust.16 A wide variety of methods for controlling impacts and a list of vendors providing dust control and other pollution management services is also available from the Town and MDAQMD. Consistent with these management programs, developers shall assure implementation of appropriate grading and construction management programs.

To reduce PM10 emissions, the developer shall implement the following (required on sites 100+ acres, and to be followed to the greatest extent practicable:

- chemically treat soil at construction sites where activity will cease for at least four consecutive days;
- pave on-site construction access roads as they are developed; extend paving at least 120 feet from roadway into construction site and clean roadways at the end of each working day;
- restore vegetative ground cover as soon as construction activities have been completed
- chemically treat unpaved roads that carry 20 vehicle trips per day or more;
- plant tree windbreaks utilizing non-invasive species on the windward perimeter of construction projects, where feasible;
- all construction grading operations and earth moving operations shall cease when winds exceed 30 miles per hour;

- prior to turf raking, implement effective PM10 control programs for turf over-seeding as outlined in the CV-SIP.
- water site and equipment morning and evening and during all earth-moving operations;
- spread soil binders on site, unpaved roads, and parking areas;
- operate street-sweepers on paved roads adjacent to site;
- re-establish ground cover on construction site through seeding and watering or other appropriate means;
- pave construction access roads, as appropriate.

To minimize construction equipment emissions, the developer and contractors shall implement the following:

- wash off trucks leaving the site;
- require trucks to maintain two feet of freeboard;
- properly tune and maintain construction equipment;
- use low sulfur fuel for construction equipment.

To reduce construction-related traffic congestion, the developer and contractors shall implement the following:

- configure construction parking to minimize traffic interference;
- provide a flag person to ensure safety at construction sites, as necessary;
- schedule operations affecting roadways for off-peak hours, as practical.

To minimize indirect source emissions, the developer shall:

- Install low-polluting and high-efficiency appliances;
- install energy-efficient street lighting;
- landscape with native and other appropriate drought-resistant species to reduce water consumption and to provide passive solar benefits.

To minimize building energy requirements, the developer may also implement the following:

- assure the thermal integrity of buildings and reduce the thermal load with automated time clocks or occupant sensors;
- use efficient window glazing, wall insulation and ventilation methods;
- introduce efficient heating and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces and boiler units;
- incorporate appropriate passive solar design, including solar heaters, and solar water heaters, to the greatest extent feasible;
- use devices that minimize the combustion of fossil fuels;
- capture waste heat and re-employ this heat, where feasible.

IV. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact biological resources, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR required that certain site-specific surveys be completed for certain biological species prior to development. (EIR pp. III-80 through III-81.) Those studies were completed for the proposed project site, and the results are summarized below. These studies confirm that, with mitigation, no significant impacts will result from implementation of the proposed project.

Discussion of Impacts

a) Less Than Significant Impact with Mitigation. A biological resource study was conducted for the project site and a surrounding buffer area[2]. The survey found that the site's vegetative community is dominated by Creosote Bush and Burrobush, with considerable barren ground as a result of site disturbance and previous sheep grazing on the site. Flora and fauna identified on the site was typical of the area, and did not identify protected species.

Eight inactive kit fox burrows were identified on and around the project site. A study specifically undertaken to determine activity of the species on the site was conducted in December of 2015. The study identified nocturnal activity on the site, and confirmed that the burrows were inactive. That study concluded with the collapsing of the burrows conducted to CDFW standards, to prevent future habitation.

Although no burrowing owl sign was identified on the project site, the species is known to use kit fox burrows. The species prefers open terrain, and the height of native vegetation on the site is not conducive to the owls' preferred terrain. With the collapsing of the kit fox burrows on the site, suitable burrows have been eliminated.

A loggerhead shrike was observed on a creosote bush on the eastern edge of the site. The site provides foraging and nesting habitat for the species.

The project site is also located within the range of the desert tortoise, but no sign of the species was found in or around the project site during protocol surveys, and the likelihood of the species moving onto the property is low[3].

The site is suitable habitat for migratory birds covered by the Migratory Bird Treaty Act. For example, cactus wren nests were identified in the buffer area studied around the project site. The species is likely to forage on the project site, but no nests, or habitat suitable for nests, was identified on the project site.

The site was determined to have potential to impact migratory birds. As a result, mitigation measures are required to assure that impacts to sensitive species are less than significant. These mitigation measures are provided below.

Mitigation Measures

IV.1 Prior to initiation of any earth moving or construction activities on the project site, the project proponent shall conduct environmental awareness training for construction staff, including a presentation by a qualified biologist on desert tortoise, project-specific protective measures, and instructions for actions that must be taken if a tortoise is encountered during construction. These measures include:

[2] "Jupiter Project Updated Biological Resources Report," prepared by AMEC Foster Wheeler, January 2016.

[3] "Jupiter Project Focused Desert Tortoise Survey Report," prepared by AMEC Foster Wheeler, April 2015.

1. Prior to initiation of work, all project personnel will attend a WEAP and sign agreement to comply with the measures. Refresher daily at morning tailgate meeting.
2. Sweep of work site(s), staging areas, and access routes will be done daily by biological monitor prior to any work being conducted.
3. If a desert tortoise, kit foxes and/or burrowing owls are found on site, work will immediately cease until the animal has left the area (it must be at least 250 feet away). Listed species may not be handled by anyone.
4. Do not disturb any burrows encountered. Notify biologist.
5. Notify biologist of any other animals or birds nest encountered on site. *Special status animals encountered* will be relocated as needed, if possible *and as allowed under existing regulations.*
6. Keep equipment and vehicles on cleared and approved routes and areas. Watch for and avoid animals, especially tortoises, kit foxes and burrowing owls when driving.
7. Vehicles that have been parked on site should be checked underneath for tortoises/ animals before starting engine or moving.
8. All fueling and maintenance of vehicles and other equipment and staging areas shall occur along the road only. A spill kit should be available during the work.
9. All food and trash debris will be disposed of in closed containers and removed from the project area at the end of each workday.
10. Desert tortoises can only be handled by authorized biologists. Trained individuals must follow the guidelines outlined in the Desert Tortoise Field Manual (USFWS 2010), chapters 6 and 7. No one is authorized to handle or move any desert tortoise.
11. Immediately prior to the start of any ground-disturbing activities and prior to the installation of any desert tortoise exclusion fencing, clearance surveys for the desert tortoise will be conducted by the authorized biologist, as appropriate. The entire project area will be surveyed for desert tortoise and their burrows by an authorized biologist or approved desert tortoise monitor before the start of any ground-disturbing activities following the 2010 field survey protocol (USFWS 2010) or more current approved protocol. If burrows are found, they will be examined by an authorized biologist to determine if desert tortoises are present. If a tortoise is present and the burrow cannot be avoided, it will be relocated in accordance with USFWS protocol (USFWS 2010). If the authorized biologist determines clearance surveys are not needed, clearance surveys would not be required. If desert tortoises are found at a project site where the authorized biologist had previously concluded they were unlikely to occur, the USFWS and CDFW will be contacted to determine if the implementation of additional protective measures would be appropriate.
12. The area of disturbance will be confined to the smallest practical area, considering topography, placement of facilities, location of burrows, public health and safety, and other limiting factors. This measure includes temporary haul roads, staging/storage areas, or access roads. Work area boundaries will be clearly and distinctly delineated with flagging or other marking to minimize surface disturbance associated with vehicle movement. Special habitat features, such as desert tortoise burrows, will be identified and marked as environmentally sensitive areas by the authorized biologist, if they are to be avoided and will be discussed and identified during the worker education program. To the extent possible, previously disturbed areas within the project site will be used for equipment storage, office trailer locations, and vehicle

parking. The development of all temporary access and work roads associated with construction will be minimized and constructed without blading where feasible. Project-related vehicle traffic will be restricted to established roads, construction areas, staging/storage areas, and parking areas. The authorized biologist or approved desert tortoise monitor will ensure that blading is conducted only where necessary.

13. Permanent or temporary exclusion fencing may be used to prevent entry by desert tortoises into a work site. Exclusion fencing will be installed following USFWS guidelines (2005) or more current protocol. The authorized biologist will ensure that desert tortoises cannot pass under, over, or around the fence. Authorized biologists or desert tortoise monitors will not be required to be present at the site at all times; however, they will be present during the installation of the exclusion fence. However, the authorized biologist must periodically check the fenced area to search for breaks in the fence and to ensure no desert tortoises have breached the fence. Preconstruction surveys for tortoise and tortoise sign will be performed within all proposed construction areas prior to the fence being installed. In addition, prior to ground disturbing activities beginning in a previously undisturbed or unfenced area, preconstruction surveys will be performed.
14. Upon locating a dead or injured tortoise within a project site, the authorized biologist will immediately notify USFAWS within 24 hours of the observation via telephone. Written notification must be made to the appropriate Fish and Wildlife field office within 5 days of the finding. The information provided must include the date and time of the finding or incident (if known), location of the carcass or injured animal, a photograph, cause of death or injury, if known, and other pertinent information (i.e., size, sex, recommendations to avoid future injury or mortality).
15. Injured desert tortoises will be transported to a veterinarian for treatment at the expense of the applicant. Only the authorized biologist or an approved desert tortoise biological monitor will be allowed to handle an injured tortoise. If an injured animal recovers, the appropriate Fish and Wildlife field office will be contacted for final disposition of the animal.
16. If working outside of a desert tortoise-proof fenced area, auger holes or other excavations will be covered following inspection at the end of each workday to prevent desert tortoises from becoming trapped.
17. Construction vehicles will be cleaned of all mud, dirt, and debris from other sites prior to entering the project area. The purpose of this measure is to minimize the spread of weedy plant species that may degrade desert tortoise habitat.
18. Except on maintained public roads designated for higher speeds or within a desert tortoise-proof fenced area, driving speed will not exceed 20 miles per hour through potential desert tortoise habitat on both paved and unpaved roads.
19. Any fuel or other hazardous materials spills will be promptly cleaned up; any leaks from equipment will be stopped and repaired immediately. Vehicle and equipment fluids that are no longer useful will be transported to an appropriate off-site disposal location. Fuel and lubricant storage and dispensing locations will be constructed to fully contain spilled materials until disposal can occur. Hazardous waste, including used motor oil waste and coolant, will be stored and transferred in a manner consistent with applicable regulations and guidelines.
20. Upon completion of construction, all refuse, including, but not limited to equipment parts, wrapping material, cable, wire, strapping, twine, buckets,

metal or plastic containers, and boxes will be removed from the site and disposed of properly.

21. No firearms or pets, including dogs, will be allowed within the work area. Firearms carried by authorized security and law enforcement personnel and working dogs under the control of a handler will be exempt from this protective measure.
22. To preclude attracting predators, such as the common raven (*Corvus corax*) and coyotes (*Canis latrans*), food-related trash items will be removed daily from the work site and disposed of at an approved refuse disposal site. Workers are prohibited from feeding all wildlife.
23. Boring locations will not be established within 35 feet of an active desert tortoise burrow. If an active burrow is found within 35 feet after the boring location is established, the boring location will be moved until it is at least 35 feet from the active burrow.
24. An authorized biologist will be onsite during all drilling activities.
25. Desert tortoise exclusion fence construction will follow the guidelines in Chapter 8 of the Desert Tortoise Field Manual (USWFS 2010).
26. Desert tortoise-proof fencing will not cross washes. When washes and culverts are encountered, the desert tortoise-proof fence will follow the wash to the roadway and either tie into the existing bridge or cross over the top of a culvert.
27. During fence inspections and repairs, if any desert tortoises are observed, workers are to notify the authorized biologist because only authorized biologists and approved biological monitors are permitted to handle tortoise. All desert tortoises encountered within the roadway side of the fence will be relocated across the fence to safety in accordance with USFs protocol (USFWS 2010). Any such incident will be reported in the annual report.
28. On a case by case basis, individual active burrows may be fenced if the authorized biologist determines this protective measure is necessary to prohibit desert tortoises from repeatedly entering work areas. Fencing around individual burrows will be removed when adjacent construction is complete.
29. When gates are installed within the fence line, desert tortoise-proof fencing will be installed along the gate bottom beginning at least 2 feet above the fence bottom and extending towards the ground leaving less than a 1-inch gap (USFWS 2010).

Any and all recommendations included in the study shall be implemented by the Town and/or the developer.

