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**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA**

WEDNESDAY, SEPTEMBER 1, 2021

Regular Meeting 6:00 p.m.

Town Council Chambers
14955 Dale Evans Parkway

PLANNING COMMISSION MEMBERS

Joel Harrison, Chairman
Mike Arias Jr., Vice-Chairman
Bruce Kallen, Commissioner
B.R. "Bob" Tinsley, Commissioner
Jared Lanyon, Commissioner

PLANNING DIVISION OFFICE: (760) 240-7000 Ext. 7200
www.AVPlanning.org

Monday - Thursday 7:30 a.m. to 5:30 p.m.
Alternating Fridays 7:30 a.m. to 4:30 p.m.



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY SEPTEMBER 1, 2021 – 6:00 P.M.**

IMPORTANT COVID-19 NOTICE

THIS MEETING IS BEING CONDUCTED CONSISTENT WITH CURRENT GUIDANCE ISSUED BY THE STATE OF CALIFORNIA REGARDING THE COVID-19 PANDEMIC. THE MEETING IS BROADCAST LIVE AND VIEWABLE ON FRONTIER CHANNEL 29 OR CHARTER SPECTRUM CHANNEL 186 AND LIVE STREAMED ONLINE AT APPLEVALLEY.ORG. FOR INDIVIDUALS NOT PHYSICALLY PRESENT AND STILL WISHING TO MAKE PUBLIC COMMENTS, YOU MAY COMMENT IN ONE OF TWO WAYS:

1) COMMENTS AND CONTACT INFORMATION CAN BE EMAILED TO PUBLICCOMMENT@APPLEVALLEY.ORG BY 12 P.M. WEDNESDAY JULY 21, 2021, TO BE INCLUDED IN THE RECORD;

2) A REQUEST TO SPEAK CAN BE EMAILED TO THE SAME ADDRESS AS ABOVE AND AT THE TIME OF THE REQUESTED AGENDA ITEM, THE TOWN CLERK WILL PLACE A PHONE CALL TO THE COMMENTER AND ALLOW THEM TO SPEAK TO THE COUNCIL VIA SPEAKER PHONE DURING THE LIVE MEETING FOR UP TO THREE MINUTES.

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk’s Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff’s ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk’s Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

REGULAR MEETING

The Regular meeting is open to the public and will begin at 6:00 p.m.

CALL TO ORDER

ROLL CALL

Commissioners: Kallen _____; Tinsley _____; Lanyon _____;
Vice-Chairman Arias _____; Chairman Harrison _____

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes for the Regular Meeting of August 4, 2021.

PUBLIC COMMENTS

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

PUBLIC HEARING ITEMS

- 2. Tentative Tract Map No. 20306.** A request to subdivide approximately 100 acres into 160 single-family lots and three (3) lettered lots. The lots will range in size from 18,109 to 40,555 square feet with an average lot size of 21,164 square feet. There is no housing product proposed at this time. The project is located within the Equestrian Residential (R-EQ) zoning designation.

APPLICANT: David Evans & Associates representing MLH, LLC

LOCATION: Southeast corner of Corwin and Waalew Roads; APNs 0441-011-01, 0441-021-11, -12, -15, -16, -17, -18, and -19.

ENVIRONMENTAL

DETERMINATION: Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration has been prepared.

PREPARED BY: Pam Cupp, Senior Planner

RECOMMENDATION: Approval

OTHER BUSINESS

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on September 15, 2021.

**MINUTES
TOWN OF APPLE VALLEY
PLANNING COMMISSION
REGULAR MEETING
AUGUST 4, 2021**

CALL TO ORDER

Vice-Chairman Arias called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00p.m.

Roll Call

Present: Commissioners Kallen; Tinsley; Lanyon; Vice-Chairman Arias.

Absent: Chairman Harrison.

Staff Present

Daniel Alcayaga, Planning Manager; Pam Cupp, Senior Planner, Albert Maldonado, Town Attorney; and Maribel Hernandez, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Daniel Alcayaga.

APPROVAL OF MINUTES

1. Minutes for the Regular Meeting of July 21, 2021.

Motion by Commissioner Tinsley, second by Commissioner Lanyon to approve Minutes of the May 5, 2021.

ROLL CALL VOTE

Yes: Vice-Chairman Arias
Commissioner Tinsley
Commissioner Kallen
Commissioner Lanyon

Noes: None

Abstain: None

Absent: Chairman Harrison

The Motion Carried by a 4-0-0-1 vote.

PUBLIC COMMENTS

None

PUBLIC HEARING

2. **Conditional Use Permit No. 2021-006.** A request for approval of a Conditional Use Permit to allow the operation of a rental car agency as an adaptive reuse of an existing 3,185 square foot car wash that has been unoccupied for approximately ten (10) years. The project will include structural improvements together with parking lot and landscape refurbishment. The project site is 0.67 acres in size and located within the Village Commercial (C-V) zoning designation.

Ms. Pam Cupp presented the staff report as filed with the Planning Division.

Robert Martinez, Architect and Maryanne Harris with Enterprise were present.

Being that there is no one requesting to speak on this item, Vice-Chairman Arias closed the Public Comment at 6:08pm

Vice-Chairman Arias asked the applicant if he agreed with the conditions as presented by staff.

Mr. Martinez agrees with the conditions as presented.

Motion by Commissioner Kallen, second by Commissioner Tinsley that the Planning Commission move to:

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Conditional Use Permit No. 2021-006, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

Yes: Vice-Chairman Arias
Commissioner Kallen
Commissioner Lanyon
Commissioner Tinsley
Noes: None
Abstain: None
Absent: Chairman Harrison

The Motion Carried by a 4-0-0-1 vote.

OTHER BUSINESS

None

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

Motion by, Commissioner Tinsley, seconded by Commissioner Kallen and unanimously carried, to adjourn the meeting to the regular Planning Commission meeting on September 1, 2021.

Respectfully Submitted by:

Maribel Hernandez
Planning Commission Secretary

Approved by:

Vice-Chairman Mike Arias



Planning Commission Agenda Report

DATE:	September 1, 2021	Item No. 2
CASE NUMBER:	Tentative Tract Map No. 20306	
APPLICANT:	David Evans & Associates representing MLH, LLC	
PROPOSAL:	A request to subdivide approximately 100 acres into 160 single-family lots and three (3) lettered lots. The lots will range in size from 18,109 to 40,555 square feet with an average lot size of 21,164 square feet. There is no housing product proposed at this time. The project is located within the Equestrian Residential (R-EQ) zoning designation.	
LOCATION:	Southeast corner of Corwin and Waalew Roads; APNs 0441-011-01, 0441-021-11, -12, -15, -16, -17, -18, and -19.	
ENVIRONMENTAL DETERMINATION:	Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration has been prepared.	
CASE PLANNER:	Pam Cupp, Senior Planner	
RECOMMENDATION:	Approval	

PROJECT SITE AND DESCRIPTION

- A. Project Size:
The property consists of eight (8) parcels totaling approximately 100 acres within the Equestrian Residential (R-EQ) Zoning District. The tentative tract map proposes lot sizes ranging between 18,109 square feet and 40,555 square feet.
- B. General Plan Designations:
- | | |
|----------------|---|
| Project Site - | Single Family Residential (R-SF) |
| North - | Single Family Residential (R-SF) and General Commercial (C-G) |
| South - | Single Family Residential (R-SF) |
| East - | Mobile Home Park (MHP) and Single Family Residential (R-SF) |
| West - | Single Family Residential (R-SF) |
- C. Surrounding Zoning and Land Use:
- | | |
|----------------|---|
| Project Site - | Equestrian Residential (R-EQ), Vacant |
| North - | Single Family Residential (R-SF), Vacant and General Commercial (C-G), Vacant |

- South - Equestrian Residential (R-EQ), Single Family residences
- East - Mobile Home Park (MHP) Manufactured Home Park and Equestrian Residential (R-EQ), Vacant
- West - Equestrian Residential (R-EQ), Vacant

D. Site Characteristics:

The subject site is vacant and relatively undisturbed; however, numerous footpaths and dirt roads bisect the site. The site is rich with native vegetation; however, there are no species of special concern evident on the site. The area is considered highly sensitive regarding the presence of paleontological resources. The project site is bound on the north by Corwin and Waalew Roads and a mobile home park. To the east is vacant residential land and to the south is a single-family neighborhood and vacant, residential lands. To the west is Catholic Hill which consists of single-family residential lands and open space.

ANALYSIS

A. General:

The proposed tract map is consistent with the Single-Family Residential (R-SF) General Plan land use designation for this site and is in conformance with the underlying Residential Equestrian (R-EQ) zoning designation. The R-EQ zoning designation sets minimum property size standards for land uses, subject to conformance with the provisions of the Development Code. The R-EQ zone requires a minimum lot size of 0.4 acre (18,000 square feet), minimum lot width of 100 feet and a minimum lot depth of 150 feet. The proposed map will create 160 residential lots, ranging between 18,109 square feet and 40,555 square feet in size. All lots are in conformance with the minimum site development standards for the Equestrian Residential (R-EQ) zoning designation. In addition, the overall map design conforms to the parcel size and configuration of the existing single-family residential development located adjacent (south) to the project site.

A biological survey, prepared on September 19, 2019, indicated no on-site detection of the Desert Tortoise, the Burrowing Owl, the Mohave Ground Squirrel or any other threatened or endangered reptile, mammal or bird species. However, staff is recommending Condition of Approval No. P17 requiring that, a pre-construction survey be conducted prior to land clearing to ensure special status species have not moved on to the site since the date of the initial survey.

As indicated within the General Plan, the location is in an area identified as having high probability of paleontological resources. A paleontological resource is defined as any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth. Based upon a Paleontological Resources Assessment September 2020, it is recommended a qualified paleontological monitor be on site at the pre-construction meeting to discuss monitoring protocols. It is further recommended that paleontological monitor be on-site full-time from the start of grading activities. If no paleontological resources are observed after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.

Pursuant to the requirements of Assembly Bill 52, the Town has received requests for consultation from Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians and Torrez-Martinez Desert Cahuilla Indians.

Notices were sent and the formal consultation period commenced on December 17, 2020 and ended on January 18, 2021. One (1) response was received from the San Manuel Band of Mission Indians (SMBMI) that indicated the project site is within the Tribe's ancestral territory; however, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the project's implementation, as planned, at this time. SMBMI recommended Conditions of Approval have been included.

A Development Permit is required for homes built within a subdivision of five (5) or more lots. As part of the process, a Development Permit review and approval by the Planning Commission is required for the architecture of the future residential structures that will be built upon the lots created by Tentative Tract Map No. 20306. The submittal would include a Development Plan consisting of plot plans, floor plans, building elevations and preliminary landscape plans as indicated within recommended Condition of Approval No. P13.

The proposed tract is located adjacent to Corwin and Waalew Roads, which are major arterials. In accordance with the Noise Element of the General Plan, projected noise impacts are anticipated along this corridor. This is in accordance to IV-5 of the General Plan Noise Element, which identifies all major corridors within the Town. An acoustical analysis was performed to identify noise impacts and recommended mitigation. The analysis determined that a six (6)-foot tall block wall along Rancherias, Waalew and Corwin Roads will reduce the exterior noise level to sixty-five (65) dBA within the residential neighborhood consistent the General Plan.

