California Environmental Quality Act (CEQA)

Subsequent Initial Study/Mitigated Negative Declaration

GTS Cold Storage Project
APN: 0463-231-06
Northwest Corner of Navajo Road and Lafayette Street

Lead Agency
Town of Apple Valley
Development Services Department, Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307
Contact: Daniel Alcayaga, AICP, Planning Manager

Project Proponent
Green Trucking Solutions, LLC
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Fontana, CA 92335

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July 3, 2023

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1.0 Background Information

1. Project Title:
GTS Cold Storage

2. Lead Agency Name, Address, and Telephone Number:
Development Services Department, Planning Division
14955 Dale Evans Parkway
Apple Valley, California 92307
(951) 240-7000

3. Description of Project:
The proposed Project would develop a 385,004-square-foot cold storage warehouse building. The proposed warehouse Project would also include two 2-story office areas, an electrical and fire pump building, and parking spaces for automobiles and trucks.

4. Project Location:
The Project site is at the northwest corner of Navajo Road and Lafayette Street. The Project site is an undeveloped 18.7-acre lot on Assessor's Parcel 0463-231-06. Also, the Project site is located within the North Apple Valley Industrial Specific Plan, and the Project site is zoned as Specific Plan Industrial (I-SP).

5. General Plan and Zoning Designation:
Specific Plan Industrial (I-SP). The Specific Plan Industrial District is intended to support the development of a broad range of clean, well planned industrial, quasi-industrial, and commercial support uses within the North Apple Valley Industrial Specific Plan. Uses can range from manufacturing and warehousing to offices and retail facilities that support the employee population within the Specific Plan Area. Uses that generate excessive noise or other environmental impacts are not permitted in the District. All uses are to be conducted within enclosed structures. Outdoor storage may be permitted, if completely screened from view.

6. Other Public Agencies whose Approval is Required:
Issuance of building permits and completion of structures to current building code are required by the Town prior to the establishment of the project. Additionally, approvals from the following agencies are required:

- Lahontan Regional Water Quality Control Board (National Pollutant Discharge Elimination System Permit and Report of Waste Discharge)
- Mohave Desert Air Quality Management District (Authority to Construct)

7. Native American Tribal Consultation:
The Town commenced the AB 52 process by sending out consultation invitation letters to tribes previously requesting notification pursuant to Public Resources Code §21080.3.1. The Project site is located within Serrano ancestral territory and, therefore, is of interest to the Yuhaaviatam of San Manuel Nation (YSMN). As a result, Mitigation Measure TCR-1 is included in the project/ permit/plan conditions.

Significant or Potentially Significant Environmental Factors

The following environmental factors have been evaluated in this Initial Study to determine if development of the Project will result in a Significant or Potentially Significant impact(s) to the environment that cannot be mitigated to a level of insignificance. The environmental factors checked below would be potentially affected by this Project, but can be mitigated to a level of "**Less Than Significant with Mitigation Incorporated**."

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

Because the environmental factors above have been mitigated to less than significant, the adoption of a Mitigated Negative Declaration is recommended. View Table 2-1, Summary of Environmental Impacts and Mitigation Measures below for further information.

Determination

Based on this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended for adoption. ☐

I find that although the proposal 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 Applicant. A **SUBSEQUENT MITIGATED NEGATIVE DECLARATION** will be recommended for adoption. ☒

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

I find that the proposal MAY have a significant effect(s) 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 if the effect is a "potentially significant impact" or "potentially significant unless mitigated." 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 potgentially significnat effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to all applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures are are imposed upon the proposed Project, nothing further is required. ☐

	Town of Apple Valley
Signature	**Lead Agency**
Daniel Alcayaga, AICP, Planning Manager	
Printed Name/Title	**Date**

2.0 Introduction

2.1 Purpose of the Subsequent Initial Study/Mitigated Negative Declaration

This Subsequent Initial Study/Mitigated Negative Declaration (IS/MND) tiers off the Town of Apple Valley, North Apple Valley Industrial Specific Plan Environmental Impact Report (NAVISP EIR), certified October 6, 2006, (SCH #2006031112) which is available for review at the Apple Valley Town Hall, 14955 Dale Evans Parkway Apple Valley, CA 92307 and online at: https://www.applevalley.org/services/planning-division/north-apple-valley-industrial-specific-plan. The NAVISP is incorporated into this document in its entirety by this reference.