IV.2 A pre-construction survey shall be completed by a qualified biologist not more than *3* days of initiation of any earth moving activity on site.The pre-construction survey shall include an intensive site survey for desert tortoise, Mojave Ground Squirrel, kit fox, burrowing owl and migratory birds. Should any affected species be identified, the biologist shall include recommendations for avoidance in his/her report, and could include:

1. The avian breeding season is generally defined as February 1 through September 15 for most nesting birds. If project activities cannot be avoided between *February* 1 and 15 September, a qualified biological monitor (biologist) shall survey the entirety of the project site, and within a 500 foot buffer surrounding the project site for both diurnal and nocturnal nesting birds, prior to commencement of project activities (including soil disturbance and/or vegetation removal). Surveys shall be conducted by the biologist at an

appropriate time of day, no less than thirty days prior to commencement of project activities.

2. If an active nest is found prior to commencement of project activities, the biologist will monitor it for a minimum of one hour and note behaviors such as incubation times and duration, time away from nest, feeding schedule, flushing, etc. This will establish baseline behavior prior to construction, which can be compared to behavior after construction commences. Monitoring will consist of quietly approaching and observing the nest at a distance where the nesting bird will not be disturbed by the biologist's presence.

3. If no nesting birds are detected, project activities may begin.

4. If an active nest is located during nesting bird surveys, a 300-foot minimum avoidance buffer will be implemented around it. For raptors, a 500-foot minimum avoidance buffer should be established. For burrowing owls, buffers be established according to guidelines included in the March 7, 2012 DFG *Staff Report on Burrowing Owl Mitigation* if located between February 1 and August 31. Those buffers are shown in Table 1 below.

Table 1. Burrowing Owl Exclusion Buffers

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting sites	April 1-Aug 15	200 m (656 feet)	500 m (1,640 feet)	500 m (1,640 feet)
Nesting sites	Aug 16-Oct 15	200 m (656 feet)	200 m (656 feet)	500 m (1,640 feet)
Nesting sites	Oct 16-Mar 31	50 m (164 feet)	100 m (328 feet)	500 m (1,640 feet)

m = meters

5. Any breeding habitat/ nest site detected shall be fenced and/or flagged in all directions as an Environmentally Sensitive Area (ESA) as directed by the biologist. The nest site area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project. Buffer areas may be increased if active nests of any endangered, threatened, or CDFW species of special concern not already discussed are detected.

6. Buffers may be reduced at the discretion of the biological monitor. A reduction may be warranted based upon factors such as the life history of individual species; the species' and/or individual bird's sensitivity to noise, vibration, and general disturbance; ambient levels of human activity, current site conditions that may shield the nest from disturbance, such as screening vegetation or topography; and the exact nature of project activities that will be conducted in the vicinity of the nest. Additional mitigation measures may need to be implemented if nest buffers are reduced. This additional mitigation could include measures such as sound barriers and increased monitoring.

7. The following measures will minimize the likelihood that active nests will be abandoned or fail due to project activities. Once construction has commenced, nest surveys and/or monitoring will be conducted weekly at a minimum during the nesting season unless it is determined that less frequent site visits would be satisfactory. If the buffer of an active nest overlaps the project site, the biologist will monitor the nest daily and will be present on site at all times while work is occurring in order to ensure that construction activities occur outside the delineated buffer, that any installed fencing/flagging is maintained at the buffer boundaries, and to observe for any potential indication of stress of the nesting birds. In other words, to ensure that the nesting birds are exhibiting normal behaviors as compared to behaviors observed by the nesting birds prior to commencement of construction. These behaviors depend on the stage of the nest (i.e. building, egg incubation, nestling age, etc.), and include incubation, feeding, fecal sac removal, foraging, etc.

8. After commencement of construction the biologist will have the authority to halt construction activities if it appears that those activities are causing stress to nesting birds. Such direction shall be taken through the project foreman on site. Determination of "stress" will be based on the results of nest monitoring prior to any construction. Stress would be defined by behaviors such as increased flushing frequency, less nest visits, etc.

9. If a nesting bird or burrowing owl is encountered, the biologist will document the species and location on a survey form. Location will be determined utilizing a global positioning device. The location of active nests and attempted nests will be recorded. Nesting bird behaviors will be recorded, which will also track the nest and its outcome. Monitoring memo reports will be prepared for each day of monitoring activity.

10. Biological Monitors shall conduct the pre-construction surveys for desert kit fox and American badger no more than 30 days prior to initiation of construction activities, including pre-construction site mobilization. Surveys shall also address the potential presence of active dens within 100 feet of the project boundary (including utility corridors and access roads). If dens are detected, each den shall be classified as inactive, potentially active, or definitely active den and a report shall be submitted to the Department for review prior to collapsing the burrows.

Any and all recommendations included in the study shall be implemented by the Town and/or the developer.

IV.3 Following completion of the pre-construction survey, a CDFW compliant desert tortoise exclusion fence shall be provided in addition to chain link construction fencing.

IV.4 Following completion of the exclusion fence, a survey for animal burrows shall be completed. If identified, animal burrows shall be carefully excavated to assure they are not occupied by desert tortoise. Should the species be found on the site, it shall be trans-located to native habitat by a qualified biologist, according to strict CDFW protocol.

IV.5 A trash management plan shall be developed and implemented during construction on the project site that provides for closed raven-proof containers for trash and food.

With implementation of these mitigation measures, impacts associated with biological resources will be reduced to less than significant levels.

Mitigation Monitoring Program

IV.A The project proponent shall provide course materials and an attendance sign in sheet for construction staff environmental awareness training to the Town prior to the initiation of any construction activity on the site.
Responsible Party: Planning Department
Timing: Prior to issuance of building permit.

IV.B A qualified biologist shall submit a report on pre-construction survey(s) to the Town for review and approval prior to any ground disturbing activity on the site.
Responsible Party: Planning Department
Timing: Prior to issuance of grubbing, trenching or grading permit.

IV.C A tortoise exclusion fence shall be constructed on the project site.
Responsible Party: Planning Department
Timing: Prior to issuance of grubbing, trenching or grading permit.

IV.D A qualified biologist shall conduct a pre-construction survey for animal burrows. If identified, any burrow shall be excavated, and a report of findings provided to the Town.
Responsible Party: Planning Department
Timing: Prior to issuance of grubbing, trenching or grading permit.

IV.E A trash management plan shall be submitted to the Town for review and approval.
Responsible Party: Building Department
Timing: Inspections during the building process.

b, c) Less Than Significant Impact. An ephemeral wash was identified on the project site, and as a result, a jurisdictional delineation was prepared[4]. The delineation included records searches, review of mapping and aerial photographs, and on site investigation. The delineation contained an analysis of both Waters of the United States and Waters of the State of California, consistent with current professional standards and regulations.

The delineation determined that there are no wetlands on the property, but did identify one jurisdictional drainage and a tributary to that drainage. The delineation found that the project site contains 0.23 acres of land that qualifies as Waters of the State of California, and that there were no Waters of the US on the site, because of the lack of connectivity. The project site contains Waters of the State, and construction of the proposed project will result in the elimination and relocation of the onsite wash pursuant to Waste Discharge Requirements issued by the Regional Water Quality Control Board.

[4] "Jurisdictional Delineation Report Project Jupiter," prepared by AMEC Foster Wheeler, May 2015.

The project proponent negotiated a Streambed Alteration Agreement from the California Department of Fish and Wildlife. The Agreement includes avoidance and minimization measures, including the monitoring of the site by a qualified biologist with stop-work authority; the implementation of a worker environmental awareness program; the use of Best Management Practices; restrictions on work activities within the wash to dry weather only; storm event inspections; protection measures specifically geared to desert tortoise and Mojave ground squirrel, including construction material checks, escape ramps in trenches, and pre-construction sweeps; protection measures specifically geared to protect native birds, including the preparation of a burrowing owl habitat assessment, the preparation and implementation of a Burrowing Owl Plan, and the preparation of nesting bird surveys during prescribed periods; and protection measures relating to vegetation removal and habitat restoration. Finally, the Agreement requires the acquisition of habitat off-site on a 3:1 ratio. The implementation of the measures contained in the Agreement, are project design features that will assure that any impacts associated with waters of the State are less than significant.

d) ***Less Than Significant Impact.*** The biological resources study did not identify any wildlife nurseries on the project site. The study also found that the site is isolated and not conducive to wildlife movement. Impacts associated with wildlife movement are expected to be less than significant.

e, f) ***No Impact.*** Neither the Town nor any other agency has in place any ordinances, conservation plans or other approved programs relating to wildlife conservation that apply to the project site. The project area is within the range of the desert tortoise, but is not within an area of critical habitat, nor was the species identified or likely to occur on the project site. No impact is expected.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 or Tribal Cultural Resources?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact cultural resources, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR required that site-specific surveys be completed for cultural and paleontological resources prior to development. (EIR pp. III-122, III-123.) Those studies were completed for the project site, and the results are summarized below. These studies confirm that, with mitigation, no significant impacts will result from implementation of the proposed project.

Discussion of Impacts

a) ***Less Than Significant Impact.*** Multiple cultural resource studies were conducted for the project site[5]. The studies included both records searches for archaeological and historic resources, and on site surveys. The records searches found that two potentially historic sites had previously been identified on the project site, as well as three isolates. The 2016 on site survey relocated one of the potentially historic sites and one isolate. An additional historic site and five isolates were newly found in the 2016 site survey. The newly identified site consisted of three artifacts: one tin can and two glass bottle/bottle fragment. The site was determined to date to the mid-20th Century, and to be non-eligible as a significant resource. As a result, impacts to historic resources are considered less than significant.

b) ***Less Than Significant Impact with Mitigation.*** The 2016 study found no prehistoric resources on the project site, but identified six resources recorded within a mile of the site. The study also included outreach and consultation with Native American Tribes. In addition, the Town completed Tribal consultation, pursuant to the requirements of Assembly Bill 52. The

[5] "Archaeological and Paleontological Resources Phase I Assessment," prepared by Northgate Environmental Management, March 2016. "Phase 1 Cultural Resource Assessment and Paleontological Records Review Navajo Road Project," prepared by Michael Brandman Associates, June 2007.

San Manuel Band of Mission Indians indicated that the site is within the Tribe's ancestral territory and requested that a qualified Native American monitor be required a mitigation measure. Additionally, the studies determined that there was potential for buried resources on the site, and that project construction activities could result in an impact to archaeological resources. As a result, mitigation measures are required, as follows:

Mitigation Measures

V.1 A qualified archaeological monitor and a Native American monitor shall be on site during all ground disturbing activities. The monitor shall be empowered to stop or redirect earth moving activities, if a resource is identified. Should a resource be identified, the monitor shall make recommendations regarding the measures needed to protect the resource. When the monitor determines that there are no resources, or the potential for resources is low, monitoring activities will be suspended. Within 30 days of completion of monitoring, the monitor shall prepare, and deliver to the Town, a report of his/her findings.

Mitigation Monitoring Program

V.A The project proponent shall provide the Town with agreement(s) with qualified monitors. The Town shall assure that the monitors are on site during earth moving activities.
Responsible Party: Planning Department
Timing: Receipt of agreement prior to issuance of grading permits, and on site inspections.

c) Less Than Significant Impact with Mitigation. The 2016 cultural resource study found that the general area has yielded mammalian resources in Pleistocene sediments. Although the project site is covered with a veneer of Holocene soils, Pleistocene sediment may occur at depth on the project site. These sediments have a high probability of yielding fossilized remains. The unearthing and damage of these resources would represent a potentially significant impact, without mitigation.

Mitigation Measures

V.2 A qualified paleontological monitor shall be on site for any and all excavations that reach more than 3 feet below ground. The monitor shall be empowered to stop or redirect earth moving activities, if a resource is identified. Should a resource be identified, the monitor shall make recommendations regarding the measures needed to protect the resource. Any and all recommendations included in the study shall be implemented by the Town and/or the developer. When the monitor determines that there are no resources, or the potential for resources is low, monitoring activities will be suspended. Within 30 days of completion of monitoring, the monitor shall prepare, and deliver to the Town, a report of his/her findings.

Mitigation Monitoring Program

V.B The project proponent shall provide the Town with an agreement with a qualified monitor. The Town shall assure that the monitor is on site during earth moving activities.
Responsible Party: Planning Department

Timing: Receipt of agreement prior to issuance of grading permit and on site inspections.

d) Less Than Significant Impact. The 2015 survey identified that there are no known cemeteries in the area of the proposed project, but found that there is a small possibility that human remains could be identified on the site during site grading. Public Resources Code section 5097.98 imposes a mandatory reporting requirement and the cessation of all construction activity in the event of the discovery of human remains. Compliance with these mandatory provisions would ensure that any impacts to human remains would remain less than significant.