General Plan Figure II-9, Town of Apple Valley Recreation Trail System, identifies a Lifeline trail bisecting the proposed subdivision. A dedicated easement development of a Lifeline Trail is required along the north side of South Road, then turning north along the west side of the mobile home park. As designed, this will require the Lifeline Trail be constructed within an easement that will run between and behind the proposed residential lots, which is not permitted unless the lots are one (1)-acre or more in size. As an alternative, staff would recommend a Lifeline Trail be dedicated and developed along the north side of South Road, then north on Sago, connecting with Rancherias then north to Corwin. This alignment would meet with the designated Lifeline Trail north of Corwin. Staff is recommending Condition of Approval P28 requires an easement and the construction of a Lifeline Trail and multi-use paths consistent with Figure II-9 of the General Plan and the adopted Multi-Use and Equestrian Trails Standards, subject to the approval of the Planning Division. Any substantial modification proposed to the Lifeline Trail alignment will require additional review by the Planning Commission. The site is located within the Equestrian Residential (R-EQ) zone; therefore, is subject to the development of multi-use trails along the north and west side of the streets.

1. Traffic and Circulation

The proposed subdivision will be primarily accessed from Corwin and Waalew Roads. The subdivision is also designed to link with three (3) existing streets (Sago, Shenandoah and Rancherias Roads) to the south of the project site. Corwin and Waalew Roads are shown as Major Roadways and require improvements of half-width Major Road standards. The submitted Traffic Study indicates that the intersections of Corwin and Waalew and Corwin and Rancherias Roads will be constructed with "free right-turn" lanes (recommended Condition No. EC32). Rancherias Road is a secondary street as shown on the Circulation Element, requiring full-width improvements, which is eighty-eight (88) feet wide. The interior local roads would be required to provide street

improvements that are thirty-six (36) feet curb to curb and also provide gutter, curb and sidewalk improvements within the full sixty (60)-foot public right-of-way. The Code requires that street patterns and street design within a subdivision must conform to the standards adopted within the Circulation Element of the Town of Apple Valley General Plan, including curbs, gutters and sidewalks and multi-use trails throughout the project area. The Engineering Division has included these requirements as recommended Conditions of Approval.

The subject property is adjacent to an existing forty (40)-foot wide road dedication (Sago Road) between this proposed development and the Mobile Home Park. Although the roadway is not being considered under this tentative map proposal, the Engineering Division is recommending Condition No. EC34, that requires the project applicant to apply for a street vacation and supporting documentation for this roadway. The applicant has indicated that negotiations with the adjacent property owner are currently occurring to pursue the street vacation.

2. Drainage

Prior to issuance of a grading permit, a final drainage plan shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting off-site and on-site tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. The project plan shall show on-site retention of drainage flows from a 100-year design storm by way of retention/detention basin, dry-wells or any combination thereof. The maintenance of the retention basin will be included within a landscape maintenance assessment district. This retention basin must be landscaped and screened from view to the fullest extent possible (Condition P22). The maintenance of the basin and any screening wall shall be included within a landscape maintenance assessment district (recommended Condition No. EC27).

3. Sewer Connection

The project is required to connect to the public sewer system.

Based upon the information provided, implementation of development standards, Conditions of Approval and mitigation measures, the proposed subdivision of 100 acres into 160 lots for future single-family residential land use within the Residential Equestrian (R-EQ) zoning district will not produce adverse impacts upon the site nor surrounding properties. The proposal is adjacent to Single-Family Residential (R-SF) land use designations and the proposed subdivision will allow the property owner to develop the property in a manner that is consistent with the Town's General Plan goals and objectives to promote single-family residential development.

B. Environmental Assessment:

Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), an Initial Study was prepared for Tentative Tract Map No. 20306. Based on the findings of the Initial Study, the proposed project will not have a significant environmental impact with the adoption of recommended Mitigation Measures and, therefore, a Mitigated Negative Declaration has been prepared. The applicant shall be responsible for the payment of all CEQA-mandated environmental review and filing fees to the Department of Fish and Game and/or the San Bernardino County Clerk of the Board of Supervisors.

C. Noticing:

The Notice of Intent to Adopt a Mitigated Negative Declaration and Notice of Public Hearing for Tentative Tract Map No. 20306 was published on July 30, 2021 with notices mailed to all property owners within a 700-foot radius of the project site.

D. Findings:

In considering any Tentative Tract Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Tract Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The subject property has a General Plan land use designation of Residential Single-Family (R-SF), and by size, shape and configuration has the ability to be used in a manner consistent with the General Plan Land Use Element and Zoning designations. The project is a proposal to subdivide the property into 160 lots for future development of single-family homes and, with adherence to staff recommended conditions of approval, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: The proposal consists of a land subdivision located on residentially designated land for the purpose of future residential development at the maximum density allowed by the underlying zoning. No houses are being removed and housing needs will not be negatively impacted.

3. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision.

Comment: The lots created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. However, as development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water

Code. If the Planning Commission finds that the proposed waste discharge would result in, or add to, a violation of said requirements, the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

Comment: The project is a residential land subdivision and is required to connect to the Town of Apple Valley sewer system and requires approval of the Town of Apple Valley Public Works Division in order to meet the requirements of the Town.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that the proposed Tentative Tract Map will not have a significant effect on the environment, with adherence to the Conditions of Approval recommended in this report and implementation of mitigation measures identified in the Initial Study.
2. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for Tentative Tract Map No. 20306.
3. Find that the facts presented in the staff report support the required Findings for approval and adopt those Findings.
4. Approve Tentative Tract Map No. 20306, subject to the attached Conditions of Approval.
5. Direct staff to file a Notice of Determination.

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Zoning Map
3. Tentative Tract Map
4. Initial Study

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Tentative Tract Map No. 20306

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Tract Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.

- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
 - a. Apple Valley Fire Protection District
 - b. Liberty Utilities
 - c. Apple Valley Public Services Department
 - d. Apple Valley Engineering Division
 - e. Apple Valley Planning Division

- P3. A payment in the amount of \$2,530.25 shall be collected to cover the filing fees of the Notice of Determination (NOD). This amount includes a handling fee of \$50.00 as required by the County Clerk, and as of January 1, 2021, a fee of \$2,480.25 as required for the filing of a NOD with the California Department of Fish and Wildlife. No permits may be issued until such fee is paid. The check shall be delivered to the Planning Division for processing and be made payable to the Clerk of the Board of Supervisors, 385 North Arrowhead, 2nd Floor, San Bernardino, CA 92415.

- P4. Tentative Tract Map No. 20306 shall adhere to all requirements of the Development Code.

- P5. The applicant shall defend at his sole expense (with attorneys approved by the Town) and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.

- P6. Approval of the Tentative Tract Map No. 20306 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. The project shall conform to the Equestrian Residential (R-EQ), development standards for front, side and rear yard-building setbacks.
- P8. All lots shall have a minimum area of 18,000 square feet, except corner lots, which shall have a minimum area of 20,000 square feet. All lots shall have a minimum depth of 150 feet and a minimum width of 100 feet, except corner lots which shall have a minimum depth of 150 feet and a minimum width of 115 feet. In addition, each lot on a cul-de-sac or on a curved street, where the side lot lines thereof are diverging from the front to rear of the lot, shall have a front lot width of not less than sixty (60) feet and a lot width of not less than 100 feet at the minimum building setback line of thirty (30) feet.
- P9. Prior to recordation of the Final Map, the Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision. Subdivision walls shall be articulated by regularly spaced pilasters, decorative caps and landscaping, subject to approval by the Community Development (or designee).
- P10. If the tract/parcel map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided, and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P11. Prior to recordation of Final Map, three (3) sets of detailed landscaping and irrigation plans for the parkways along Rancherias, Corwin, and Waalew Roads. The plans shall be prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P12. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.
- P13. A separate Development Permit, approved by the Planning Commission, is required prior to new single-family residential construction. The submittal shall include a Development Plan consisting of plot plans, a minimum of five (5) floor plans and fifteen (15) distinct building elevations, demonstrating a variety of heights, setbacks, roof shapes and trim to create visually pleasing aesthetics within a cohesive design.
- P14. If a phased development is proposed, prior to the issuance of a grading permit or recordation of the first final map, whichever occurs first, the developer shall submit a final phasing and construction plan covering the entire Tentative Map for review and approval by the Planning Division. The plan shall specifically address the following:

- a) Vehicular access for each map or phase of development. Each map and/or phase of development shall have 2 points of vehicular access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations as required by the Development Code.
 - b) Submit a master grading plan that addresses grading for each phase of development. The approved conceptual grading plan shall be provided to the Engineering and Building and Safety Division and shall be used as a guideline for subsequent detailed grading plans for individual units or phases of the Tentative Map. The plan shall include techniques to be used to prevent erosion and sedimentation during and after grading. The master grading plan shall also identify areas where temporary grading occurs on any phase other than the one being graded for development.
 - c) Identify all street improvements to be constructed by phase.
 - d) Submit a master utility plan that identifies all water and sewer facilities to be constructed for each phase of development.
 - e) Identify all drainage improvements to be constructed by phase.
- P15. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P16. Prior to the issuance of a grading permit, the applicant shall demonstrate compliance with MDAQMD regulations for the control of fugitive dust emissions by preparing and submitting a Dust Control Plan for review and approval by MDAQMD. The Dust Control Plan shall describe all fugitive dust control measures to be implemented before, during, and after any dust generating activity. The measures described in the plan shall be made condition of approval of the ground disturbing permits.
- P17. A thirty (30)-day, pre-construction survey shall be completed by a qualified biologist. If any sensitive species are observed on the property during future activities, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), as applicable should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.
- P18. A qualified paleontological monitor shall be on site at the pre-construction meeting to discuss monitoring protocols.
- P19. Paleontological monitoring shall start at full-time. If no paleontological resources are observed after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.
- P20. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the project paleontologist has cleared the area. In consultation with the project paleontologist the paleontological monitor shall quickly assess the nature and significance

- of the find. If the specimen is not significant it shall be quickly removed, and the area shall be cleared
- P21. Any fencing that may be required along the drainage channel/easement shall be decorative in design. Chain link is not considered decorative.
- P22. All retention/detention basins shall be fully landscaped, subject to the approval of the Planning Division. The plans shall be prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code. Final, approved landscape plans shall be submitted to the Public Works Department for inclusion with the assessment district files.
- P23. A copy of the final grading plan shall be submitted to the Planning Division for review and approval.
- The maximum slope within any retention/detention basins shall be 4:1.
 - Retention/detention basins less than one (1) acre in size shall not be greater than four (4) feet in depth.
 - Retention/detention basins greater than one (1) acre in size shall not be greater than eight (8) feet in depth.
 - Slopes shall be contour graded to blend with existing natural contours.
 - Slopes shall be a part of the downhill lot when within or between individual lots.
- P24. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.
- P25. A twelve (12)-foot wide landscape easement shall be dedicated along both sides of Rancherias Road, inclusive of the Lifeline Trail easement. A sixteen (16)-foot wide landscape easement shall be dedicated along the development side of Corwin and Waalew Road. The project design shall incorporate the slope into the landscape easement along Rancherias, Corwin and Waalew Roads, and construction of the wall at the top of the slope; thereby, eliminating a downward slope in the rear yard.
- P26. Any proposed Covenants, Conditions and Restrictions (CC&Rs) shall be reviewed by the Town prior to final approval of the Final Map.
- P27. Tentative Tract Map No. 20306 is approved as a non-gated subdivision. Any modification to a gated community will require an Amendment subject to the review and approval by the Planning Commission.
- P28. A fourteen (14)-foot wide Lifeline Trail easements shall be dedicated and developed along the north side of South Road, The west side of Sago Road from South to "B" Street, the south side of "B" Street between Sago and Rancherias Road and on the west side the Rancherias Road, between "B" Street and Corwin Road. The Lifeline Trail shall be constructed in conformance with the adopted Multi-Use and Equestrian Trails Standards.
- P29. Tentative Tract Map No. 20306 shall adhere to all Equestrian Residential (R-EQ) site development standards and all requirements of the Development Code. All local streets shall be developed with a nine (9)-foot wide trail, and a three (3)-foot wide separation

- between curb face and trail, within the right-of-way (in lieu of sidewalk), on the north and west side.
- P30. Prior to grading of the site, a pre-construction survey is required to ensure that special status species have not moved onto the site since the date of the initial biological survey conducted on September 19, 2019.
- P31. The Final Map shall show and record a non-vehicular access agreement for all lots fronting Corwin, Waalew and Rancherias Roads.
- P32. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted regarding any pre-contact and/or historic era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- P33. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
- P34. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
- P35. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.
- P36. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Park and Recreation Department Conditions of Approval

- PR1. The Park and Recreation Department will require payment of Recreation Impact Fees pursuant to the current Quimby Fee formula on file with the Town of Apple Valley. The amount of said fee shall be as adopted by the Town Council and in effect at the time

Building permits for the individual homes are obtained.