The NAVISP EIR confirmed that all environmental impacts resulting from the implementation of the NAVISP would be less than significant with the imposition of mitigation measures, with the exception of Air Quality with total buildout of the Specific Plan, which allows 36,338,536 square feet of building area on 4,937 acres, which was identified as a significant and unavoidable impact.

The type and intensity of use proposed as part of the current project is consistent with the development anticipated, analyzed, and approved as part of the existing NAVISP EIR. The City's 2016 General Plan EIR analyzed future growth under Chapter 4.13 Population, Employment, and Housing pages 4.13-1 through 4.13-10. Table 4.13-2 (page 4.13-3) of the General Plan EIR forecasts a population of 61,691 by the year 2040. In 2016, the City had a population of 52,231 with an average household size of 2.10 persons (U.S. Census Bureau, Quick Facts). As a result of project build-out, the proposed Project could add 865 people into the city, and an approximate population of 53,096, which is below the 2040 population forecast of 61,691.

Because the GTS Cold Storage Project is within the scope of the previously certified NAVISP EIR, and consistent with the requirements of CEQA Guidelines §15168(c), this Subsequent IS/MND has been prepared to examine the Proposed Project in the light of the NAVISP EIR in order to determine if the GTS Cold Storage Project would result in any impacts greater than those previously analyzed and disclosed.

To the extent the impacts of the GTS Cold Storage Project are already fully analyzed and accounted for in the NAVISP, this Subsequent IS/MND will not further discuss the following resources as discussed below:

Agriculture and Forestry Resources

The Farmland Mapping and Monitoring Program (FMMP)[1] designates the Project site as "Grazing Land" (land on which the existing vegetation is suited to the grazing of livestock). Neither the site nor adjacent properties are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, no impact to farmland would occur, and no mitigation is required.

The Project site is located in "Non-Enrolled Land" (land not enrolled in a Williamson Act contract and not mapped by FMMP as Urban and Built-Up Land or Water) and therefore is not subject to a Williamson

1 California Department of Conservation, Farmland Mapping & Monitoring Program.

Act Conservation Contract.[2] The proposed Project would not conflict with a Williamson Act contract. No impact would occur, and no mitigation is required.

California Public Resources Code §12220(g) defines *forest land* as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Section 4526 of the Code defines timberland as land, other than land owned by the federal government or land designated by the state as experimental forest land, that is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

Neither the Project site nor adjacent lands are zoned for forest land or timberland production. Therefore, there is no potential for the Project to conflict with existing zoning for forest land or land zoned for timberland production. No impact would occur, and no mitigation is required.

Mineral Resources

Mineral resources occur predominantly near the Mojave River as sand, gravel, and stone deposits. The Project site is located within the MRZ-3a mineral resource zone. According to California Department of Mines and Geology, MRZ-3a is an "area containing known mineral occurrences of undetermined mineral resource significance." The Project is located on land zoned Specific Plan Industrial (I-SP) by the NAVISP. According to NAVISP Table III-1, Allowable Uses, Mining is not an allowable use. Therefore, impacts from the loss of available mineral resources of value to the state or local jurisdictions would be less than significant. Mitigation is not required.

Recreation

The proposed Project does not include development of residential units; therefore, there would be no direct increase in population or corresponding demand for park facilities or programs. Project-generated population estimates are based on anticipated employment generation from development of the proposed Project for regional commercial uses.

According to the Apple Valley General Plan, the Town maintains 346.87 acres of developed parkland including seven Mini-Parks, two Neighborhood Parks, three Community Parks and two Special Use Parks.[3] All these recreational amenities collectively would serve the employees and patrons of the Project, which would minimize any significant new increase in utilization of nearby recreational facilities such that it would result in a substantial or accelerated physical deterioration of such facilities. Since the Project would not result in a direct increase in population, Project-related impacts to existing neighborhood and regional parks or other recreational facilities would be less than significant.

Wildfire

A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. As stated in the State of California's General Plan

2 California Department of Conservation, The Williamson Act.
3 Town of Apple Valley, Parks & Facilities. https://www.applevalley.org/services/parks-recreation/parks-facilities-golf-course/parks-facilities

Guidelines: “California’s increasing population and expansion of development into previously undeveloped areas is creating more ’wildland-urban interface’ issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires.” To address this issue, the state passed Senate Bill 1241 to require that General Plan Safety Elements address the fire severity risks in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs).