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

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact geology and soils, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR requires that site-specific geotechnical investigations be completed prior to the approval of development plans. (EIR pp. III-88.) That study was completed for the proposed project, and the results are summarized below[6]. The study confirms that impacts associated with geotechnical and soil hazards will be less than significant.

Discussion of Impacts

a.i) ***No Impact.*** The subject property is not located in an Alquist-Priolo Earthquake Fault Zone, and no fault rupture will occur on site. The Mojave Desert segment of the San Andreas fault passes through the region approximately 25 miles south-southwest of Apple Valley. This fault extends from the Tejon Pass to the San Bernardino valley, where it becomes the San Bernardino strand. No impacts are expected.

a.ii, c) ***Less Than Significant Impact.*** The Town will be subject to ground shaking from earthquakes on regional faults, particularly on the Mojave Desert segment of the San Andreas fault. The distance to the fault segment, however, will result in lesser ground shaking than would be expected if the site were in closer proximity to the fault. The proposed project will be required to comply with the Town's Building Code seismic requirements in place at the time that building permits are issued. In addition, the certified EIR included a number of mitigation measures to further reduce impacts associated with ground shaking and soils. The Town's standard requirements and the EIR's mitigation measures are designed to reduce impacts associated with ground shaking to less than significant levels.

a.iii) ***Less Than Significant Impact.*** Liquefaction occurs when groundwater is located near the surface (within 50 feet), and mixes with surface soils during an earthquake. The Specific Plan area generally consists of granular soils with historic groundwater depths ranging from approximately 105 feet below the surface to 155 feet below the surface. The Geotechnical Study found that water levels at the site likely are 150 feet below the ground surface. Therefore the study found that there is no potential for liquefaction. . Impacts associated with liquefaction are less than significant.

a.iv) ***No Impact.*** The project site is located in a flat area, and is not adjacent to any slope or mountainside. No impact associated with slope instability is anticipated.

b) ***No Impact.*** Soils identified as occurring in the Specific Plan area include, Cajon sand, Cajon loamy sand, Cajon-Arizo complex, Cajon Wasco, Helendale loamy sand, Mirage-Joshua complex, Nebona-cuddleback complex and Rosamond loam. Helendale-Bryman loamy sands are predominant across the project site and are a series of the Aridosol Soil Order occurring on 0 to 2 percent slopes. Bryman soils are found on terraces and older alluvial fans, and are formed by the mixing of alluvium derived mainly from granitite sources in combination with erosion caused by wind and water. The proposed project will be required to implement the dust control measures included in the EIR to address wind and water erosion, and will also be required to implement best management practices associated with storm water management. These mitigation measures and standard requirements will assure that impacts associated with erosion remain less than significant.

d) ***No Impact.*** As identified in the certified EIR, the soils within the Specific Plan area, and on the project site, are not expansive. The study confirmed that expansive soils do not occur on the site. No impact is anticipated.

[6] "Geotechnical Engineering Study," prepared by Geosphere Consultants, Inc., June 2015.

e) ***No Impact.*** The proposed project will connect to the existing sewer system. No septic tanks or alternative wastewater disposal systems are proposed. No impacts will occur.

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have 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?	☐	☐	☒	☐

Discussion of Impacts

a-b) Less Than Significant Impact. Both construction and operation of the project will generate greenhouse gas (GHG) emissions. Construction emissions will be generated by a variety of sources, including the operation of construction equipment and energy usage. Construction impacts will be temporary and will end once the project is complete. Typically, they can be minimized by limiting idling times, proper maintenance of heavy machinery, and efficient scheduling of construction activities. Long-term operation of the project will generate GHG emissions from area sources, energy and water usage, mobile sources, and waste disposal.

The California Emissions Estimator Model (CalEEMod Version 2013.2.2) was used to estimate greenhouse gases emitted by the project. The results are shown in Table 3.

Table 3
GHG Emissions from Construction and Operation
Jupiter, Apple Valley
(Metric Tons/Year)

	CO2e	Threshold	Exceeds?
Construction Activities	2,487.71	100,000	No
Operational Activities	8,671.17	100,000	No

CalEEMod model, version 2013.2.2. Values shown represent the total annual, unmitigated GHG emission projections for construction and operation of the proposed project.

The threshold for MDAQMD GHG impacts is 100,000 tons per year. The project will not, therefore, exceed the threshold for GHG emissions. When taken in context with the Specific Plan as a whole, the proposed project's square footage represents 6% of the Specific Plan area's industrial square footage. Additionally, the Project will reduce GHG emissions that would otherwise result from energy and water use by complying with the Specific Plan and EIR's requirements to use low-polluting and high efficiency appliances, drought-tolerant landscaping, and by providing passive solar benefits. These will include building orientation optimizations and efficient fenestration. Statewide programs and standards, including new fuel-efficient standards for cars and expanding the use of renewable energies, will help reduce GHG emissions over the long-term. The project will be required to comply with standards and regulations for reducing GHG emissions, including the

Town's Climate Action Plan and other GHG reducing strategies, including high efficiency HVAC and high efficiency fans. The proposed project will also be required to comply with Title 24 of the California Building Code, which in 2016 requires a further 30% reduction in energy use for construction. This reduction in energy use exceeds the Town's Climate Action Plan target for reduction of GHG emissions. The Plan, adopted with the General Plan and updated in 2013, targets a 15% reduction below 2005 levels by the year 2020. The reductions included in the current building code result in a 30% reduction in energy use. Therefore, the proposed project's construction is expected to exceed the Town's reduction target. These standard requirements and Town initiatives will ensure that GHG emissions from the project are less than significant.

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

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to result in impacts from hazardous materials, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR required that site-specific surveys for unexploded ordnance be conducted in areas of the Specific Plan that are within the Victorville pre-bomb range. (EIR pp. III-155, III-157, III-158.) Because the project site is within that range, a survey was completed, and the results are summarized below. The study confirms that, with mitigation, no significant impacts will result from the Project.

Discussion of Impacts

a) ***Less Than Significant Impact.*** The proposed project site will be used as a distribution facility for a chain store retailer of domestic goods. As such, the facility may store household cleaners, oils, and similar chemicals for shipment to its retail outlets. The facility will be required to comply to Fire Department and County standards regarding high cube storage, including the safe storage of hazardous materials, and the implementation of emergency response plans in case of a spill or fire. These measures are subject to regular inspection to ensure compliance. These standard requirements will assure that the storage and transport of hazardous materials result in less than significant impacts.

b) ***Less Than Significant Impact with Mitigation.*** A portion of the proposed project site was used by the US military as a bombing range during the 1940s, and has been identified as a Formerly Used Defense Site (FUDS). Previous site investigations conducted in 2006 and 2008 determined that there was a potential for munition constituent contamination on the site as a result. In 2015, an Ordnance Investigation was conducted for the project site[7]. The report included both review of the 2008 analysis, and surveying and research of the site. The on site investigation identified half of the bombing range target at the northwest corner of the site. The balance of the target area occurs on adjacent property to the west. Within and surrounding the target area, bomb ordnance scrap was identified on and in the ground. A metal detector investigation was also conducted, including transects of the property at 125 foot distances. The metal detector identified high concentrations of materials in the area of the bombing target at the northwest corner of the site. There is therefore a potential for munition materials in this area of the site, which could, when disturbed, result in upset or accident. This represents a potentially significant impact and requires mitigation, as follows:

Mitigation Measures

VII.1 The bombing target area, and the area within 300 feet of the bombing target within the site, including off-site improvement areas, shall be cleared by a qualified technical team, and all ordnance or ordnance scrap removed to a depth acceptable to the technical team.

VII.2 All ground disturbing activities within 300 feet of the existing bombing target area shall be monitored by a two-man team qualified to detect and dispose of ordnance and ordnance scrap.

[7] "Revised Ordnance Investigation Services Report, Jupiter Project – Navajo Road," prepared by Northgate Environmental Management, July 17, 2015.

VII.3 Ordnance uncovered during clearing and ground disturbing activities shall be collected, handled and disposed of consistent with accepted professional standards by the qualified technical team.

VII.4 Any fill placed within 300 feet of the target area shall be a minimum of 2 feet in depth.

VII.5 A Site Management Plan shall be prepared prior to the issuance of a certificate of occupancy for any structure on the site. The Site Management Plan shall include all required techniques to be used for any future grading or other site disturbance within 300 feet of the bomb target area, which could include:

1. During intrusive grading, full time construction support using a two-man technician crew (unexploded ordnance [UXO] Technician II and Technician II) should be performed to identify any ordnance related scrap or munitions or explosives of concern (MEC) items.
2. Where little or no filling is proposed, required techniques will consist of the area being cleared with a two-man UXO technician crew using excavation, stockpiling, and sifting to remove the ordnance-related scrap metal. A depth of 2 feet is recommended for this operation. The cleared soil will then be returned to this area.
3. For deeper cut areas such as the roadway and storm transfer ditch, required techniques will consist of excavation and sifting to a depth of 3 feet.
4. For areas where fill is required and no intrusive grading into the subgrade is needed, no excavation or sifting will be required as long as the area has been surface cleared (inspection by UXO crew) and a minimum of two feet of fill is emplaced.

Mitigation Monitoring Program

VII.A The project proponent shall provide the Town with an agreement with a qualified ordnance disposal team. The Town shall assure that the monitor is on site during earth moving activities.
Responsible Party: Planning Department
Timing: Receipt of agreement and on site inspections.

VII.B The project proponent shall provide the Town with Site Management Plan which describes how future grading or excavation in the area within 300 feet of the bomb target area is to be undertaken.
Responsible Party: Planning Department
Timing: Receipt of Site Management Plan prior to issuance of Certificate of Occupancy for first building on the site.

c) ***No Impact.*** The proposed project will handle household cleaners and chemicals, but will not store or handle hazardous materials within proximity of a school. The closest school to the project site is Sycamore Rocks Elementary, located approximately 3.5 miles southeast of the project site.

d) ***No Impact.*** The project site is not listed as a hazardous materials site, cleanup site, or hazardous waste facility and, therefore, the proposed project will not create a significant hazard to the public or environment. (Envirostor map database, California Department of Toxic Substances Control).

e) ***Less Than Significant Impact.*** The project site is located ¼ mile west of the north end of the Apple Valley airport. The project proposes a warehouse, which is a compatible land use, consistent with the industrial development proposed within the Specific Plan boundary. The Town will, as required in the certified EIR, consult with the County to assure compatibility between the proposed project and the Airport Land Use Plan. The implementation of this EIR mitigation measure will assure that impacts associated with proximity to the airport will remain less than significant.

f) ***No Impact.*** The proposed project is not located in the vicinity of a private airstrip. No impact is expected.

g) ***No Impact.*** The proposed project is located on Navajo Road, south of Johnson Road. The Town will require the improvement of Navajo Road and Lafayette Street to Town standards, to assure access by emergency vehicles is unimpeded. The implementation of these standard requirements will assure that there is no impact associated with emergency response.

h) ***No Impact.*** The proposed project is located in the center of the Specific Plan area, in an area dominated by sparse vegetation. There are no wildlands in the vicinity of the proposed project. No impacts associated with wildland fire are expected.

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) 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?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact hydrology and water quality, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR required that site-specific Stormwater Pollution Prevention Plans and surveys for the presence of federal or state jurisdictional waters be completed. (EIR pp. III-99, III-100.) A draft SWPPP has been prepared and submitted to the Regional Water Quality Control Board, and a site-specific Jurisdictional Delineation was approved by the Army Corps of Engineers. The Jurisdictional Delineation confirms that no federal jurisdictional waters exist on the site. The SWPPP is discussed below. Overall, with mitigation, no significant impacts will result from the Project.

Discussion of Impacts

a, f) ***No Impact.*** The proposed project will be required to connect to the Town's domestic water and sanitary sewer systems. Liberty Utilities, formerly Apple Valley Ranchos Water Company, provides water service to the site, and the Victor Valley Wastewater Reclamation Authority provides sanitary sewage treatment for the site. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements. Furthermore, as a development project with a disturbance area of greater than 1 acre, and a significant increase in impervious surfaces, the Applicant will be required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit (SWRCB Order 2010-0014-DWQ) and be consistent with the General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (SWRCB Order 2013-0001 DWQ, or Small MS4 Permit). Each of these permits are described below:

The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP), which would include and specify water quality best management practices (BMPs) designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters. Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by the SWRCB. The project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by a NPDES permit and prepare the SWPPP prior to the beginning of construction. The applicant will be required to provide the Town of Apple

Valley with its waste discharge identification number (WDID) as evidence that it has met the requirements of the Construction General Permit prior to beginning construction activities.