Engineering Division Conditions of Approval

- EC1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development sit-developed flow to 90 percent of the pre-development flow for a 100-year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All interior streets shall be improved to Town standards with curb, gutter, multi-use trail and street pavement. Minimum residential width of streets shall be 36 feet curb to curb.
- EC4. All streets abutting the development shall be improved a minimum half-width of 28 feet with curb, gutter and sidewalk on the development side.
- EC5. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC6. Rancherias Road adjacent to the property shall be improved to the Town's full-width Secondary Road standards from the southern boundary of the proposed tract to Corwin Road.
- EC7. Corwin Road adjacent to the property shall be improved to the Town's half-width Major Road standards from Rancherias Road to Waalew Road. A class I bike path shall be constructed on the south side of Corwin Road
- EC8. Waalew Road adjacent to the property shall be improved to the Town's half-width Major Road standards from Corwin to the east boundary. A class I bike path shall be constructed on the south side of Waalew Road.
- EC9. South Road adjacent to the property shall be improved to the Town's half-width Local Road Standards.
- EC10. A 88-ft wide, full-width road dedication along Rancherias Road, within the property and to Corwin Road shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC11. A 52-ft wide, half-width road dedication along Corwin Road, adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC12. A 52-ft wide, full-width road dedication along Waalew Road, adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC13. A 40-ft wide, (30-ft half-width plus 10-ft) road dedication along South Road, adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.

- EC14. During the grading of the roads, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural road section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC15. All required improvements shall be bonded in accordance with Town Development Code unless constructed and approved prior to approval of the Final Map.
- EC16. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC17. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC18. A final grading plan shall be submitted to the Town Engineer prior to issuance of a grading permit for review and approval. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC19. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the landscape easements, retention basins and accessory structures.
- EC20. Streetlights shall be required and shall conform to Town's standards for such. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the streetlights.
- EC21. Prior to Town acceptance of the Final Map, Subdivider shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC22. Utility lines shall be placed underground in accordance with the requirements of the Town.
- EC23. The developer shall make a good faith effort to acquire the required off-site property interests, and if he or she should fail to do so, the developer shall at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC24. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC25. Any developer fees including but not limited to drainage fees shall be paid by the developer as per Town enactment.

- EC26. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC27. Grading and drainage parameters shall be in compliance with the Building Code. The developer shall provide landscaping of the basin subject to the approval of the Town and shall form an assessment district to provide for the on-going maintenance of the basin. The developer shall pay for all costs relating to establishment of the district. The retention basins shall also include Town Standard two-stage dry wells to help facilitate the rapid removal of storm water.
- EC28. Unimproved Cross lot drainage shall not be allowed.
- EC29. Easements, as required for roadway slopes, drainage facilities, utilities, landscaping, access to adjacent properties, etc., shall be submitted and recorded as directed by the Town Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.
- EC30. The developer shall be required to obtain and submit to the Planning Division prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney): "In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge will be levied.
- EC31. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.
- EC32. The Developer shall construct free right turn lanes from Rancherias Road to Corwin Road and from Corwin Road to Waalew Road.
- EC33. Developer shall provide standard paved access from two directions from the network of Town maintained roads to project as approved by the Town Engineer.
- EC34. Developer shall submit and pay for an application to vacate the existing road dedication east of and adjacent to tentative lots # 46-54 from Waalew Road to lot 54 prior to final map approval.
- EC35. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.

Building and Safety Division Conditions of Approval

- B1. An engineered grading report, including soils engineering and engineering geology, shall be filed with and approved by the Building Official prior to recordation of final map.
- B2. Grading and drainage plans are to be submitted to, and approved by, the Building Official prior to permit issuance.
- B3. Submit plans and obtain building permits for all structures and walls.
- B4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection and desert tortoise habitat.
- B5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- B7. All cross-lot drainage requires easements and may require improvements at the time of development.
- B8. Comply with State of California Disability Access requirements.
- B9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist, Paleontologist.

Public Works Division Conditions of Approval

Prior to Map Recordation:

- PW1. Submit a sewer feasibility study to the Town of Apple Valley to demonstrate where you plan to extend the sewer from in order to provide sewer service to this project.
- PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Plans must be approved by the Town of Apple Valley Public Works Department.
- PW3. Plan check and inspection fees required.
- PW4. Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town. The sewer must be designed per the San Bernardino County Special Districts Department Standards for Sanitary Sewer.
- PW5. Submit Mylars along with three sets of approved plans upon completion of plan check. In addition, the plans must be provided in an electronic format of the Town's choosing. These requirements are the same for the approved plans and the As-Built plans.
- PW6. Sewer connection fees required.

Fire Protection District Conditions of Approval

FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.

FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.

FD3. The development and each phase thereof shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.

FD4. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified.

Apple Valley Fire Protection District Ordinance 57

FD5. A turnaround shall be required at the end of each roadway one hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

Turning radius on all roads within the facility shall not be less than 22 feet inside and minimum of 40 feet outside turning radius with no parking on street, or 47 feet with parking. Road grades shall not exceed twelve percent (12%) unless approved by the Chief.

Apple Valley Fire Protection District Ordinance 57

FD6. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum of 4-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed 75 feet from the roadway, additional contrasting 4-inch numbers shall be displayed at the property entrance.

FD7. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

- a. *Fire Flow 1500 GPM @ 20 psi Residual Pressure on 8" minimum water main size.
- b. Duration 2 Hour
- c. Hydrant Spacing 660 Feet

- C. A total of TBD fire hydrant(s) will be required at time of building permit issuance. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard.

Install per A.V.F.P.D. Standard Series #101

FD8. NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED

This residence shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**

- FD9. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.
- FD10. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.
- FD11. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.
- FD12. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

End of Conditions

ZONING/LOCATION MAP

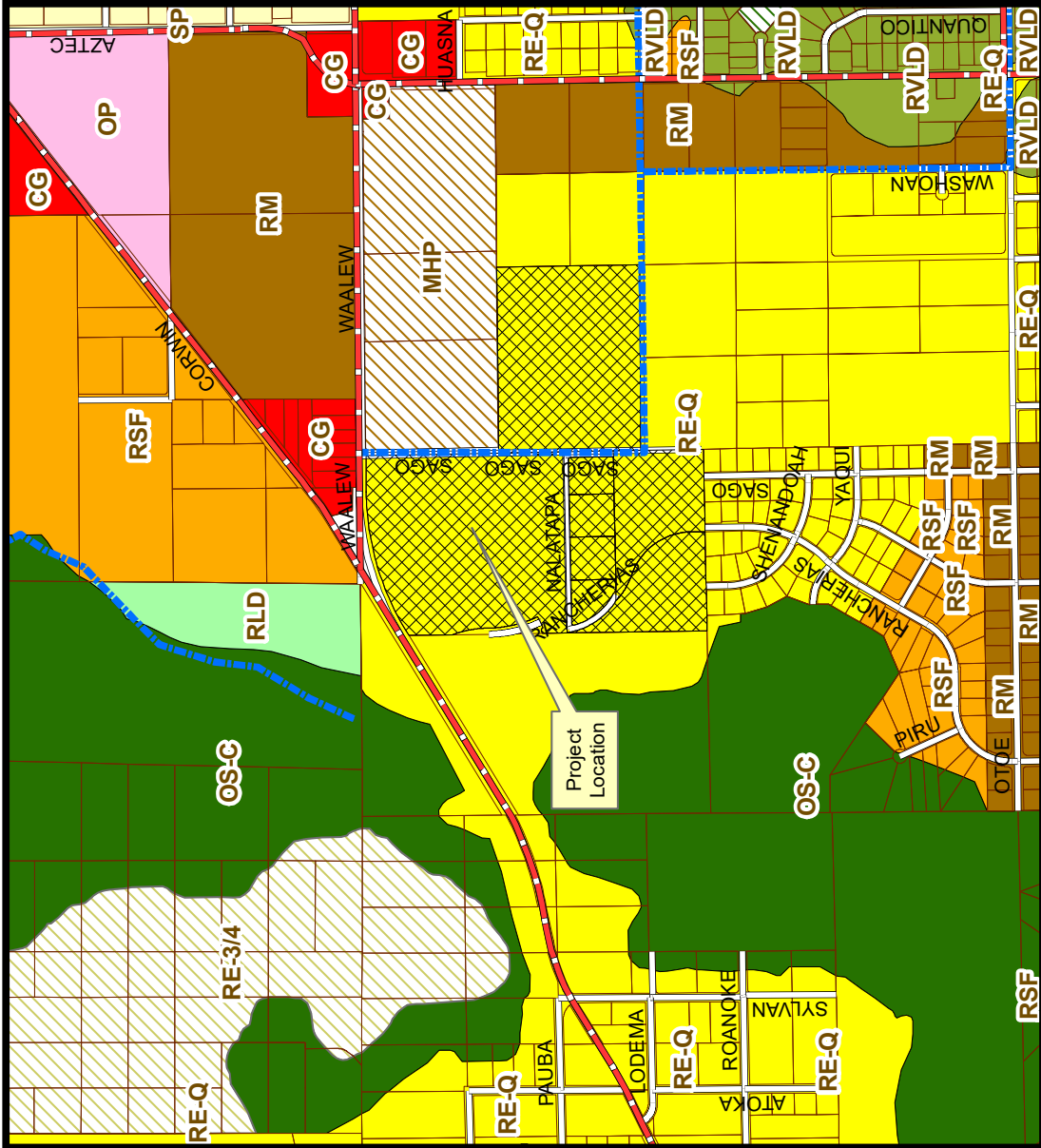
Tentative Tract Map No. 20306

Southeast corner
 of Corwin and
 Waalew Roads;
 APNs 0441-011-01,
 0441-021-11, -12,
 -15, -16, -17, -18,
 and -19.



Legend	
	Bike Paths
	LifeLine Trail
	TTM 20306
	(R-VLD) Very Low Density Residential (1 du/6, or more gross acres)
	(R-LD) Low Density Residential (1 du/2.5 to 5 gross acres)
	(RE-3/4) Estate Residential 3/4 (1 du/0.75 net acre)
	(R-EO) Equestrian Residential (1 du/0.4 to 0.9 net acre)
	(R-SF) Single Family Residential (1 du/0.4 to 0.9 net acre)
	(R-M) Multi-Family Residential (2 to 20 du/net acre)
	(MHP) Mobile Home Park
	(C-G) General Commercial
	(O-P) Office Professional
	(O-SC) Open Space Conservation
	(O-SR) Open Space Recreation
	(SP) Specific Plan

Date: 8/18/2021



Initial Study Under Separate Cover

<p>TOWN OF APPLE VALLEY</p> <p>MITIGATED NEGATIVE DECLARATION/INITIAL STUDY</p>

Project Title:	Tentative Tract Map No. 20306
Assessor's Parcel No.	0441-011-01, 0441-021-11, -12, -15, -16, -17, -18, and -19
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Southeast corner of Corwin and Waalew Roads, Apple Valley, San Bernardino County
Project Sponsor's Name and Address:	David Evans & Associates 14297 Cajon Avenue, Suite 101 Victorville, CA 92392
General Plan Designation(s):	Single Family Residential (R-SF)
Zoning:	Equestrian Residential (R-EQ)
Contact Person:	Pam Cupp Senior Planner Town of Apple Valley (760) 240-7000, Ext. 7203/pcupp@applevalley.org
Date Prepared	July 2021

1. Description of the Project

The proposal is to subdivide approximately 100 acres into 160 single-family lots and three (3) lettered lots. All lots are single-family residential and will range in size from 18,109 to 40,555 square feet. The average lot size for the project is 21,164 square-feet. At this time, the specific housing product has not been proposed.

2. Environmental Setting and Surrounding Land Uses

The subject site is vacant and relatively undisturbed; however, numerous footpaths and dirt roads bisect the site. The site is rich with native vegetation; however, there are no species of special concern evident on the site. The area is considered highly sensitive regarding the presence of paleontological resources.

The project site is bound on the north by Corwin and Waalew Roads and a mobile home park. To the east is vacant residential land and to the south is a single-family neighborhood and vacant, residential lands. To the west is Catholic Hill which consists of single-family residential lands and open space.

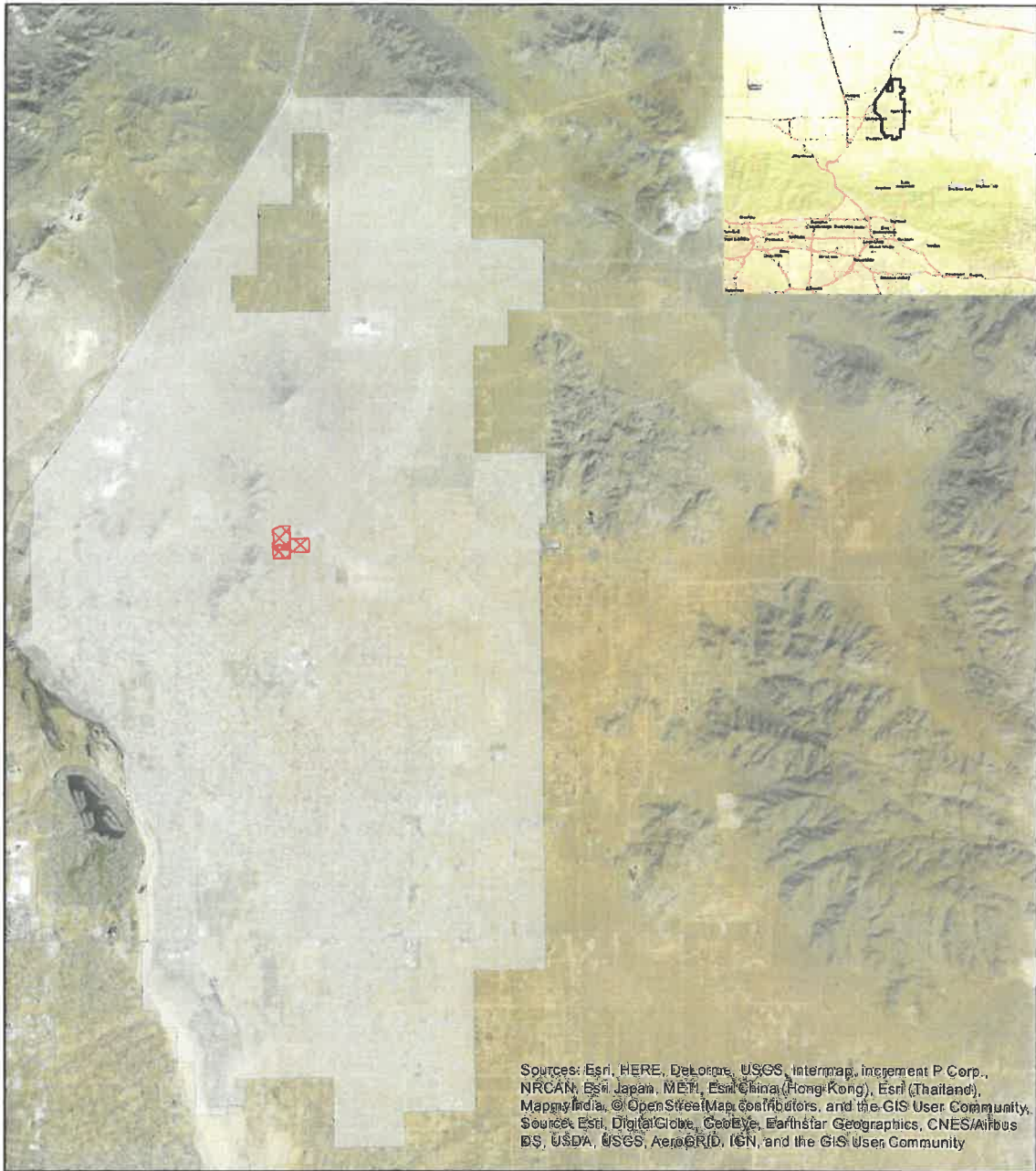
3. Other public agencies whose approval is required

Recordation of a final map, issuance of building permits and completion of structures to current building code is required by the Town of Apple Valley prior to establishment of the subdivision. In addition, approval by the Mojave Water Agency, Lahontan Regional Water Quality Control Board, California Department of Fish and Wildlife, Victor Valley Wastewater Reclamation Authority, Mojave Desert Air Quality Management District, Apple Valley Unified School District, as well as Southern California Edison, Southern California Gas Company would also be required.

4. California Native American tribes

Pursuant to the requirements of Assembly Bill 52, the Town has received requests for consultation from Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians and Torrez-Martinez Desert Cahuilla Indians. Notices were sent and the formal consultation period commenced on December 17, 2020 and ended on January 18, 2021. One (1) response was received from The San Manuel Band of Mission Indians (SMBMI) that indicated the project site is within the Tribe's ancestral territory; however, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the project's implementation, as planned, at this time. SMBMI recommended mitigation has been incorporated into this document.

Exhibit 1 – Regional Vicinity Map



Legend



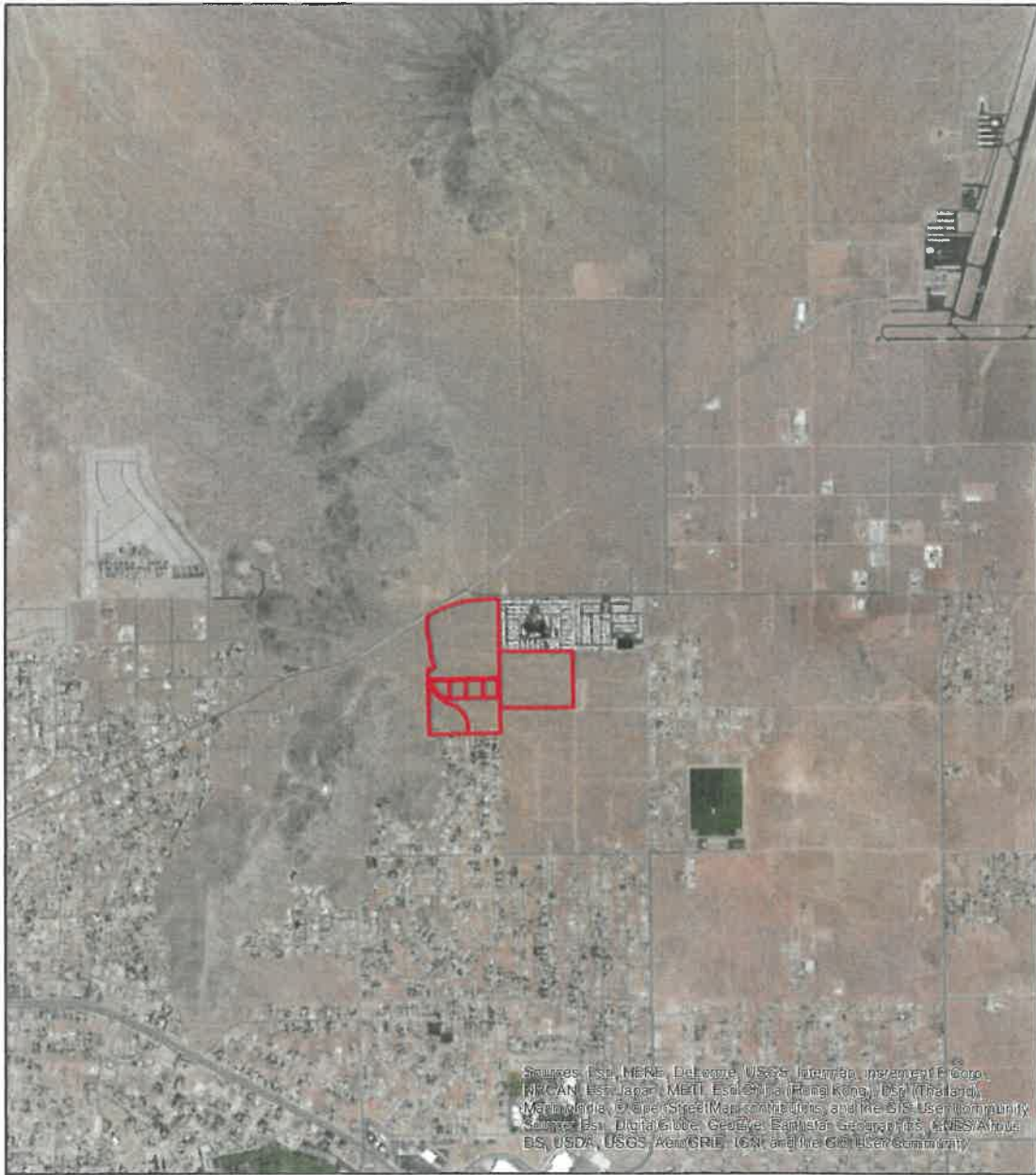
-  Tentative Tract Map No. 20306
-  Town of Apple Valley