Furthermore, the SWRCB has designated the Town of Apple Valley as a Traditional Small MS4. As part of Phase II regulations promulgated by the U.S. Environmental Protection Agency, the SWRCB adopted the Small MS4 Permit, which requires MS4s serving populations of 100,000 people or less to develop and implement a stormwater management plan with the goal of reducing the discharge of pollutants to the maximum extent possible. As a permittee under the Small MS4 Permit, the Town of Apple Valley is required to condition development projects to be compliant with the standards contained in Section E.12 of the Small MS4 Permit. All development projects (that create or replace more than 5,000 square feet of impervious surfaces) seeking approvals from the Town are required integrate source control BMPs and low impact development (LID) designs into the proposed project to the maximum extent feasible to reduce the potential for pollutants to enter stormwater runoff. This includes site design best management practices (as applicable), such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, incorporating trees and landscaping, and conserving natural areas. Facilities must be designed to evapotranspire, infiltrate, harvest/use, and/or biotreat storm water to meet at least one of the hydraulic sizing design criteria contained in the Phase II Small MS4 Permit.

The Mitigation Monitoring and Reporting Program for the Specific Plan EIR requires project compliance with these water quality laws and regulations (e.g., Clean Water Act, Waste Discharge Requirements, SWRCB permits) through a combination of specific plan design standards, drainage impact fees, and general Mitigation Measures. As compliance with these permits would be required as a condition to receive authorization to construct, no impact is expected.

b) ***Less Than Significant Impact.*** The proposed project will result in the consumption of domestic water for employee use and landscaping. The certified EIR included a Water Supply Assessment (WSA) that considered all development within the Specific Plan area, and assessed the availability of water during dry, normal and wet years. The WSA found that AVR had resources available to supply water to the Specific Plan area, including during multiple dry years. The proposed project will be required to comply with current requirements of AVR as relates to water conservation. Because the proposed project is consistent in type and scale to that studied in the WSA, the proposed project's water use is expected to be consistent with that analyzed in the WSA and EIR, and result in annual water use of approximately 271 acre feet annually.

Since the adoption of the WSA and the certification of the EIR, California has entered into a multi-year drought. The drought has resulted in mandates for water conservation across all land uses and locations in the State, stemming from the requirements of the Governor's Executive Order B-29-15. Within AVR's service area, the mandate for a 28% reduction has resulted in the publication of prohibited activities, and the implementation of water conservation measures. As a result of these measures, AVR's service area reduced water use by 33% in September of 2015. The proposed project will be subject to the mandated water reductions in place at the time that development occurs, These mandates will assure that water use at the project site will be less than significant.

c-e) ***Less Than Significant Impact.*** The project site, as with the rest of the Specific Plan area, is located in a FEMA Zone D, and is outside the 100 year flood plain. The project site is currently vacant, and includes an ephemeral drainage through the center of the site. The drainage was found to be unconnected to other drainages, and represents one of many areas of sheet flow in this area of Town, where drainage facilities are limited. Please also see Section IV., Biological Resources.

The proposed project will be required to contain storm water runoff on site, and proposes the construction of retention basins on the south and west sides of the project, pursuant to the Waste Discharge Requirements permit issued by the Regional Water Quality Control Board under the Porter-Cologne Water Quality Act.The retention basins on the project site were designed to hold the 100 year storm, as required. According to the Stormwater Management Plan prepared for the project[8], the total capacity necessary to accommodate these flows is 22.47 acre feet, as provided in the retention basins. A draft SWPPP has been prepared to address best management practices for stormwater pollution control[9]. In the case of the project site, these include erosion control methods such as soil binders, sedimentation control methods such as street sweeping, and site stabilization measures such as stabilized construction roads. These requirements are imposed through the Town's NPDES standards and pursuant to the State Water Board's General Construction Stormwater Permit. In addition, the Town imposes drainage impact fees on all development, to offset the cost of drainage improvements on a fair share basis. These standard requirements are designed to assure that impacts associated with runoff water remain less than significant.

g)- j) ***No Impact.*** The proposed project is not located in a flood zone, and does not propose residential development. The proposed project will have no impact on 100 year flood plain hazards.

[8] "Stormwater Management Plan," prepared by The Haskell Company, February 2016.

[9] "Stormwater Pollution Prevention Plan," prepared by the Haskell Company, February 2016.

IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact surrounding land uses, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The proposed project is consistent in size, land use, intensity and design with the development anticipated, analyzed, and approved as part of the approved Specific Plan and EIR. Specifically, the Specific Plan projected – and the EIR analyzed – that over 39,000,000 square feet of industrial development would be constructed and operated on 4,937 acres (EIR, Tables III-1 and III-2). Specific Plan Table III-1, Allowable Uses, specifically permits warehousing and distribution uses, like those proposed by the project, with approval of a Site Plan Review Permit, (Specific Plan page III-3 ff).

Finally, because the project site is located in the middle of the Specific Plan area, the development of the site will not present any potential land use conflicts with regard to uses that will occur outside of the Specific Plan area. Accordingly, the project is within the scope of the EIR's analysis.

Discussion of Impacts

a-c) ***No Impact.*** The project site is currently vacant, and will not divide any established community. The proposed project will result in the development of 1.3 million square feet of warehouse distribution space within the North Apple Valley Industrial Specific Plan. The project is consistent with the land use, development standards and guidelines of the Specific Plan. The project area is designated for Industrial development in the Town's General Plan. There are no conservation plans currently in effect in Town. There will be no impacts associated with land use as a result of the proposed project.

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

Discussion of Impacts

a-b) No Impact. The NOP for the Specific Plan EIR determined that there were no lands designated for mineral resources within the Specific Plan area, and that no mineral resource extraction occurred or was projected to occur within the Specific Plan area. The proposed project site has been designated for industrial development for a number of years. No mineral resources are known to occur on the project site. There will be no impacts to mineral resources as a result of implementation of the proposed project.

XI. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to result in noise impacts, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR imposed a requirement for further site-specific noise studies only where a proposed project's stationary noise sources may adversely impact sensitive noise receptors in the site vicinity. (EIR pp. III-145.) The project site is in the middle of the Specific Plan area and surrounded by other industrially zoned lands, and there are no sensitive receptors in the site's vicinity that would require such site-specific analysis. The nearest sensitive receptor, a single family home is approximately 1.25 miles east of the project site.

Discussion of Impacts

a, c) ***Less Than Significant Impact.*** The proposed project will result in the development of a warehouse distribution facility, which includes stationary noise sources such as sliding dock

doors and rooftop mechanical equipment, as well as on-site mobile sources such as back-up beepers and forklift operations. The project site is currently vacant, and is surrounded by either vacant lands or existing industrial development of a similar nature. There are no sensitive receptors located in the vicinity of the proposed project.

The certified EIR found that noise levels within 100 feet of centerline on Navajo Road were approximately 64 dBA CNEL. Since the certification of the EIR, little development has occurred in the area, and it can be expected that noise levels are generally consistent with those conditions. The certified EIR further found that noise levels would reach 67.6 dBA CNEL at Specific Plan build out.

For light industrial development, the Town's Noise Control Ordinance allows noise levels of 70 dBA in exterior areas. The project site will experience noise levels of up to 67.6 dBA at build out of the Specific Plan, which is less than the maximum allowed under the Town's Noise Ordinance, and impacts are therefore expected to be less than significant.

b) ***Less Than Significant Impact.*** The primary source of vibration at the site is expected to be during construction, from the use of heavy equipment; and during operation from the heavy truck trips the project will generate. The level of vibration, however, will be periodic and temporary, and because of the project site's location away from sensitive receptors, is expected to represent a less than significant impact.

d) ***Less Than Significant Impact.*** Temporary noise generated during the construction phase of the proposed project could exceed acceptable noise levels, particularly during site preparation. Primary noise sources will be heavy equipment. These impacts, however, will be periodic and temporary, and are allowed in the Town's Municipal Code, as long as they occur during specified daytime hours. The project will be required to comply with these requirements. Further, the site is not located near sensitive receptors who would be impacted by construction noise. The location of the proposed project in an industrially designated area, and the Town's standards will assure that impacts are less than significant.

e) ***Less Than Significant Impact.*** The Apple Valley Airport is located approximately 1/4 mile east of the subject property. The proposed project is likely to be subjected to noise from airplane traffic during the life of the project. The airport's noise contours show that the project site is in an area that experiences noise levels of 60 dBA CNEL from airport operations. This noise level is well below the 70 dBA that is allowed for industrial properties. Impacts associated with airport noise are expected to be less than significant.

f) ***No Impact.*** The subject property is not located in the vicinity of a private airstrip, and no impacts associated with such a noise source will occur.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to result in impacts associated with population and housing, but that with the implementation of mitigation measures imposed on the Town, build out of the Specific Plan would result in less than significant impacts.

Discussion of Impacts

a) ***Less Than Significant Impact.*** The proposed project will result in a demand for approximately 448 employees. The certified EIR identified a job generation from the development of the Specific Plan area of 29,551 industrial jobs. The proposed project represents 1.5% of that total job generation. The EIR found that the increase in jobs could be supported for multiple reasons. First, the Town's residents currently commute to work outside of Town, and the proposed Specific Plan would generate jobs that would improve the Town's jobs/housing balance. Further, the EIR found that the Town had a capacity for an additional 15,078 housing units. Based on the Town's average of 1.09 jobs per household, the proposed project would generate a need for 488 housing units, if all the project's employees were to be new residents. The Town has capacity and resources to accommodate this level of growth, and the proposed project will have a less than significant impact on population growth.

b-c) ***No Impact.*** The project site is currently vacant, and will not result in the demolition of existing housing, or the displacement of people. No impact is expected.

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

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact public services, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

Discussion of Impacts

a-e) Less Than Significant Impact. The development of the project will not increase the demand on public services beyond that already anticipated and analyzed in the EIR.

Fire Protection

The Apple Valley Fire Protection District is responsible for fire protection in the Specific Plan area. The closest fire station to the project site is Station 332, which is located on Highway 18.

The proposed project will result in additional demand on fire services from the District. The proposed project includes a fire pump house, water storage tank and associated facilities to provide added fire resources at the project site. The proposed project will increase revenues to the Town, in the form of direct property tax increases, and indirect sales tax increases from discretionary spending by employees. These revenues will help to offset the added costs of fire services to the proposed project.

As required in the Building Code, project construction plans will be reviewed by the Fire Department to ensure they meet applicable fire standards and regulations. Overall impacts to fire protection services will be less than significant.

Police Protection

The San Bernardino Sheriff's Department provides police services to the Town and the proposed project site, under contract with the Town. Police service demand will increase marginally as a result of build out of the proposed project, as industrial development does not generate a high demand for service.

The proposed project will increase revenues to the Town, in the form of direct property tax increases, and indirect sales tax increases from discretionary spending by employees. These revenues will help to offset the added costs of police services to the proposed project.

Schools

The proposed project will have an indirect impact on schools within the Apple Valley Unified School District, insofar as the proposed industrial development will not, in and of itself, generate a demand for school facilities. The additional school children are likely to result from the employment generated by the project, however. The project applicant shall pay all statutorily imposed school mitigation fees as part of the project. As set forth in the EIR, no significant impacts to schools are anticipated.

Parks

The proposed project will not directly impact parks. The increase in employees, however, could increase the demand on the Town's park facilities. The proposed project, and the homes resulting from the creation of new households for employees of the project, will result in increased revenues to the Town, that will offset the indirect impact on parks. Impacts are expected to be less than significant.

Other Public Facilities

The proposed project will also include the undergrounding of a power line along Navajo Road. The undergrounding will not alter the pattern or capacity of electrical service, such that no significant impacts are anticipated.

XIV. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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) 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?	☐	☐	☒	☐

Discussion of Impacts

a-b) Less Than Significant Impact. The proposed project will not directly impact recreational facilities. The increase in employees, however, could increase the demand on the Town's recreational facilities. The proposed project, and the homes resulting from the creation of new households for employees of the project, will result in increased revenues to the Town that will offset the indirect impact on recreational facilities. Impacts are expected to be less than significant.