Exhibit 2 – Project Aerial



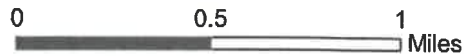
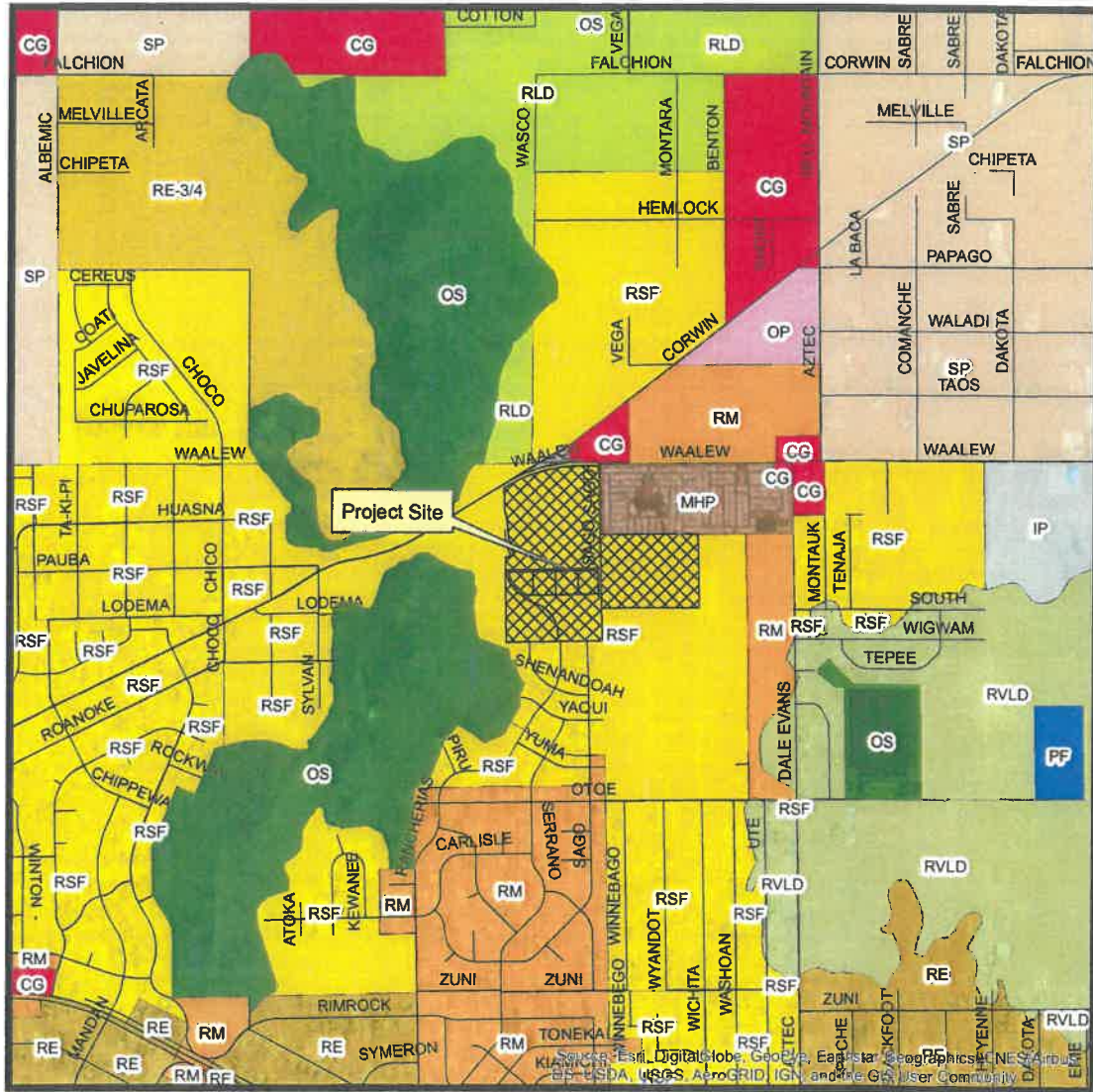
Legend

 Tentative Tract Map No. 20306

0 0.25 0.5 1 Miles

Exhibit 3 – Town of Apple Valley General Plan Land Use

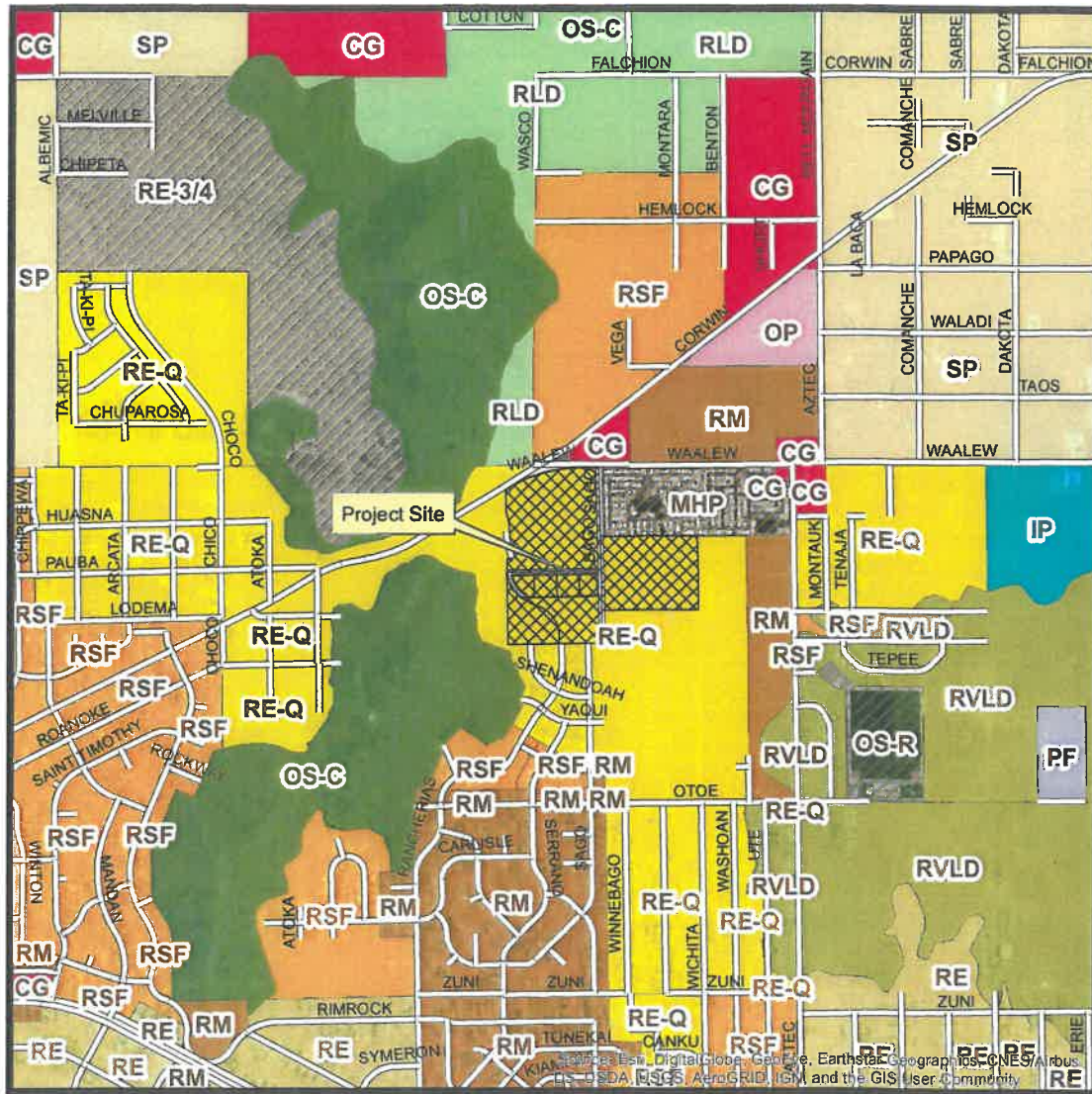
Town of Apple Valley General Plan Land Use



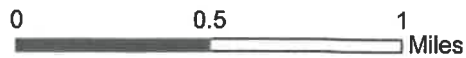
Date: 12/21/2020

Exhibit 4 – Town of Apple Valley Zoning

Town of Apple Valley Zoning

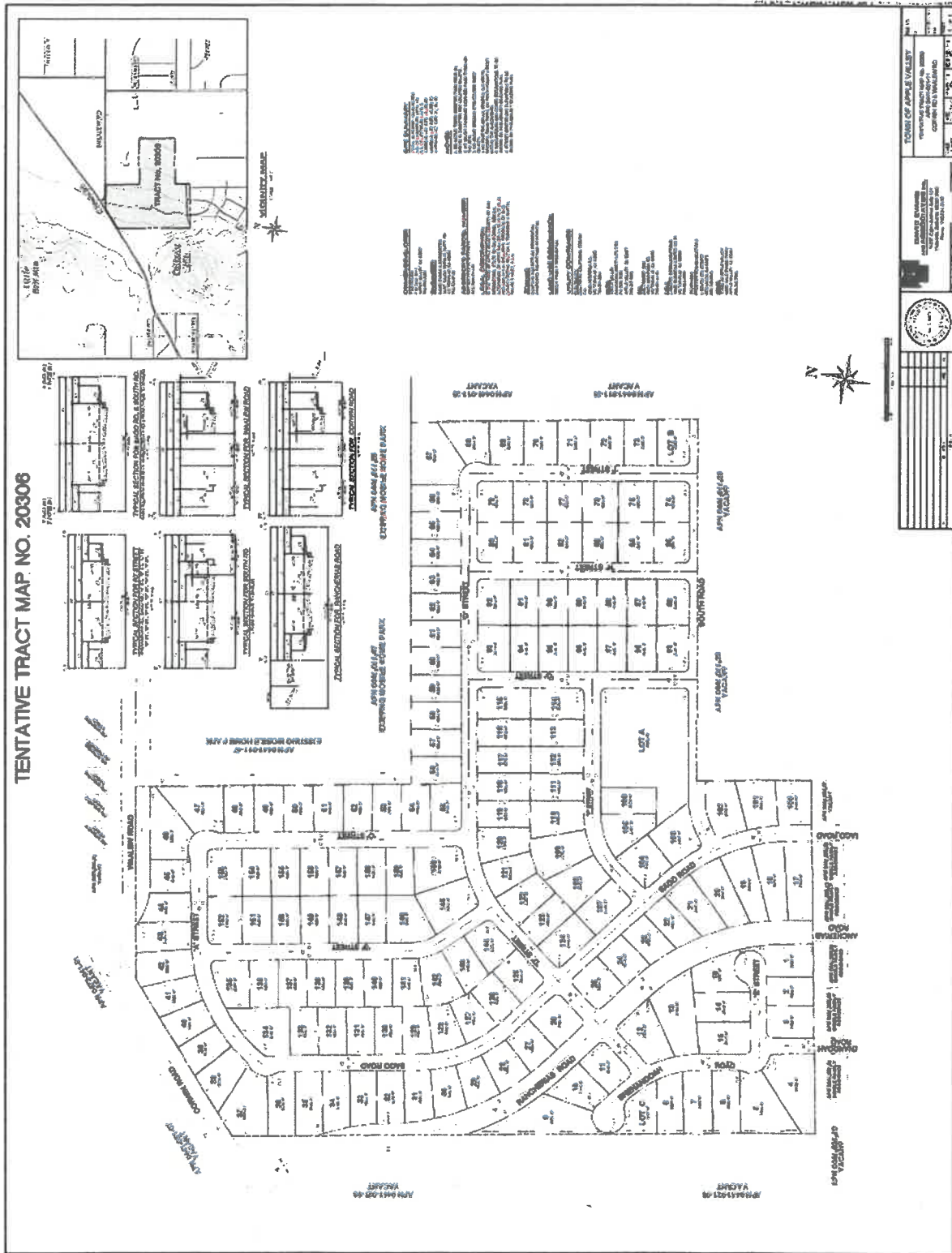


Legend	
(R-VLD) Very Low Density Residential (100' or more gross acres)	(C-G) General Commercial
(R-LD) Low Density Residential (1 to 2.5 to 5 gross acres)	(O-P) Office Professional
(R-E) Estate Residential (1 to 1 to 2.5 gross acres)	(I-P) Planned Industrial
(RE-3/4) Estate Residential 3/4 (1 to 0.75 net acre)	(P-F) Public Facilities
(R-EQ) Equestrian Residential (1 to 0.4 to 0.9 net acre)	(OS-C) Open Space Conservation
(R-SF) Single Family Residential (1 to 0.4 to 0.9 net acre)	(OS-R) Open Space Recreation
(R-M) Multi-Family Residential (2 to 20 du/net acre)	(SP) Specific Plan
(MHP) Mobile Home Park	



Date: 12/21/2020

Exhibit 2 – Project Site Plan



Town of Apple Valley
July 2021

Tentative Tract Map No. 20306
Mitigated Negative Declaration/Initial Study

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.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural & Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input checked="" type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfires	<input type="checkbox"/>
<input type="checkbox"/> 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.