XV. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact traffic, although these impacts were less than significant. The implementation of mitigation measures would assure that build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

The EIR required that site-specific traffic studies would be required only on a project-by-project basis. (EIR pp. III-46.) A traffic validation analysis prepared for the proposed project confirmed that there are no materials changes in existing conditions or anticipated impacts as compared to what was analyzed in the EIR. Accordingly, no further site-specific mitigation is required for the project. The results of the traffic validation analysis are summarized below.

Discussion of Impacts

a) & b) Less Than Significant Impact. The proposed land use is consistent with the land uses analyzed in the certified EIR. The proposed project will result in 1.3 million square feet of warehouse distribution space, with access on Navajo Road. In order to assure that the

proposed project would not have an impact on the traffic and circulation patterns for the area, the traffic engineer who prepared the EIR traffic impact analysis reviewed the proposed project as well[10]. The purpose of the review was to assure that the analysis in the traffic study would not be changed by the proposed project.

The evaluation considered the potential trip generation of a high-cube distribution center, consistent with the project's use. The EIR traffic impact analysis had used the ITE Industrial Park category, in order to include those ancillary businesses which typically occur in an industrial park setting. The High-Cube Distribution Center ITE category presents a more accurate representation of the proposed project, and resulted in findings that the proposed project would generate 211 vehicle trips during the morning peak hour, and 244 vehicle trips during the evening peak hour. By comparison, the Industrial Park designation, applied in the EIR traffic impact analysis, would generate 225 morning peak hour trips, and 249 evening peak hour trips. The proposed project will therefore generate marginally fewer trips than were studied in the certified EIR, and the project's impacts are therefore consistent with the analysis in the EIR.

The certified EIR found that at Specific Plan build out, all intersections would operate at Level of Service (LOS) C, including the Navajo Road/Johnson Road intersection which will be the primary access point for the project, with standard improvements. These improvements are those required to bring all streets within the Specific Plan to General Plan standards, including the construction of roadway half-widths, curb, and gutter, and do not include any additional requirements.

As a result of the current evaluation, it is concluded that impacts associated with level of service and capacity will be less than significant with build out of the proposed project.

c) ***No Impact.*** The Apple Valley Airport is located approximately ¼ mile southeast of the proposed project. None of the improvements proposed by the project will adversely impact air traffic patterns, airport functions, or safety.

d) ***No Impact.*** The project does not propose any hazardous design features. The project will be required to provide improvements to public streets, project driveways and interior roadways consistent with Town standards. No impact is expected.

e) ***Less Than Significant Impact.*** The proposed project will be accessed from Navajo Road. The project will result in the elimination of Burbank Avenue west of Navajo Road. This roadway, however, is a local street, and not a General Plan roadway. It does not provide regional access, and its elimination will have no impact on emergency access. The Town will impose standard conditions on the proposed project for the construction of public streets, including Navajo and Lafayette, and interior drives and roads to assure that they meet emergency access requirements. These standard requirements will assure that impacts are less than significant.

f) ***No Impact.*** The proposed project includes parking spaces for passenger vehicles, trailers and heavy duty trucks in excess of the requirements of the Development Code. No impact is expected.

[10] "Project Jupiter Trip Generation Evaluation," prepared by Urban Crossroads, September 2015.

g) ***No Impact.*** Victor Valley Transit provides bus service to the Town. Current service includes a route along Dale Evans Parkway which includes a stop at Johnson Road. Local service would also provided on Lafayette, between Navajo Road and Dale Evans Parkway, with the completion of the proposed project. The certified EIR included measures to assure that transit service needs are monitored, and service established in the future when warranted. No impact is anticipated.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) 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?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Introduction

The Specific Plan EIR found that the development of the Specific Plan had the potential to impact utilities, but that with the implementation of mitigation measures, build out of the Specific Plan would result in less than significant impacts. The proposed project will be subject to these mitigation measures.

Discussion of Impacts

a-e) Less Than Significant Impact.

Wastewater Treatment

Wastewater generated by the proposed project will be treated by the Victor Valley Reclamation Authority (VVRA) treatment plant, which has a current capacity of 14.5 million gallons per day (MGD). The treatment plant, located in Victorville, includes

capabilities for tertiary treatment, which allow the use of treated water for landscaping. In addition, the VVRA is constructing sub-regional plants, including one in Apple Valley to allow local tertiary treatment and distribution.

The proposed project will connect to an existing line in Navajo Road, and will generate approximately 0.44 MGD of wastewater. The VVRA plant has capacity to treat the wastewater generated by the project. Impacts associated with project build out are expected to be less than significant.

Domestic Water

Liberty Utilities, formerly Apple Valley Ranchos Water Company, provides domestic water services to the subject property and vicinity. The WSA prepared for the Specific Plan demonstrated that AVR has sufficient water supplies to provide service to the project site and all areas of the Specific Plan in normal, wet and dry years (please also see Section VIII). The proposed project will generate a demand for 271 acre feet annually, consistent with the quantity contained and analyzed in the WSA. Further, the proposed project will be required to comply with current Building Code requirements, which are more stringent regarding water use than those in place when the EIR was prepared, and with all water conservation measures currently being implemented as a result of State mandates for water conservation during the current drought. The Project will reduce water usage that might otherwise occur through compliance with the Specific Plan and EIR's requirements to use native and drought-tolerance species in all landscaping.

Finally, the project will include the relocation and extension of a water main located in Navajo Road. Impacts associated with domestic water are expected to be less than significant.

Stormwater Management

The proposed project will be required to retain the 100 year storm on site, consistent with Town standards. Impacts are expected to be less than significant. Please also see Section VIII.

f-g) ***Less Than Significant Impact.*** The Town contracts for solid waste disposal with Burrtec Waste Industries. Solid waste is hauled to the Victorville landfill, which is a County operated facility. The proposed project will generate solid waste consistent with that analyzed in the certified EIR, and can be expected to result in up to 15,000 tons of solid waste annually. This represents 3.7% of the total solid waste for the Specific Plan area, and is well within the capacity of the landfill. Impacts associated with solid waste generation are expected to be less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) 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) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a) ***Less Than Significant Impacts with Mitigation Incorporated.*** As detailed in this Initial Study, the proposed project has the potential to impact both biological and cultural resources. With the implementation of mitigation measures in both the certified EIR and this Initial Study, these impacts will be reduced to less than significant levels.

b) ***Less Than Significant Impact.*** As described in this Initial Study, the project's direct construction and operational air quality impacts will not exceed MDAQMD thresholds, and its impacts will be less than significant. However, it can be expected that the emissions of this project will contribute to the emissions of the overall build out of the Specific Plan. The EIR determined that the Specific Plan's overall emissions would be significant and unavoidable, and the Town Council adopted CEQA findings and a Statement of Overriding Considerations addressing those impacts. Specifically, as identified in the Findings adopted with the certification of the EIR (Town Council Resolution 2006-81), the Town found as follows:

"The Town Council finds and determines that the significant environmental effects identified in the EIR have been reduced to an acceptable level in that: (1) all significant

effects that can feasibly be avoided have been eliminated or substantially lessened as determined through the findings set forth in this Resolution; (2) based upon the EIR, Exhibits to this Resolution, and other documents in the record, specific economic, social and other considerations make infeasible other project alternatives identified in said EIR; and (3) based upon the EIR, Exhibits to this Resolution and other documents in the record, all remaining, unavoidable effects of the Specific Plan, General Plan Amendment and Zone Change are overridden by the benefits of the project as described in Exhibit A, which the Town Council is adopting as a Statement of Overriding Considerations for the proposed Project."

As concerns the currently proposed project, there is no evidence that the proposed project would result in impacts that are any greater than those already disclosed in the EIR. Accordingly, no further analysis is required under State CEQA Guidelines § 15162.

c) ***Less Than Significant Impacts with Mitigation Incorporated.*** As described in this Initial Study, the proposed project will not, in and of itself, have significant impacts on air quality, noise or traffic, or other categories impacting human beings. The project will however, contribute to cumulative impacts to air quality, which will potentially impact human beings at Specific Plan build out. The Town Council, however, when it adopted the Specific Plan and certified the EIR, determined that the benefits of build out of the Specific Plan outweighed the potential impacts associated with air quality, and adopted Findings and a Statement of Overriding Considerations as described above. There is no evidence that the proposed project would result in impacts that are any greater than those already disclosed in the EIR. Accordingly, no further analysis is required under State CEQA Guidelines § 15162.

REFERENCES

Town of Apple Valley General Plan, Climate Action Plan, and General Plan EIR.

Town of Apple Valley Development Code.

North Apple Valley Industrial Park Specific Plan and EIR.

Mojave Desert Air Quality Management District California Environmental Quality Act and Federal Conformity Guidelines.

CalEEMOD Model Runs, Project Jupiter, Terra Nova Planning & Research, October 2015.

Jupiter Project Updated Biological Resources Report, AMEC Foster Wheeler, January 2016.

Jupiter Project Focused Desert Tortoise Survey Report, AMEC Foster Wheeler, April 2015.

Jurisdictional Delineation Report Project Jupiter, AMEC Foster Wheeler, December 3, 2015.

Archaeological and Paleontological Resources Phase I Assessment, prepared by Northgate Environmental Management, March 2016.

Phase 1 Cultural Resource Assessment and Paleontological Records Review Navajo Road Project, Michael Brandman Associates, June 2007.

Geotechnical Engineering Study, Geosphere Consultants, Inc., June 2015.

Revised Ordnance Investigation Services Report, Jupiter Project – Navajo Road, Northgate Environmental Management, July 17, 2015.

Stormwater Management Plan, The Haskell Company, February 2016.

Stormwater Pollution Prevention Plan, The Haskell Company, February 2016.

Project Jupiter Trip Generation Evaluation, Urban Crossroads, September 2015.

Please note: All special studies and documents listed above are available for review at Town Hall, 14955 Dale Evans Parkway, in Apple Valley.

Appendix A

Environmental Matrix
North Apple Valley Industrial Specific Plan
Environmental Impact Report

ENVIRONMENTAL SUMMARY MATRIX

This Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts that may result from the development of the North Apple Valley Industrial Specific Plan. The North Apple Valley Industrial Specific Plan site is located in the western Mojave Desert Region of Southern California in the southwestern portion of San Bernardino County. The subject property is within the northern portion of the Town of Apple Valley and encompasses a total of approximately 4,937± acres. The project site is bounded on the west by Dale Evans Parkway, on the north by Quarry Road, by Central Street on the east, and by Waalew Road on the south. The project location may also be described as Sections 15, 16, 21, 22, 27, 28, and portions of Sections 10, 33, and 34, Township 6 North, Range 3 West, San Bernardino Baseline and Meridian, in the County of San Bernardino.

The area is currently sparsely developed with a mix of industrial and scattered single-family residential development. The Apple Valley Airport is located in the center of the Specific Plan area. Lands designated by the California Department of Transportation (CalTrans) for the future High Desert Corridor occur within the southwestern portion of the Specific Plan area.

The subject project would establish development standards and guidelines for the eventual development of a master planned industrial park. Land use designations would allow for clean manufacturing, warehousing, more intense manufacturing, industrial uses within the Airport Area of Influence, and general commercial. Industrial uses would comprise the largest portion of the Specific Plan area.

The following discussion briefly summarizes each category of analysis, including existing conditions, project impacts and applicable mitigation measures recommended to reduce impacts to acceptable or insignificant levels. Levels of impact include:

Significant Impacts: Those impacts that constitute a potentially significant adverse change in the environment.

Insignificant Impacts: Those impacts which, by virtue of the environmental conditions, predisposing existing development, or the implementation of mitigation measures, are reduced to acceptable or "insignificant" levels.