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

Discussion of Impacts

- a. **Less Than Significant Impact.** The proposed project is not located within a Scenic Corridor. However, there are views of the San Bernardino Mountains to the south and southeast provide the dominant scenic vistas from the project site. Other smaller scale mountain ranges are also visible from the project site. The development of the proposed project would result in the construction of 160 single-family dwelling units. The construction of the proposed dwelling units may obstruct views of the mountains for nearby residences located east and north of the site. However, the proposed project is of similar size and scale to the existing residential development already in the area and it would not result in a substantial adverse effect on a scenic vista. Therefore, impacts to scenic vistas are considered less than significant.
- b. **Less Than Significant Impact.** The proposed project will not substantially damage scenic resources, including, but not limited, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no rock outcroppings or historic buildings on the site. The site exhibits a downward slope towards the east with approximately 100 feet of elevation differential across 100-acre site. The site is not located within a State scenic highway as identified by California Department of Transportation. There are no State designated scenic highways located within, on, adjacent to, or near the project site. Therefore, development of the project would not damage scenic resources within a State scenic highway.
- c. **Less Than Significant Impact.** The proposed project site is heavily traversed by off-road vehicles and dumping of trash on the property. Completion of the proposed project would result in the development of residential uses on the site. The proposed project will comply with existing Development Code Section 9.31.030 Single Family Architectural Design Standards. For these reasons, the ultimate development of single-family dwellings would not result in degradation of the existing visual character of the proposed project site. Therefore, impacts are considered less than significant.
- d. **Less Than Significant Impact.** Development of the project site would introduce a new source of light and glare in the area in the form of street lighting and outdoor lighting on residential units. While implementation of the proposed project is expected to result in increased light and glare in comparison with the existing undeveloped nature of the project site, the introduction of light and glare associated with residential uses would be similar to that already occurring in the area. Additionally, the proposed project

would be required to adhere to Town standards related to development, including lighting standards contained in the Town's Development Code, Chapter 9.70 Performance Standards, Section H, Light and Glare. Compliance with Town requirements including the Development Code and the Town's design review would reduce the impact of the light sources to off-site locations to a less than significant level.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e **No Impact.** The proposed project will have no impact to agricultural resources, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. There are no agricultural land uses within the subject property. The site does not contain forest land as defined in Public Resources Code section 12220(g) or timberland as defined in Gov't Code section 51104(g).

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

In order to quantify the project's impacts to air quality 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 Guidelines¹, 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. **Less than Significant Impact:** Air pollution emissions would be produced during the construction phase of the project. The Mojave Desert Air Basin (MDAB) is in non-attainment for PM10, PM2.5, and ozone at the present time. The EPA has classified the portion of the MDAB in which the project is located as

¹ "Mojave Desert Air Quality Management District California Environmental Quality Act and Federal Conformity Guidelines," prepared by the Mojave Desert Air Quality Management District, August 2016.

moderate non-attainment for the 8 hour ozone standard, non-attainment for the Federal and State PM10 standards, and non-attainment for the State PM2.5 standards. The Mojave Desert Air Quality Management District (MDAQMD) maintains ambient air quality monitoring stations throughout its portion of the MDAB. The air quality monitoring stations within the MDAB closest to the site are the Victorville Station and the Hesperia Station. These stations over the past three years have detected ozone levels that often exceed the State (one-hour) and Federal (8 hour standards). PM10 and PM2.5 levels never exceeded the Federal 24-hour and annual standards and rarely exceeded the State 24-hour annual standards during the past three years. CEQA defines a cumulative impact as two or more individual effects that together are considerable or that compound or increase other environmental impacts. Fugitive dust and pollutant emissions may be generated during the construction and operational phases of the proposed project and could be significant without mitigation in form of a dust control plan approved by MDAQMD.

The Final Environmental Impact Report (FEIR) prepared for the Town's General Plan identified that potential air quality impacts resulting from implementation of the General Plan would be significant and that there is no mitigation measure available to reduce this impact to less than significant levels. Although the project related emission associated with the project would cumulatively contribute to air quality emission, the impacts would not be more significant than that which were identified in the General Plan FEIR. No new significant air quality impact related to the project will result from the development of the proposed residential uses. Source: Town of Apple Valley General Plan EIR.

Air Quality Mitigation Measure

III.1 Prior to commencing earth-moving activity, the applicant/developer shall prepare and submit a dust control plan to the Mojave Desert Air Quality Management District (MDAQMD) that includes all applicable dust control measures that will be implemented as part of the project and the MDAQMD shall be notified in writing upon the commencement of construction. The dust control plan shall be completed in accordance with MDAQMD requirements and proof of an approved dust control plan shall be submitted to Building and Safety prior to the issuance of a grading permit.

- c. ***Less than Significant Impacts:*** Sensitive receptors located within the vicinity of the proposed project include single-family residences to the south and east. Phoenix Academy and Mojave Mesa E.S. are within approximately 1.5 miles of the proposed site. On-site grading and construction activities would likely generate temporarily increased levels of particulates and emissions from construction equipment. However, because those emissions created by the proposed project would not exceed State thresholds, the identified sensitive receptors would not be exposed to substantial pollutant concentrations.
- d. ***Less than Significant Impact.*** During construction, the various diesel-powered vehicles and equipment in use on the site would create odors. Additionally, the application of architectural coatings and installation of asphalt may generate odors. These odors are temporary and not likely to be noticeable beyond the project boundaries. MDAQMD standards regarding the application of architectural coatings (Rule 1113) and the installation of asphalt surfaces are sufficient to reduce temporary odor impacts to a less than significant level.

Long-term objectionable odors are not expected to occur at the proposed project site. Activities conducted at the proposed project will include typical residential activities and will not generate substantial objectionable odors. Therefore, impacts related to creation of objectionable odors affecting substantial numbers of people are expected to be less than significant.

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.

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.2020.4.0) was used to project air quality emissions generated by the proposed project.

Construction Emissions

The FEIR fully analyzed worst-case construction emissions. (See EIR p. III-30.) 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
Unmitigated Construction-Related Emissions Summary
Tentative Tract Map No. 20306
(tons/year)**

Construction Emissions ¹	CO	NO _x	ROG	SO ₂	PM ₁₀	PM _{2.5}
2022-2028 Max per year	3.6	4.1	2.7	8.1	2.1	0.92
MDAQMD Thresholds	100	25	25	25	15	12
Exceed?	No	No	No	No	No	No

¹ Source: CalEEMod.2020.4.0 output tables generated 7/7/2021

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.

Table 2
Unmitigated Operational Emissions Summary
Tentative Tract Map No. 20306
(tons per year)

	CO	NO_x	ROG	SO₂	PM₁₀	PM_{2.5}
Operational Emissions ¹	21.7	1.8	12.5	0.04	3.8	2.2
MDAQMD Thresholds	100	25	25	25	15	12
Exceed?	No	No	No	No	No	No

¹ Source: CalEEMod.2020.4.0

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. ***Less than Significant Impact with Mitigation.*** The analysis of the project’s effect on candidate, sensitive, or special status species is based on the *General Biological Resources Assessment* dated September 19, 2019, completed by Randall C. Arnold, Jr. of RCA Associates, Inc. No federal or State listed species were observed on the site during the field investigations. Future development of the site will impact the general biological resources present on the site, and most of the vegetation will likely be removed during future construction activities. The study concluded the loss of approximately

104 acres of desert vegetation is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding region. No sensitive habitats (e.g. wetlands, vernal pools, critical habitats for sensitive species, riparian areas, etc.) were observed during the biologist's field investigation.

Mitigation Measures:

BIO-1 A thirty (30)-day, pre-construction survey shall be completed by a qualified biologist. If any sensitive species are observed on the property during future activities, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), as applicable should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.

- b. **No impact.** Riparian habitat includes willows, mule fat, and other vegetation typically associated with the banks of a stream or lake shoreline. No riparian habitat exists on site. In addition, there are no other sensitive natural communities or habitats present on the project site. Therefore, no impact associated with this issue will occur.
- c. **No Impact.** The project site does not contain any drainage features under the jurisdiction of the U.S. Army Corps of Engineers or other Federal agencies. Therefore, implementation of the proposed project will not result in an impact associated with federally protected wetlands.
- 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 not conducive to wildlife movement. Impacts associated with wildlife movement are expected to be less than significant.
- e. **No Impact.** The project site does not contain any biological resources that would conflict with any local policies or ordinances. Therefore, no impact associated with this issue will occur.
- f. **Less than Significant Impact.** Areas of valuable habitat that support special status species are illustrated in the Biological Resources Study of the Town's General Plan EIR. The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the Town. In addition, a number of special survey areas in the Town's planning area are identified in the General Plan. Species for which surveys are required as part of development applications include Desert Tortoise, Mojave Ground Squirrel, Burrowing Owls, Joshua Trees, and/or Migratory/Nesting/Other Protected Birds. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site. However, the Town has a draft Multi-Species Habitat Conservation Plan, and at such time the site is to be developed, the project will be subject to the mitigation measures identified in the MSHCP.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

a-b. **Less than Significant Impact.** A cultural resources assessment of the proposed project site was completed by Duke CRM, September 2020. A field survey of the site was performed on August 13 and 24, 2019. There were no cultural resources of any kind discovered during the field survey. Therefore, development of the site would be considered a less than significant impact and no mitigation is necessary. The study found no prehistoric resources or previous cultural resource studies within the project area, but nine (9) cultural studies have been conducted within a one-mile radius of the project area. The results of these studies also indicated that there are no cultural resources located within the project area. One cultural resource was located within one mile of the project and consists of a historic built environment resource between 0.25-0.5 miles away. During the AB 52 consultation process, correspondence was received by San Manuel Band of Mission Indians (SMBMI), Cultural Resource Management Department, which does not believe any cultural resources will be impacted as a result of the project. However, SMBMI requested language for Conditions of Approval in the event cultural resources are discovered during project activities.

c. **Less than Significant Impact.** The proposed project site is not known to have been utilized for religious or sacred purposes. No evidence is in place to suggest the project site has been used for human burials. During the AB 52 consultation process, correspondence was received by San Manuel Band of Mission Indians (SMBMI) Cultural Resource Management Department, which does not believe any cultural resources will be impacted as a result of the project. However, SMBMI requested language for Conditions of Approval in the event cultural resources are discovered during project activities. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. As adherence to State regulations is required for all development, no mitigation is required

in the unlikely event human remains are discovered on-site. Impacts associated with this issue are considered less than significant.

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

Discussion of Impacts

- a) Construction of the 160 single-family residential homes would require the typical use of energy resources. Energy would be consumed during site clearing, excavation, grading and construction. The construction process would be typical. No site conditions or project features would require an inefficient or unnecessary consumption of energy. The project has been designed in compliance with California’s Energy Efficiency Standards and 2019 CALGreen Standards. These measures include:
- Stormwater drainage and retention during construction (BMPs);
 - Water conserving plumbing fixtures and fittings;
 - Compliance with the Town’s Water Efficient Landscape Ordinance (Development Code Chapter 9.75)
 - Construction Waste Diversion
 - All other mandatory CALGreen requirements for residential development.

Operation of the proposed residential units would involve the use of energy for heating, cooling, and equipment operation. These facilities would comply with all applicable California Energy Efficiency Standards and 2019 CALGreen Standards.

Neither the construction or operation of the Project would result in wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources. Therefore, impacts related to wasteful energy use would be less than significant, directly, indirectly or cumulatively.