Unavoidable Impacts: Those impacts that occur as a result of project development whose adverse effects cannot be entirely eliminated or reduced to a level of insignificance.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
LAND USE COMPATIBILITY The subject property is within the corporate limits of the Town of Apple Valley. The Specific Plan area is comprised of 4,937± acres. Currently, lands within the Specific Plan area are General Plan-designated Planned Industrial and Community Reserve; a pocket of Commercial land occurs immediately west of the airport, zoned General Commercial. Current zoning designations on the project site are General Commercial, Planned Industrial, Light Industrial and General Industrial, Very Low Density Residential (1 du/5+ gross acres) and Low Density Residential (1 du/2.5 to 5 gross acres). Lands in the southwestern portion of the Specific Plan area are CalTrans-designated for development of the future High Desert Corridor. The latter is not a General Plan designation. Lands to the west of the Specific Plan area within Town limits are designated Community Reserve, with residential densities not to exceed 2 du/gross acre subject to criteria defined for this designation. Community Reserve is intended to provide for a mix of residential, commercial and industrial development that will support viable neighborhoods or villages. Lands to the north are designated Low Density Residential; to the east within Town limits are Estate Residential, (1 du/1.0 to 2.5 gross acres); to the south are Community Reserve and Planned Industrial (light manufacturing and industry).Lands to the east outside Town limits are designated Rural Living, Regional Industrial, Community Industrial, and Resource Conservation in the San Bernardino County General Plan. Lands to the west outside the Town limits are designated Rural Living in the San Bernardino County General Plan.	With the implementation of mitigation measures, impacts associated with traffic, provision of infrastructure, impacts to air and water quality, visual resources and the potential for buildout of the Specific Plan to generate hazardous and toxic materials are expected to be less than significant. The Specific Plan provides for the most potentially intense industrial land uses to be located furthest from existing and approved residential development within the Town. It provides for landscaping and building setbacks on the perimeter streets within the Specific Plan to assure that sufficient distance is provided between the industrial and commercial uses and the residences across each of these streets. It provides for land uses and development standards within the Airport Influence Area that are compatible with airport operations. The proposed Specific Plan is consistent with the provisions and requirements of the Town of Apple Valley General Plan and Zoning Ordinance, as required by state law. The Specific Plan does not propose development that would physically divide an existing community, or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.	In the overall, with the implementation of mitigation set forth in this EIR, land use impacts are expected to be less than significant. The Town General Plan incorporates a wide range of policies and programs, the implementation of which will address land use compatibility issues as they arise. Development guidelines set forth in the proposed Specific Plan, which are typically more restrictive than those set forth in the General Plan and Town development code, will further address potential issues. To further assure that potential changes in land use are adequately assessed, individual projects, especially those located nearby or adjacent to sensitive lands or uses, shall be fully evaluated during the project review process to assure that all land use compatibility issues are addressed and mitigated.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
TRAFFIC/CIRCULATION/PARKING A traffic study was prepared for this project and traffic counts along roadways in the project vicinity were collected in Spring of 2006. Traffic analysis was based on the Comprehensive Transportation Plan (CTP) and consistent with requirements of the San Bernardino County Congestion Management Plan (CMP). The Specific Plan area has existing and planned access to major transportation links in the immediate vicinity, including US Interstate-15, Dale Evans Parkway, State Highway 18 (Happy Trail Highway), Stoddard Wells Road and the future High Desert Corridor. Local access is provided by a variety of arterial roadways, including Quarry Road, Johnson Road, Saugus Road, Gustine Street, Corwin Road, Waalew Road and Central Road. Currently (2006), all but seven of the 40 intersections studied are operating at acceptable levels of service (LOS C or better). Of the seven intersections with unacceptable Levels of Service, current traffic volumes at six of these intersections warrant signalization.	The project traffic study estimates that the proposed project (Preferred Alternative) will generate approximately 168,609 average daily trips (ADT) at buildout (Year 2030). The incremental growth in background traffic, based upon General Plan land use designations and the County CMP and CTP models, has also been calculated and added to the projected Preferred Alternative 2030 (buildout) Specific Plan traffic projections. Based on the analysis, all study area intersections are expected to operate at LOS C or better during the AM and/or PM peak hour periods upon buildout of the Specific Plan and at the 2030 Horizon Year. The proposed project is not expected to have a significant adverse impact on local or regional traffic conditions, either during the construction of operational phases of the project. There is no need for special off-site improvements to accommodate the projected additional traffic the project will generate. Costs associated with the buildout of on-site and off-site roadway/intersections for the Specific Plan Preferred Alternative (and other alternatives) are analysed in the Traffic Study, and represent rough order of magnitude cost estimates. Based on this analysis, it is estimated that the costs of the on-site intersection improvements for the Specific Plan are approximately 20% higher than costs projected for buildout under the existing General Plan. The off-site intersection improvement costs for the Specific plan project are estimated to be about 14% higher than costs associated with the existing General Plan.	The proposed project is not expected to have a significant adverse impact on local or regional traffic conditions, or to create a need for special off-site improvements to accommodate the projected additional project-related traffic. However, additional measures are recommended to further reduce potential impacts during both the construction and operational phases of the project. These include: on-site roadway improvements required in conjunction with buildout, and a requirement for updated site-specific traffic studies on a project-by-project. Required off-site intersection and roadway improvements to mitigate potential impacts of the Specific Plan are those generally set forth in the Town and County General Plans, and as planned by CalTrans. Development within the Specific Plan project area should be required to contribute towards the cost of necessary study area improvements on a fair-share basis, via payment of development impact fees and/or additional fair-share contributions. The Town shall make a good faith effort to assure that intersections operate at LOS C or better. The Town shall periodically monitor conditions along roadway segments where General Plan and Specific plan level analyses indicate high levels of traffic congestion. A well-developed bus transportation system could potentially reduce vehicle traffic substantially for workers within the Specific plan area. The General Plan includes goals and policies designed to enhance the operation and efficiency of all aspects of the transportation system serving the Specific Plan area and address the on-going monitoring and management of traffic volumes and operating conditions, and the timing of required improvements to maintain acceptable levels of service.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
SOILS AND GEOLOGY The Specific Plan area is located in proximity to major earthquake faults and is susceptible to a range of geotechnical conditions. These include strong groundshaking and seismically induced settlement. The site is not located within an Alquist-Priolo Fault Zone, nor are any active or potentially active faults known to occur on site. The entire site occurs within an area of moderate wind in Sidewinder Valley and close to the foothills and edges of the San Bernardino Mountains. It has a moderate level of susceptibility to brush fires and wind related soil erosion.	Onsite soils may pose some challenges to the construction of future development and other site improvements. Proper design, site preparation, and grading procedures can eliminate any difficulties, however. The sandy and soils in the Specific Plan area site are not considered to be expansive. The alluvial soils found on site have various strengths and may not be sufficiently uniform or compact to support the foundation loads of new buildings. Reliance upon these existing soils to support new buildings could lead to unacceptable levels of post-construction settlement. Therefore, grading will be required in order to remove any low-density soils that have the potential to collapse and to be compressed. After grading, post-construction settlements onsite is expected to be within tolerable limits. Due to the arid alluvial nature of the soils on site, conditions associated with shrinkage and subsidence are not expected on site. The site is not considered susceptible to liquefaction during seismic events in nearby fault, nor is groundwater expected to impact grading or foundation construction activities. The Specific Plan area has a moderate level of susceptibility to brush fires and wind related soil erosion. The site is not located within an Alquist-Priolo Fault Zone, nor are any active or potentially active faults known to occur on site. Therefore, the likelihood of significant rupture at ground surface is low.	Based on soils surveys and geotechnical literature, development of the Specific Plan is feasible on the project site from a geotechnical perspective. With the implementation of standard construction practices for the area, damage to structures from potential earthquakes will be mitigated to less than significant levels. Additional site-specific geotechnical investigations will be necessary to refine engineering design parameters such as site preparation, grading, and foundation design, and to assure that design criteria are responsive to onsite soils and to the effects of differential settlements resulting from potential ground shaking. Any refinements to the geotechnical analysis will need to be completed prior to the approval of development plans. Potential impacts from geotechnical and soil-related factors can be mitigated through the implementation of a wide range of measure, including removal of vegetation and alluvial soils, site and pad preparation so as to avoid mixed foundational support and potential for differential settlement, monitoring for potential settlement of fill soils, and post-construction planting and other erosion measures.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
HYDROLOGY The region is susceptible to localized, high-intensity thunderstorms, tropical storms, and winter storm conditions. Natural drainage features of the site have been altered to some extent due to the introduction of roadway and the sparse development on site. The Specific Plan area drains naturally from the northeast to the southwest, and slopes are generally one percent or less throughout the area. The Specific Plan area includes several shallow dry wash "blue-line streams," some of which flow off-site and eventually into the Mojave River. No riparian vegetation was identified was identified within these streambeds, nor were any seeps, springs, ponds, lakes or other wetlands noted to occur within the Specific Plan area. Based on FEMA maps, the Specific Plan area is located in Flood Zone D ("Undetermined"), which is outside of the 100-year and 500-year flood zones. The 100-year flood zone is located approximately one-half mile south of the project at the Apple Valley Dry Lake. The most flood prone areas in Town are located at the Mojave River, approximately four miles southwest of the Specific Plan area. The Town's Master Plan for Drainage proposes numerous drainage courses and regional drainage facilities in the northern part of Town. Maintenance of, and improvements to, flood control facilities in the northern part of town will expedite development of the Specific Plan area.	Improvements to the site are expected to include buildings totaling approximately 39,438,701 square feet of space, interior roads, and landscaped areas along building perimeters, interior roadways, and parking lots. Build-out of the site will result in construction of impermeable surfaces that will significantly increase storm water runoff potential generated at the site. Without mitigation, portions of the project and those areas immediately south of the project may be susceptible to storm-induced flooding, primarily from sheet flow and ponding of water behind embankments. To minimize potential flooding impacts, flood control structures will be installed throughout the Specific Plan area. In general, proposed drainage systems shall be designed to limit flood hazards, protect natural watersheds, and protect lives and properties in areas subject to flooding. Water runoff from the site will be controlled through future flood control structures and detention basins. Existing storm water infrastructure south of the project site will not be overburdened or negatively impacted by the project. There are no levees or dams whose failure would cause property damage or loss of life in the Specific Plan area; threats from mudflow are less than significant on site. The General Plan establishes goals and policies to address potential flooding hazards and hydrology issues in the Town and Study Area; it establishes measures directed at minimizing impacts of increased development on storm water control facilities. No substantial new sources of polluted runoff are expected. The proposed development will not violate water quality standards or waste discharge requirements.	In addition to regional facilities, on-site retention will continue to be required for individual projects, to ensure water reclamation and conservation; control of nuisance flows such as runoff from over-irrigation of landscaping; flood control; and flood channel erosion control. Future development must meet certain drainage criteria prior to the issuance of building permits. The Town of Apple Valley requires developers to pay mitigation fees depending upon their runoff potential. For the proposed development footprint of 39.4 million square feet, total drainage impact fees would exceed $4.5 million. Project developers shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Developers shall be required to periodically clean interior roads and parking courts, control and monitor use of pesticides and fertilizer, and treat runoff prior to discharge into detention basins. Disturbance of any of the shallow dry wash blue-line streams shall require additional analysis to determine if they have definable bed or bank, and if they have any connection to waters of the United States. If these blue-line streams meet state and or federal requirements, specialized permitting shall be required. All development in the Specific Plan area shall conform to any future updates or revisions to the Town's Master Plan of Drainage. Site specific hydrology analysis may be required of development within the Specific Plan area, as determined by the Town of Apple Valley Engineering Division.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
WATER RESOURCES/QUALITY The Apple Valley Ranchos Water Company (AVR) is the Town's primary water provider. AVR provides water to the Specific Plan area. AVR extracts all of its water from a large underlying aquifer, the Alto Subarea of the Mojave Groundwater Basin, which is managed by the Mojave Basin Area Watermaster. AVR's Urban Water Management Plan (WMP) indicates that the subbasin's net volume of water is estimated at 34,700 ac-ft of water. Most groundwater recharge occurs from the Mojave River and the upstream stormwater and snowmelt, although the Mojave Water Agency (MWA) imports water from the California State Water (SWP) project that is spread in the Mojave River to assist groundwater recharge in the basin. The Victor Valley Wastewater Reclamation Authority operates an 11 MGD wastewater treatment water reclamation facility for Apple Valley and other high desert communities. The plant is currently being expanded to increase capacity by an additional 3.5 MGD. AVR contracts with MWA for SWP water. AVR is located in the Mojave Water Basin, is subject to the Mojave Basin Judgment, and has a free production allowance of 8,567 acre-feet per year. Groundwater beyond this amount is subject to replacement. The project is also subject to the MWA's Regional Water Management Plan (November 2005). Based on water quality testing, the water provided by AVR does not exceed any federal or state drinking water standards.	Water demand at buildout of the Specific Plan was estimated in the North Apple Valley Industrial Specific Plan Water Supply Assessment (WSA) to be 5.5 million gallons per day, or 6,199.7 acre-feet per year at buildout. Based on the information and findings documented in this WSA, there is evidence to support a determination that there will be sufficient water supplies to meet the demands of the project during normal years, single dry years, and multiple dry years though 2025. This is based on the fact that AVR has existing water entitlements, rights and contracts to meet future demand as needed over time, and has committed sufficient capital resources and planned investments in various water programs and facilities to serve all of its existing and planned customers. The proposed Specific Plan will facilitate development within the project boundaries, though the actual rate of buildout is unknown. Overall, the total amount of water required by the project represents a decrease of approximately 13% in consumption as compared to the development potential of the existing General Plan land use designations within the project boundary. The development proposed for the project site is not expected to have significant impacts upon waste discharge requirements or operations. In summary, development of the proposed Specific Plan on the project site is expected to have a less than significant impact upon potable water use and overall water quality in the project vicinity and the Town.	The EIR sets forth mitigation measures to ensure that project impacts are reduced to levels below significance. These include a requirement that project developers prepare a Storm Water Pollution Prevention Plan (SWPPP), and provide periodic cleaning of interior roads and parking courts, careful control and monitoring of pesticides and fertilizer, and treatment of runoff prior to discharge into detention basins. As part of the Mojave Water Basin Stipulated Judgment, the average annual obligation of any Subarea to another was set equal to the estimated average annual natural flow between the Subareas over a 60 year period (water years 1930-1931 through 1989-1990). The average obligation of the Alto Subarea has been set at 23,000 acre-feet per year. If this obligation is not met, the producers in the upstream Subarea must pay the Watermaster for makeup water to be delivered to the downstream Subarea. In addition, the Judgment requires that the producer replace all water produced in excess of the producer's share of the free production allowance. According to the MWA 2005 UWMP update, as water demands increase over the next 20 years, additional projects and water management actions are needed to continue to recharge the groundwater basins to maintain groundwater levels and protect groundwater quality for municipal, agricultural, industrial, recreational, and environmental uses. If such projects are not implemented and groundwater overdraft persists or intensifies, the presiding Judge for the Mojave Basin Area Judgment could require mandatory cutbacks in production.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
BIOLOGICAL RESOURCES An assessment of the biological resources within the Specific Plan area was prepared for this EIR. The Specific Plan area, particularly the southern half, has been significantly impacted by human activity. Clearing and grubbing, dirt roads, and scattered development have affected the native environment in the area. The Specific Plan area is composed of the Ruderal Scrub Plant Community, the Saltbush Scrub Plant Community and the Creosote Scrub Plant Community. A number of common species are expected to occur in the Specific Plan area, most of which are associated with disturbed Creosote Bush Scrub and Saltbush Scrub habitats. A total of eleven Special Status Species have the potential to occur within the Specific Plan area. These are Booth's evening primrose, Desert Cymopterus, Joshua Trees, Burrowing Owl, LeConte's Thrasher, Prairie Falcon, Mohave Ground Squirrel, Pale Big-eared Bat, Pallid San Diego Pocket Mouse, Coast Horned Lizard and Desert Tortoise.	The primary impacts to biological resources expected to result from build out of the proposed Specific Plan include the loss, fragmentation and degradation of viable habitat. Secondary impacts to biological resources may include the introduction of non-native plant species, which can disrupt and overrun natural communities, increased vehicle use and foot traffic, and predation of wildlife by domestic pets. Grading and development of lands within the Plan area have the potential to result in the destruction of entire populations of common and sensitive plant species. Urbanization has the potential to affect special status animals, including migratory birds, Desert Tortoise and LeConte's Thrasher. Permanent loss of this habitat has the potential to impact individual animals. Build out of the Plan area has the potential to impact the federally and state listed Desert Tortoise, which has a potential of occurring north of the Apple Valley airport. Development in the area has the potential to destroy burrows and eliminate habitat for the species. As a listed species, the Desert Tortoise requires special consideration, and survey requirements are listed in this EIR to assure that impacts are reduced to less than significant levels.	To ensure that impacts to biological resources are reduced to a less than significant levels, mitigation measures shall be implemented, including: pre-construction biological surveys for burrowing owls shall be performed by a qualified biologist on all lands within the Specific Plan area, consistent with the protocol established by CDFG at the time the survey is proposed. Should the species be identified on-site, the biologist shall recommend avoidance or relocation measures to assure that there is no impact to the species. Pre-construction biological surveys shall be conducted by a qualified biologist for Desert Tortoise, Burrowing Owl, and Mohave Ground Squirrel in specially-designated areas, as discussed in this EIR, and shall be consistent with applicable protocol established by the USFWS and CDFG at the time any survey is proposed. In addition, any project proposing land disturbing activities between February 1 and June 30 shall be required to perform a nesting bird survey consistent with the requirements of the Migratory Bird Treaty Act.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
CULTURAL RESOURCES In preparation of this EIR, cultural and paleontological resource studies were prepared. With the exception of two cultural resources surveys performed for the Airport Master Plan and the Wal-Mart Distribution Center, the Specific Plan area has not been comprehensively surveyed for archaeological resources. These small-scale surveys have identified and recorded seven archaeological/historic sites and two isolates within the Specific Plan area. Outside the Specific Plan area and within one half mile, three pre-historic sites have been identified. Regional records indicate that six historic sites have been identified within the Specific Plan area in previous studies. None of the historic resources have been identified as eligible for designation in either the National or the California Registers of Historic Places. The northern portion of the Specific Plan area has the potential for high sensitivity for pre-historic resources, as an area for collection of stone for tool making. The area at the southern end of the Specific Plan, south of Papago Road, occurs in an area that would have been the shoreline of the ancient lake, and is likely to be highly sensitive for pre-historic sites. In these areas, the resources are likely to have been buried by alluvial sediments, and not detectable at the surface. Based on the soils in the Specific Plan area, the majority of the area contains rocky soils which have a low probability of yielding paleontological resources. The finer alluvial soils located in the southern portion of the Plan area, however, may include fossil remains.	Based on the findings of the cultural resources study, the Specific Plan area includes lands of high sensitivity for prehistoric and archaeological artifacts, as well as moderate sensitivity for historic structures. Future development projects of the Specific Plan area could result in direct and/or indirect disturbance or destruction of sensitive archaeological and historic resources. Site surveys should be conducted on all future development projects in areas of sensitivity, to determine the presence and significance of archaeological and historic resources. Future development in the Specific Plan area could also impact paleontological resources, should Pleistocene-age soils be disturbed by grading or excavation. Since the depth of the Holocene-age soils is not known, Pleistocene-age soils may be sufficiently close to the surface to be disturbed by grading activities. Monitoring of grading activities should occur in areas where Pleistocene-age soils will be disturbed.	To assure that development and build out of the Specific Plan area will not have a significant effect on cultural resources, mitigation measures shall be implemented, including: cultural resource studies shall be required prior to development for all lands identified in this EIR as having a high potential for historic or archaeological resources. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits. Paleontological resource studies shall be required prior to development for all lands identified as having a high potential for paleontological resources as shown in this EIR. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
AIR QUALITY Over the past few decades the Town's air quality has noticeably deteriorated due to increased local development and population growth, traffic, construction activity and various site disturbances. Although air pollution is emitted from various sources in Apple Valley and the local vicinity, some of the degradation of air quality can be attributed to sources outside of the area, including Los Angeles County and other air basins to the west and southwest. The Mojave Desert Air Basin and the Town of Apple Valley are susceptible to air inversions, which trap a layer of stagnant air near the ground where it can be further loaded with pollutants. The Town of Apple Valley is located within the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management District (MDAQMD) is responsible for establishing air quality measurement criteria and relevant management policies for the basin and neighboring air basins. Air in the Mojave Desert Basin (which includes the Town of Apple Valley) exceeds federal standards for fugitive dust, and the area is considered to be in extreme non-attainment for ozone. However, air quality in the Town does not exceed state and federal standards related to carbon monoxide, nitrogen oxides, and sulfur dioxide.	The project will result in the direct and indirect generation and emission of air pollutants both locally and regionally. Emissions will contribute to regional air quality degradation in the Town of Apple Valley. The most significant impacts are expected to come from the emission of pollutants generated by vehicular and truck traffic. Other important sources of pollutants will be emissions generated during site preparation activities and from project operations, including the utilization of natural gas and electricity. Site preparation and grading related activities are expected to exceed one threshold criteria pollutant, nitrogen oxide, without the implementation of mitigation measures. Based on a worst-case projected emissions in pounds per day from construction related activities for the proposed project, no threshold criteria are expected to be exceeded during construction activities. The level of impact anticipated with operation of the proposed project is expected to be significant. These impacts can be mitigated, however, once mitigated, development of the Specific Plan will still represent a significant additional increment to the cumulative air quality impacts in the Apple Valley area. The proposed project represents a 25% increase in operational air quality impacts over the development potential of the existing General Plan land use designations. It is important to recognize that these pollutants will not be emitted in any short-term or concentrated manner, but represent 24-hour emissions.	Mitigation measures are embodied in the Town's General Plan Policies and associated EIR, and other measures promulgated by the Town and Mojave Desert Air Quality Management District to mitigate development impacts in the Town of Apple Valley and the surrounding areas. These measures will be applied to project development and are expected to reduce air quality impacts to the greatest extent possible. However, operational air quality impacts are expected to be significant, even with the implementation of mitigation measures. Mitigation measures in this EIR are designed to further reduce construction-related air quality impacts, and to reduce air quality impacts related to operation of the project as much as feasible. The Town shall review and condition grading and development permits to require the provision of all reasonably available methods and technologies to assure the minimal emissions of pollutants from the development. As part of the Town's grading permit process, the applicant shall submit a dust control plan as required by MDAQMD in compliance with Rule 403. To reduce PM_{10} emissions, the developer shall implement measures, as required on sites of 100+ acres, and to be followed to the greatest extent practicable. To minimize indirect source emissions, the developer shall install low-polluting and high-efficiency appliances; landscape with native and other appropriate drought-resistant species to reduce water consumption and to provide passive solar benefits. Implementation of the mitigation measures outlined above under the General Control and Mitigation Measures and the Developer's Air Quality Management Resources will reduce the potential air quality impacts to the greatest extent practicable.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
NOISE Generally, the Town of Apple Valley enjoys a quiet noise environment, with existing community noise being dominated primarily by constant motor vehicle traffic on highways and major arterials. The noise environment of the Specific Plan study area is currently especially affected by local airport operations, which on a daily basis averages approximately 348 flight operations (take-offs and landings) per day. All of these operations are associated with general aviation aircraft. Currently, airport operations have no significant adverse effect on the local noise environment. There are currently very few sensitive receptors within the Specific Plan study area, all of which are scattered single-family development. A rail line located adjacent to Quarry Road serves the Mojave Northern Mining quarry located to the east and generates approximately 2 to 4 trains per day. The principal noise generator within the community of Apple Valley is vehicular traffic. Noise contour evaluation conducted for the project indicates that the noise environment in the Specific Plan study area currently ranges from 50.9 CNEL at Stoddard Wells Road west of Dale Evans Parkway, to 71.3 CNEL along SR 18 west of Corwin Road, at a distance of 100 feet from the street centerline.	Based on the noise analysis, traffic associated with the buildout of the North Apple Valley Industrial Specific Plan will have a less than significant impact on the noise environment on all but eleven (11) roadway segments in the planning area. These segments may be potentially impacted by a 3 dBA or greater increase in noise levels that contribute to an exceedance of 65 dBA CNEL, and their respective increases in CNEL dBA. These potentially significant impacts range from very marginal for five segments, to moderately significant for the other six segments. Impacts are for unmitigated conditions and do not consider the noise buffering effects of masonry walls, earthen berms or other buffers that may be constructed in the future. Traffic noise associated with the Specific Plan will create limited but potentially significant permanent increases in transportation-related ambient noise levels or potentially expose persons to noise levels in excess of the standards established by the Town. Stationary noise sources associated with the buildout of the Specific Plan include truck deliveries, loading and unloading docks and areas, manufacturing and transport machinery and equipment noise, HVAC equipment, and others. No residential land uses are proposed within the Specific Plan area under the Preferred Alternative, which further reduces the potential for stationary noise impacts to sensitive residential receptors. The rail line located adjacent to Quarry Road is expected to remain at its current operational level. Anticipated future growth in airport operation will generate very modest and less than significant increases in the CNEL contours generated by the operation of this airport. Due to distances from the site and with consideration for existing and future traffic noise on these roadways, construction noise levels are expected to be below the 75 dBA standard for mobile grading equipment for daytime hours between 7 AM and 7 PM, and the 60 dBA Leq standards for stationary equipment.	Continued growth and development in the Specific Plan study area may result in potentially significant noise impacts. The Specific Plan land use plan appears to minimize the potential adverse noise impacts of planning area buildout with surrounding land uses. The Town Noise Control Ordinance provides regulations for noise measurement and monitoring and cites special provisions of, and exemptions to, the ordinance. This EIR provides specific categorical mitigation measures to address identified impacts, including construction, stationary source, and off-site traffic noise. These measures include but are not limited to fitting construction equipment with well maintained functional mufflers, and locating earth moving and hauling routes away from nearby existing residences. For on-site stationary noise sources, they include but are not limited to design, selection and placement of the mechanical equipment for various buildings within the Specific Plan study area in consideration of potential noise impacts on nearby residences. All development in the Specific Plan area shall comply with Town stationary source standards in the Town Noise Control Ordinance. On a case-by-case basis, the Town shall require the preparation of project-specific noise impact studies that evaluate and minimize the potential for stationary noise sources to adversely impact sensitive noise receptors in the vicinity. Potential off-site traffic noise impacts shall be considered in the final site plans for all proposed projects within the Specific Plan study area. Land uses that are compatible with higher noise levels shall be located adjacent to the Town's major arterial roads and highways to maximize noise related land use compatibility. The Town shall encourage a project circulation pattern that places primary traffic loads on major arterials and preserves local neighborhood noise environments by limiting roadways to local traffic to the greatest extent practical.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
VISUAL RESOURCES In general, the project site slopes from north to south, with the highest elevation at approximately 3,200 feet above sea level in the northeastern-most portion of the site. The lowest elevation occurs at approximately 2,920± feet in the southwestern most portion of the site. The terrain of adjacent mountains, hills and terraces, as well as the warm earth tones of surrounding landforms and features provide dramatic contrasts that create the backdrop for the project area. The visual character of the project site and vicinity is somewhat impacted by urban development. Development in the vicinity includes scattered residential and industrial uses, the Apple Valley Airport, and local roadways. The Specific Plan area and vicinity also includes large areas of undeveloped desert lands. The Town General Plan sets forth dark sky and lighting policies designed to preserve views of night skies. Further, the Town municipal code has established development performance standards for exterior lighting.	Approval of the proposed Specific Plan will provide for development of commercial and industrial land uses approximately 4 miles northwest of the most urbanized portions of the Town. Development in this area is currently sparse. and development of the proposed Specific Plan area over time is expected to change the existing character of the Specific Plan area, and to some extent, that of surrounding lands. Sensitive viewsheds include those visible from Dale Evans Parkway and from surrounding residential development located in the project vicinity. These viewsheds have already been somewhat impacted by existing development, including existing industrial and residential land uses. Viewsheds have also been impacted by existing development of the Apple Valley airport in the central portion of the Specific Plan area. Development within the Specific Plan area will result in changes to the existing visual character. The Specific Plan provides for development of buildings of 50 to 100 feet in height, as well as additional sources of light and glare from building lighting, night-time operations and vehicle headlights, which may particularly impact the more sensitive residential land uses surrounding the project site. The Specific Plan sets forth development guidelines that establish setbacks, maximum building heights, and landscape, lighting and signage standards.	Project design guidelines, architecture and materials used in the development shall conform with the project design guidelines set forth in the North Apple Valley Industrial Specific Plan, as reviewed and amended by the Town of Apple Valley. Measures to further reduce potential impacts to visual resources include but are not limited to the following: landscaping plans and materials applied to development area boundaries shall serve to create a harmonious transition and complement to the built environment. Walls and fences shall be constructed in conformance with the Specific Plan Design Guidelines, and shall utilize materials consistent with other structures in the Specific Plan area. Walls shall incorporate landscaping to obscure or soften hard edges.. All outdoor lighting shall be in compliance with the dark sky policies of the General Plan. Outdoor lighting shall be limited to the minimum height, number and intensity of fixtures needed to provide security and identification, taking every reasonable effort to preserve the community's night skies. All development plans, including grading and site plans, detailed building elevations and landscape plans shall be submitted to the Town for review and approval prior to the issuance of building permits. Development within the Specific Plan area shall be designed with particular attention to limiting the lighting impacts on adjacent residential neighborhoods.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
HAZARDOUS AND TOXIC MATERIALS The Town and the Specific Plan area are located in proximity to transportation facilities that may carry hazardous materials, and there is potential for spills and leaks from moving sources. The Apple Valley Airport is located in the central portion of the Specific Plan area. A review of environmental databases conducted in May 2006 and covering the Specific Plan area and adjoining properties identified 15 properties in the geographic area studied that are currently listed on environmental databases. Four of these are described as having a moderate potential for hazardous materials spills. The former Victorville Pre-Bomb Range site occurs on approximately 560 acres in the planning area and was used as a practice bombing range for military training purposes during World War II. Although database records indicate that this site is undeveloped, a portion of the site has been developed for the Wal-Mart distribution facility, located at the southwest corner of Dale Evans Parkway and Johnson Road. Based on the EDR review of database records the site is "known or suspected of containing military munitions and explosives of concern (unexploded ordnance)." Investigation and/or removal of unexploded ordnance have been underway for over a decade, with approximately $1.3 million budgeted for this effort.	The proposed Specific Plan will not result in increased generation or disposal of hazardous materials and wastes associated with existing facilities, but is expected to provide for development of new businesses within the Specific Plan area that will increase the exposure of people to existing sources of potential hazard. Future commercial and industrial development in the Specific Plan area may have potential to store, transport or distribute hazardous materials, and to generate hazardous wastes. Future development within the Specific Plan area has potential to impact airport operations, although the Specific Plan is designed to ensure land use compatibility between the airport and surrounding uses. Scattered single-family residential development is located within and near the Specific Plan area. The Rio Vista Elementary School is located approximately one-half mile south/southeast of the Specific Plan area. The Specific Plan designates lands with potential for heaviest industrial uses at the northeastern portion, furthest from these sensitive receptors. The Victorville Pre-Bomb Range site is considered a high risk due to unexploded military weapons (bombs). Existing threat or impacts to soil and groundwater quality are not known, based on information available in environmental databases surveyed. Unexploded ordnance, such as that thought to be present at this site, has potential to contain lead, nitrates, and other chemicals that were used in the manufacture of military ordinance during World War II. The Town should require site-specific hazardous materials assessments prior to approval of future development plans within this site.	Project proponents for future development within the Specific Plan area shall comply with all applicable federal, state, regional and local permitting requirements for hazardous and toxic materials generation, handling and disposal; shall coordinate with the Apple Valley Fire District and others to reduce the level of risk and facilitate fire department response to emergency events; and shall ensure that storage of hazardous materials and waste is secured to minimize the risk of upset associated with groundshaking. The Town, and County Department of Airports shall review all proposed development plans within the Airport area of influence to assure that land uses constructed therein do not pose a hazard to airport operations. The Town of Apple Valley shall review all proposed development plans within one mile of sensitive residential development and school facilities to assure that no land use incompatibilities with potential to expose sensitive receptors to risk of hazardous substances, or accidental release of materials occur. Project proponents for future development within the "Victorville Pre-Bomb Range" area shall handle and dispose of all hazardous wastes and materials in the manner specified by the State of California Hazardous Substances Control Law and according to the California Code of Regulations, Title 22, Division 4.5. Prior to issuance of grading permits for future development within this same area, on-site investigations and assessments (Environmental Site Assessment) for the potential presence of hazardous materials shall be conducted by a qualified environmental consultant.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
JOBS AND HOUSING The Town of Apple Valley is currently (2006) estimated to have a population of 67,507. The Southern California Association of Governments (SCAG) estimates that Apple Valley's population will increase by 28,168, or 41.7%, by year 2030. The Town's unemployment rate varies, but is currently (2006) approximately 4.5%. As of 2006, the Town has 23,782 households, with an estimated vacancy rate of 7.96%, and an average of 3.07 persons per household. According to the Inland Empire Quarterly Economic Report, the median home price in Town in the second quarter of 2005 was $255,185 for existing homes and $284,966 for new homes. This compares with $310,000 and $335,000 for existing and new homes in San Bernardino County for the same period. Build out of the General Plan is expected to generate a total of 86,814 housing units, 12,268 of which would be multiple family units, and 74,546 of which would be single family homes.	Build out of the proposed Specific Plan will result in the development of industrial and commercial land uses which will directly result in new jobs within the Town, and indirectly result in a need for additional housing. It is difficult to estimate the number of jobs that the project could generate, since the nature of development is not known at this time. Depending on the type of industrial development that occurs within the Specific Plan area, jobs created could vary considerably. The majority of Town residents commute outside of Town for work. Although it cannot be determined what percentage of these residents commute, an average of 33 minutes for commuting clearly indicates that the majority of jobs are outside the Town limits, most likely in Victorville, and communities to the south. Given that the jobs to be created by the proposed project will provide a broad range of opportunities, the proposed project has the potential to allow residents of Apple Valley to find employment within their community, and reduce commuting time for many. The potential creation of jobs and associated need for housing for the households of these employees will also result in the need for additional housing. The long term impacts associated with the provision of housing for this project, however, cannot be effectively quantified immediately, and will require on-going monitoring.	In order to mitigate potential impacts associated with jobs and housing, mitigation measures shall be implemented, as follows: within five years of adoption of the Specific Plan, or in conjunction with the next General Plan update, whichever occurs first, the Town shall process General Plan Amendment(s) which result in the potential for an additional 1,916 housing units north of Highway 18. This amendment can be accomplished by either increasing density on existing residentially designated lands, or converting lands designated for other uses to residential development. Annually through build out of the Specific Plan area, the Town shall prepare, or shall cause to be prepared, an inventory of the development occurring within the Specific Plan Area, the number of jobs created, and the city or town of residence of the employees. This data shall be supplemented by the equivalent data for projects approved but not yet constructed within the Specific Plan area. After the first year, the data shall be cumulative. The data shall be compared analytically with the residential units approved for construction, under construction or proposed north of Highway 18 during the same time period. The analysis shall consider whether there are sufficient units available or planned to accommodate at least 80% of the employees added to the Specific Plan area in that year. Units permitted under General Plan residential land use categories can be included in the analysis. Should the analysis show a shortfall, the Town shall consider General Plan Amendments to assure that sufficient land is designated for housing 80% of the employees of the Specific Plan area.