- b) The project has been designed in compliance with California’s Energy Efficiency Standards and 2019 CALGreen Standards as noted above. The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, impacts would be less than significant, directly, indirectly, or cumulatively.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a (i). **No Impact.** The sites are not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No known active or potentially active faults traverse the site as shown on the California Geologic Survey Map (2002). Therefore, no impact associated with the rupture of a known earthquake fault would occur.
Source: Town of Apple Valley, General Plan EIR
- a(ii) **Less than Significant Impact.** Like all of southern California, the Mojave Desert is a seismically active region. According to the geotechnical investigation prepared for the project, the faults most likely to affect the project site are the North Frontal (9 mi SSE), Helendale-Lockhart Lenwood-Lockhart (6.1 mi NE), San Andreas (24 mi SSW), Cleghorn (17 mi SSW), and Lockhart-Old Woman Springs (20 mi ENE) fault zones. The proposed project site is located in a seismically active area and, therefore, will continue to be subject to ground shaking resulting from activity on local and regional faults.
- 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 Geotechnical Study prepared by Landmark Geo-Engineers and Geologist, August 17, 2005, indicates the site is not included within any geologic hazard map as being located within an area with a liquefaction hazard and is not considered a hazard due to the depth to groundwater being in excess of 50 feet. Impacts associated with liquefaction are less than significant.
- a (iv). **Less than Significant Impact.** No ancient landslides are shown on geologic maps of the region and no indications of landslides were observed during the site visit performed by Landmark Geo-Engineers and Geologist. There is the possibility of rockfalls from loose rocks on the Catholic Hills during strong seismic events or heavy rains. The site is not located within an area that could be susceptible to any landslides.
- b. **Less than Significant Impact.** The proposed project will require the excavation, stockpiling, and movement of on-site soils to create the residential pads and proposed new roadways. Currently, construction projects resulting in the disturbance of 1.0 acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project constructions. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP will ensure that potential impacts related to this issue are less than significant.
- c. **Less than Significant Impact with Mitigation.** As discussed above, the proposed project site is considered to have a low potential for liquefaction. Based on testing performed during the geotechnical investigation, the potential for hydro-collapse at the project site is negligible. Subsidence is generally associated with large decreases or withdrawals of water from the underlying aquifer. The proposed project does not include wells or other uses that will withdraw groundwater. Subsidence of older alluvial materials at the project site is estimated to be 0.05 foot. Additionally, the artificial fill and windblown sand of older alluvium at the site (generally the upper one to three feet and locally up to seven to ten feet) are considered unsuitable to support pavement, fill, structures, walls, or other improvements in their current state. As such, the proposed project site could result in significant impacts related to unstable soil. The implementation of Mitigation Measures GEO-2 and GEO-3, and adherence to the UBC, CBC, and Town design and engineering standards would ensure impacts associated with unstable soil remain less than significant.

Mitigation Measures

GEO-1 The design and construction of the proposed on-site uses shall adhere to the recommendations identified in the geotechnical investigation prepared for the proposed project site, or as determined appropriate by the Town, the standards and requirements established in the UBC.

GEO-2 The requirements and recommendations for earthwork, grading and seismic parameters included within the Landmark Geo-Engineers & Geologist Geotechnical Engineering dated August 17, 2005, shall be incorporated into the proposed project.

- d. ***No Impact.*** As identified in the geotechnical study, the soils within the project site are not expansive. The study confirmed that expansive soils do not occur on the site. No impact is anticipated.
- e. ***No Impact.*** The proposed project will connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems will not be utilized, no impact related to this issue will occur.
- f. ***Less than Significant Impact with Mitigation.*** The project site is located in an area identified as highly sensitive for paleontological resources as shown in Exhibit III-5 of the General Plan FEIR. The unearthing and damage of these resources would represent a potentially significant impact, without mitigation.

Mitigation Measures:

GEO-3 A qualified paleontological monitor shall be on site at the pre-construction meeting to discuss monitoring protocols.

GEO-4 Paleontological monitoring shall start at full-time. If no paleontological resources are observed after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.

GEO-5. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the project paleontologist has cleared the area. In consultation with the project paleontologist the paleontological monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area shall be cleared.

GEO-6. If the discovery is significant the paleontologist shall notify the developer and the Town immediately.

GEO-7. In consultation with the applicant, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.

VIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 project will not exceed the threshold for GHG emissions. 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. These standard requirements and Town initiatives will ensure that GHG emissions from the project are less than significant.

The California Emissions Estimator Model (CalEEMod.2020.4.0) 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
Tentative Tract Map 20306
(Metric Tons/Year)**

	CO2e	Threshold	Exceeds?
Construction Activities	714.3	100,000	No
Operational Activities	2576.1	100,000	No

CalEEMod model, version 2020.4.0 Values shown represent the total annual, unmitigated GHG emission projections for construction and operation of the proposed project.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a,b <i>No Impact.</i> The proposed project consists of the construction of residential properties. This land use will not involve the production, storage, or distribution of hazardous substances except normally occurring household hazardous wastes (such as cleaning products and paints). The range of land use activities proposed on the project site would not allow for the use, storage, disposal, or transport of large volumes of toxic, flammable, explosive, or otherwise hazardous materials that could cause serious environmental damage in the event of an accident. No impact anticipated.				

- c. **No Impact.** As the proposed development includes only residential dwelling units, which do not emit hazardous emissions or handle hazardous materials, no impacts associated with this issue are anticipated.
- d. **No Impact.** This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.
- e. **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, nor within a two-mile radius of a public airport; therefore, no hazards are known to impact public safety.
- f. **Less than Significant Impact.** Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.
- g. **Less than Significant Impact.** The magnitude and severity of a wildfire event is measured by calculating the number of acres burned in a specific wildfire event. CAL Fire adopted a Fire Hazard Severity Zone map for the local responsible agencies in 2008, which is found within the Town's Hazard Mitigation Plan for 2017. The Fire Severity Zones are identified as Very High, High, and Moderate through the County of San Bernardino. Apple Valley has nothing higher than moderate fire hazard severity. The project area is located within a Fire Hazard Area that is mapped as "Moderate", as are most lands within Apple Valley. The project is not within an area mapped as a high fire danger and it does not directly interface with wildlands; therefore, there will be a less than significant impact.

X. HYDROLOGY AND WATER QUALITY

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

Discussion of Impacts

- a. **Less than Significant Impact.** The proposed project will be required to connect to the Town's domestic water and sanitary sewer systems. Liberty Utilities 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 and be consistent with the General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems.

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.

SWRCB permits require 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 project will not 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 because the project will be served by an existing water purveyor that has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of the project.
- c. ***Less than Significant Impact.*** The existing surface drainage on the site follows the surface contours that drain to the southwest via sheet flow. The project will include on-site water conveyance lots and one lot for water retention. All drainage facilities must be improved which will result in a less than significant impact.
- d. ***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.
- e. ***Less than Significant Impact.*** The proposed project will be required to connect to the Town's sanitary sewer systems. Golden State Water will provide 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.

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a,b: *No Impact.* The project proposes development on vacant land adjacent to existing residential developments on the south and east. The project represents a continuation of the surrounding residential uses. Development of the site will not divide an existing neighborhood, nor would it introduce a barrier between residential uses. Therefore, no impacts associated with physically dividing an established neighborhood are anticipated.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **No Impact.** The sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.
- b. **No Impact.** The sites are not designated by the General Plan as a Mineral Resource Zone; therefore, there is no impact.

XIII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. ***Less than Significant Impact with Mitigation.*** Sensitive receptors within the project vicinity that may be affected by increased noise levels associated with the proposed project include single-family residences to the south and east. These sensitive land uses may be potentially affected by noise generated during construction and operation of the proposed project. The proposed project has the potential to cause noise levels to exceed the standards within the Town Code during construction and operational phases. Short-term noise increases from the proposed project would be generated during grading and construction activities. These activities would be short-term and would be subject to the construction activity restrictions in the Town Code. With implementation of the identified mitigation measures, potential short-term construction and long-term operational noise impacts would be reduced to below a level of significance.

Mitigation Measures

Short-Term Construction-Related Impacts. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

N-1 The construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

N-2 The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors to the west of the site.

N-3 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the west of the site during all project construction.

N-4 All construction, maintenance, or demolition activities within the Town's boundary shall be limited to the hours of 7:00 a.m.–7:00 p.m. of any working day Monday through Friday, and all construction, maintenance, or demolition activities shall be prohibited on Saturdays, Sundays and

holidays. Exceptions to these standards may be granted by the Town Council. Sundays and holidays. Exceptions to these standards may be granted by the Town Council.

- b. ***Less than Significant Impact.*** Construction of and operation of the uses associated with this type of project do not induce substantial groundborne vibrations. As such, a less than significant impact is anticipated.

- c. ***No Impact.*** The subject areas are not located in the vicinity of a designated airport land use, private airstrip, or within two-mile radius of a public airport; therefore, no impact is anticipated.

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** The proposed project site consists of the construction of 160 dwelling units. These new dwelling units would induce population growth to the area. The proposed project site is currently designated as residential use in the General Plan. The proposed residential uses meet the Town’s goal of providing housing opportunities for the increasing population within the Town of Apple Valley. As the proposed project is consistent with and has been anticipated by the Town’s General Plan, a less than significant growth inducing impact would be associated with development of the project site.
Source: Apple Valley General Plan, Housing Element.

- b: **No Impact.** The proposed project site is currently vacant and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required and no impact associated with this issue will occur.

XV. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

a. **Less than Significant Impact.** Fire service would be provided to the project uses by the Apple Valley Fire Protection District. The proposed project is located approximately three (3) miles from Station No. 332 located at 18857 Highway 18. Due to the close proximity of the fire station, the proposed project would be within the standard respond times of the Fire Protection District. However, as with any new development, the proposed project would increase the need for fire protection services within the Town. As a result, the applicant for the construction of the new dwelling units will be required to pay applicable fire service fees prior to occupancy. The payment of fees satisfies the requirements for development impacts on fire services. With the payment of the fire service fee, potential impacts related to the provision of fire services would be reduced to a less than significant level.

Source: Town of Apple Valley, General Plan EIR

b. **Less than Significant Impact.** The Town of Apple Valley provides law enforcement services for residents and businesses within the Town limits via a contract with the San Bernardino County Sheriff's Department. The Sheriff station is located at 14931 Dale Evans Parkway. Based on the projected increase in population at build-out, the project does not warrant an additional police officer. Further, the construction of new dwelling units will be required to pay applicable law enforcement facilities fee prior to occupancy. The payment of fees satisfies the requirements for development impacts on police facilities. With the payment of the law enforcement facilities fees, potential impacts related to the provision of police services would be reduced to a less than significant level.

Source: Town of Apple Valley, General Plan EIR and Building & Safety Impact Fee Schedule

c. ***Less than Significant Impact.*** Implementation of the proposed project will lead to the construction of 160 residential dwelling units that would house school-aged children. The Apple Valley Unified School District would serve the project site. The nearest schools to the proposed project include Phoenix Academy, Sycamore Rocks E.S. and Granite Hills HS. Section 65995 of the California Government Code requires developers to pay a onetime fee for school capital acquisitions and improvements and prohibits state or local agencies from imposing school impact mitigation fees, dedications or other requirements in excess of those provided in the statute. As such, the applicant for the construction of the new dwelling units proposed in the project is required to pay applicable school fees prior to occupancy. The payment of fees satisfies the requirements for the development impacts on school facilities. With the payment of school impact mitigation fees, potential impacts related to the provision of schools would be reduced to a less than significant level.

Source: Town of Apple Valley, General Plan EIR

d. ***Less than Significant Impact.*** The proposed development of 160 dwelling units would increase the current population by approximately 458 persons. The increase in population would result in increased demand for and use of local parks. In order to reduce potential impacts upon local parks, the proposed project shall be required to pay its fair share for park facilities. Through the development impact fees, the impact upon park facilities would be reduced to less than significant.

e. ***Less than Significant Impact.*** The development will not exceed demand that has been previously considered in The Town's General Plan EIR.

XVI. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** The project proposes development of 160 dwelling units, which would increase the current population. This population increase may result in impacts to local and regional park facilities. The project site is located in close proximity to many regional recreational opportunities. There is a total of thirteen (13) local parks within the Town’s jurisdictional boundaries. Three (3) of the thirteen (13) parks are located approximately three (3) miles from the project site and would be used by residents within the proposed project. These parks include Thunderbird Park, Lenny Brewster Sports Complex and Civic Center Park. This is a request to subdivide approximately 100 acres into 160 single-family residential lots in the Equestrian Residential (R-EQ) zoning designation for future residential development. This will increase the use of existing neighborhood and regional parks or other recreational facilities. Per the Town Code, the Park Development fee will be assessed per dwelling unit.

- b. **No Impact.** The proposed project does not include recreational facilities and would not induce the need for any construction or expansion of recreational facilities. No impact is anticipated.

XVII. TRANSPORTATION

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

Discussion of Impacts

- a. **Less than Significant Impact** Access to the site will be provided via Corwin Road and Rancherias Road or Sago Road. Regional access to the site is provided by Interstate 15 via an interchange on Dale Evans Parkway. The proposed project would increase the existing traffic load along these roadways as well as impact others within the vicinity of the project site. The roadway adjacent to the development will be required to be improved to the Town’s road standards and is consistent with the Circulation Map. The project requires payment of traffic impact fees to reduce regional traffic impacts. There is an existing Victor Valley Transit adjacent to the project site along Corwin Road. Therefore, there will be a less than significant impact.
- b. **Less than Significant.** The project site is located along a major transit stop. A Traffic Impact Analysis was completed by David Evans and Associates and included Vehicle Miles of Travel (VMT) Screening, which determined that the project is in a designated Low VMT-generating area in both its opening year (2023) and under cumulative 2040 conditions. The project is consistent with the Town of Apple Valley’s General Plan land use and zoning code. The traffic study also measured Level of Service (LOS) and found that the project will not cause any intersection to exceed the Town’s level of service policy of LOS D, and recommended no off-site mitigation.
- c. **No Impact.** The project does not include the construction of any sharp curves. The new intersections to be created as part of the project mostly align with existing roadways. As the project does not include the construction of any structure or feature that will create a substantial increase in hazards due to a design feature, no impacts are anticipated.
- d. **No Impact.** The project will be designed to provide access for all emergency vehicles and, therefore, will not create inadequate emergency access. Primary access would be provided via Corwin Road and Rancherias Road. Secondary access routes would be Waalew and Sago Roads. The Town of Apple Valley has not developed a formal evacuation plan; however, the Apple Valley Fire Protection District will review the TTM for adequate emergency access and development requirements as conditions of approval. No impacts are anticipated.

XVIII. TRIBAL RESOURCES

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) i-ii. ***Less than Significant Impact*** A cultural resources assessment of the proposed project site was completed Duke CRM in September 2020. A records search was performed and field survey of the site was performed August 19, 2019. Aside from domestic refuse, there were no significant cultural resources of any kind discovered during the field survey. Therefore, development of the site would be considered a less than significant impact and no mitigation is necessary. The study found no prehistoric resources on the project site, but identified nine additional studies conducted within a one-mile radius of the project site. During the Town’s AB 52 consultation process, correspondence was received by San Manuel Band of Mission Indians (SMBMI). Its Cultural Resource Management Department does not believe any cultural resources will be impacted as a result of the project. However, SMBMI requested language for Conditions of Approval in the event cultural resources are discovered during project activities.

XIX. UTILITIES AND SERVICE SYSTEMS

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

Discussion of Impacts

- a. **Less than Significant Impact.** There are existing utilities in the area to serve the project site. The construction of 160 single-family homes will require the extension of existing service lines; however, the construction of new facilities or the relocation of existing facilities will not be required.
- b. **Less than Significant Impact.** Liberty Utilities will provide domestic water services to the subject property. The project is required to construct new domestic waterlines to serve the site.
- c. **Less than Significant Impact.** Wastewater treatment services to the project would be provided by the VVWRA. The VVWRA is a California Joint Powers Authority that owns and operates regional wastewater collection and treatment facilities which services the Victor Valley. For the construction of the new dwelling units, the project is required to satisfy RWQCB and VVWRA payment of fees. The payment of fees satisfies the requirements for the development impact on wastewater treatment facilities. For these reasons, impacts to wastewater treatment facilities would be less than significant. The proposed project water services are provided by Liberty Utility.

d-e. **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 Town’s General Plan EIR. Impacts associated with solid waste generation are expected to be less than significant.

XX. WILDFIRES

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **Less than Significant Impact.** Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.

- b. ***Less than Significant Impact.*** The magnitude and severity of a wildfire event is measured by calculating the number of acres burned in a specific wildfire event. CAL Fire adopted a Fire Hazard Severity Zone map for the local responsible agencies in 2008, which is found within the Town's Hazard Mitigation Plan for 2017. The Fire Severity Zones are identified as Very High, High, and Moderate through the County of San Bernardino. Apple Valley has nothing higher than moderate fire hazard severity. The project area is located within a Fire Hazard Area that is mapped as "Moderate", as are most lands located in Apple Valely. The project is not within an area mapped as a high fire danger and it does not directly interface with wildlands; therefore, there will be a less than significant impact.
- c. ***No Impact.*** The project will not require the installation or maintenance of associated infrastructure that would exacerbate fire risk, or that may result in temporary or ongoing impacts to the environment and as such will have a no impact, directly, indirectly, or cumulatively.
- d. ***No Impact.*** The project is not located within an area susceptible to downslope or downstream flooding or landslides due to post-fire slope instability or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>a. Less than Significant Impact. The site is not within designated or proposed critical habitat for threatened or endangered species. Additionally, the proposed project site does not contain any wetlands, or riparian habitat. The proposed project site was identified as not containing suitable habitat for nesting birds, raptors, and burrowing owls due to previous activities. The project area has the potential to contain significant paleontological resources. Implementation of Mitigation Measures would reduce potential impacts to paleontological resources to a less than significant level. Adherence to standard Town and State measures related to the discovery, recovery, and/or recordation of cultural resources and/or human remains during construction activities would ensure a less than significant impact to cultural resources would result from the implementation of the proposed project.</p> <p>b. Less than Significant Impact. With implementation of mitigation contained in this Initial Study, environmental impacts associated with the project will be reduced to a less than significant level; therefore, the proposed project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.</p> <p>c. Less than Significant Impact with Mitigation. The proposed project site is located within an area designated by the Town for residential uses. While development of the proposed project would generate fugitive dust and pollutant emissions during construction, it would not result in any significant operational air quality impacts. Thus, it is not anticipated that these additional emissions would result in significant cumulative air quality impacts. Impacts related to biological resources, cultural resources,</p>				

geology and soils, hazards, noise, public services, traffic and utilities and services are similarly reduced to a less than significant level through the implementation of mitigation measures and the adherence to established Town-mandated standards. There are no projects that, in combination with the proposed project would create a cumulatively considerable impact over and above those identified in this Initial Study/Mitigated Negative Declaration. The potential cumulative impacts associated with development of the proposed project are, therefore, less than significant.

- d. ***Less than Significant Impact.*** As identified in this Initial Study/Mitigated Negative Declaration, it was determined that the significance of environmental impacts associated with new development resulting from the proposed project were either no impact, less than significant impact, or less than significant impact with mitigation incorporated. For all topics, the project would not produce a significant effect on the environment. Correspondingly, the project would not produce an adverse impact on humans for those environmental topics that relate directly to humans such as aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous material, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, and utilities and service systems.

REFERENCES

- California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975
County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995
Town of Apple Valley General Plan, 2009
Town of Apple Valley Climate Action Plan (CAP), 2013
Environmental Impact Report (EIR), Town of Apple Valley General Plan, 2009
Town of Apple Valley Hazard Mitigation Plan, 2017
County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998
Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map 06071C5840H.
Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan,
Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area,
Mojave Desert Air Quality Management District CEQA & Federal Conformity Guidelines August 2016
South Coast Air Quality Management District, CEQA Air Quality Handbook,
Landmark Geo-Engineers & Geologist Geotechnical Investigation August 17, 2005
RCA General Biological Resource Assessment September 19, 2019
DUKE CRM Cultural and Paleontological Resources Assessment September 2020
David Evans and Associates Traffic Impact Analysis June 2, 2021

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

**TOWN OF APPLE VALLEY
MONITORING PROGRAM FOR CEQA COMPLIANCE**

DATE:	July 21, 2021	ASSESSORS PARCEL NO.:	0441-011-01, 0441-021-11, -12, -15, -16, -17, -18, and -19
CASE NO.:	Tentative Tract Map No. 20306	PROJECT LOCATION:	Southeast corner of Corwin and Waalew Roads
EA/EIR NO.:	N/A	APPROVAL DATE:	TBD
APPLICANT:	David Evans & Associates		

THE FOLLOWING REPRESENTS THE CITY'S MITIGATION MONITORING PROGRAM IN CONNECTION WITH THE MITIGATED NEGATIVE DECLARATION FOR THE ABOVE CASE NUMBER.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

SUMMARY MITIGATION MEASURES	RESPONSIBLE FOR MONITORING	TIMING	CRITERIA	COMPLIANCE CHECKED BY	DATE
III. AIR QUALITY					
<p>III.1 Prior to commencing earth-moving activity, the applicant/developer shall prepare and submit a dust control plan to the Mojave Desert Air Quality Management District (MDAQMD) that includes all applicable dust control measures that will be implemented as part of the project and the MDAQMD shall be notified in writing upon the commencement of construction. The dust control plan shall be completed in accordance with MDAQMD requirements and proof of an approved dust control plan shall be submitted to Building and Safety prior to the issuance of a grading permit.</p>	<p>Planning Division</p>	<p>Prior to ground disturbance</p>	<p>Approved dust control plan.</p>		
IV. BIOLOGICAL RESOURCES					
<p>IV.1 A thirty (30)-day, pre-construction survey shall be completed by a qualified biologist. If any sensitive species are observed on the property during future activities, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), as applicable should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.</p>	<p>Planning Division</p>	<p>Prior to ground disturbance</p>	<p>No endangered or species of special concern are present.</p>		
VII. GEOLOGY AND SOILS					
<p>VII.1 The design and construction of the proposed on-site uses shall adhere to the recommendations identified in the geotechnical investigation prepared for the proposed project site, or as determined appropriate by the Town, the standards and requirements established in the UBC.</p>	<p>Building and Safety</p>	<p>Prior to permit issuance</p>			

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

<p>VII.2 The requirements and recommendations for earthwork, grading and seismic parameters included within the Landmark Geo-Engineers & Geologist Geotechnical Engineering dated August 17, 2005, shall be incorporated into the proposed project.</p>	<p>Building and Safety</p>	<p>Prior to permit issuance</p>		
<p>VII.3A A qualified paleontological monitor shall be on site at the pre-construction meeting to discuss monitoring protocols.</p>	<p>Planning Department</p>	<p>Receipt of agreement prior to issuance of grading permit and on site inspections.</p>		
<p>VII.4 Paleontological monitoring shall start at full-time. If no paleontological resources are observed after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.</p>	<p>Planning Department</p>	<p>Within 30 days of completion of monitoring, the monitor shall prepare, and deliver to the Town, a report of his/her findings.</p>		
<p>VII.3 In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the project paleontologist has cleared the area. In consultation with the project paleontologist the paleontological monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area shall be cleared.</p>				

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

<p>VII.4 If the discovery is significant the paleontologist shall notify the developer and the Town immediately.</p>					
<p>VII.5 In consultation with the applicant, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the fine, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.</p>					
<p>XIII. NOISE</p>					

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

<p>XIII.1 The construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</p>	<p>Building and Safety</p>	<p>Ongoing</p>			
<p>XIII.2 The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors to the west of the site.</p>	<p>Building and Safety</p>	<p>Ongoing</p>			
<p>XIII.3 <i>The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the west of the site during all project construction.</i></p>	<p>Building and Safety</p>	<p>Ongoing</p>			
<p>XIII.4 All construction, maintenance, or demolition activities within the Town's boundary shall be limited to the hours of 7:00 a.m.-7:00 p.m. of any working day Monday through Friday, and all construction, maintenance, or demolition activities shall be prohibited on Saturdays, Sundays and holidays. Exceptions to these standards may be granted by the Town Council. Sundays and holidays. Exceptions to these standards may be granted by the Town Council.</p>	<p>Building and Safety</p>	<p>Ongoing</p>			