Existing Conditions	*Project Impacts*	*Mitigation Measures*
PUBLIC SERVICES/FACILITIES The project site is located within the service boundaries of the following providers: Apple Valley Ranchos Water Company, Victor Valley Wastewater Reclamation Authority, Burrtec Waste Industries, San Bernardino County Sheriff's Department, Apple Valley Fire Protection District, Southwest Gas, Southern California Edison, Charter Communications, and the Apple Valley Unified School District.	The proposed project is not expected to place an undue burden on any service provider, and demand for these services will occur gradually over the buildout period. To some extent, water, sewer, natural gas, and electricity, as well as other utilities are already located within or in proximity to the Specific Plan area. Fire and police response times are within acceptable levels. The project is expected to generate demand for additional police protection from the San Bernardino County Sheriff's Department, as well as an incremental impact on the current level of services. Future commercial and industrial development plans will be subject to review by the Sheriff's Department and the Apple Valley Fire District Fire Marshall. These plans are expected to incorporate security measures into project design to limit additional demand for police services. There are currently several points of access into the planning area. Buildout of the Specific Plan will require construction and paving of existing and new roadway to provide access to future development and ensure adequate emergency access to all parts of the Specific Plan area. The Town shall review all future development plans to assure that adequate emergency access is provided to all sites. Project buildout will generate a limited cumulative increase in demand for public services and facilities, but is not expected to have any significant adverse impacts on these resources.	The Town shall assure provisions of adequate on-site stormwater retention/detention basins that enhance bio-filtration and percolation.The Town shall make extensive use of xerophytic (drought-tolerant) landscaping as part of the overall water efficiency program. All development plans shall be required to conform with the Facilities Master Plan landscape guidelines. As the project site is developed, development plans shall be reviewed by the Town and made available to the Apple Valley Ranchos Water Company for review. The subject property will require connections to the existing sewer system, Sewer system connection fees and facility fees shall be collected as the development builds out and will finance plant and other facility expansions as needed. All new development shall establish recycling programs as part of the planning process. The Town shall strictly enforce Title 24 of the California Code of regulations, and every reasonable effort shall be made to assure the highest level of energy conservation possible. The Town shall assist the Apple Valley Unified School District in assuring that statutory school mitigation fees are paid.