According to the California Fire Hazard Severity Zone Viewer maintained by CAL FIRE, the Project site is not located within a high wildfire hazard area. Project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Consistent with CEQA Guidelines §15168, this Subsequent IS/MND provides the site-specific analysis anticipated by the NAVISP EIR as to the following resource areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gases, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Population/Housing, Public Services, Transportation, Tribal Cultural Resources, and Utilities/Service Systems. Finally, as depicted in the IS/MND’s significance checkboxes for each resource only those resources for which site-specific mitigation (beyond that already imposed through the Program General Plan EIR) are imposed are identified as “Less than Significant with Mitigation.” Impacts to all other resources are either “Less than Significant” or “No Impact” with the imposition, as applicable, of the mitigation measures previously adopted and imposed by the Town through the certified NAVISP EIR and MMRP.

2.2 Environmental Impacts Requiring Mitigation

Table 2-1 lists the Mitigation Measures contained in this IS/MND document. Appendix L lists the Mitigation Measures contained in the North Apple Valley Industrial Specific Plan EIR and the Mitigation and Monitoring Program.

Table 2-1 Summary of Environmental Impacts and Mitigation Measures

Environmental Impact	Mitigation Measures (MM)
See Appendix L for a list of the Mitigation Measures contained in the North Apple Valley Industrial Specific Plan EIR.	
4.4 (a) Biological Resources Construction will impact species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.	**MM BIO-1. Western Joshua Tree Incidental Take Permit.** If any western Joshua trees (WJT) are to be relocated, removed, or otherwise taken, the Project Proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under CDFW §2081 of the California Endangered Species Act (CESA), prior to the relocation, removal, or take. (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of western Joshua tree, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §2080 and §2085). Permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate project-related impacts of the taking of CESA-listed species. CDFW recommends permanent protection through either the purchase of conservation or mitigation bank credits the establishment of a conservation easement, or payment of the fees listed under the Western Joshua Tree Conservation Act as applicable, development of a long-term management plan, and securing funding sufficient to implement management plan tasks in perpetuity. These tasks should be completed, or financial security must be provided before starting any Project activities. To execute an ITP, CDFW requires documentation of CEQA compliance. CDFW requires the CEQA document to have a State Clearinghouse number, show proof of filing fees and proof the document has been circulated. **MM BIO-2. Burrowing Owl Pre-Construction Survey.** Prior to any ground disturbance, pre-construction surveys for burrowing owls on the Project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14 days prior to the beginning of Project activities, and a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of Project construction to determine if the Project site contains suitable burrowing owl or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100% coverage of the Project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply. **MM BIO-3. Burrowing Owl Avoidance/Relocation.** If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist

Environmental Impact	Mitigation Measures (MM)
	following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the Project Proponent and the Town, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities on-site and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW. **MM BIO-4. Mohave Ground Squirrel Pre-Construction Survey.** Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010), or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project area and a 50-foot buffer zone. If Mohave ground squirrel presence is confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW. **MM BIO-5. Desert Tortoise Pre-Construction Survey**. A CDFW-approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100% visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to the start of Project activities. If the survey confirms desert tortoise absence, the CDFW-approved biologist shall ensure desert tortoises do not enter the Project area. If desert tortoise presence is confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California

Environmental Impact	Mitigation Measures (MM)
	Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained. If complete avoidance of desert tortoise is infeasible, the Project Proponent shall apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site. Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis. **MM BIO-6. Worker Environmental Awareness Training:** A qualified biologist must present biological resource information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to Project activities to all personnel who will be working within the Project site. The same instruction shall be provided for any new workers prior to their performing any work on-site. Interpretation shall be provided for any non-English speaking workers. **MM BIO-7. Deceased or Injured Tortoise within the Project Site:** USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on-site (verbal notice within 24-hours and written notification within 5-days). **MM BIO-8. Species Avoidance:** If during Project activities a desert tortoise is discovered within the Project site, all activities shall immediately stop and the CDFW shall be immediately notified (within 24 hours). Coordination with respective state and federal resource agencies shall be required prior to restarting activities to determine appropriate avoidance, minimization, and mitigation measures. **MM BIO-9. Nesting Bird Pre-Construction Survey.** Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than 3 days prior to the initiation of Project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a

Environmental Impact	Mitigation Measures (MM)
	minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the "no disturbance buffer" shall be expanded. If there is no nesting activity, then no further action is needed for this measure.
4.4 (c) Biological Resources Construction will 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.	**MM BIO-10. Clean Water Act Section 401 and Section 404 Permits.** Prior to issuance of a grading permit, the developer shall obtain a Clean Water Act Section 404 Nationwide Permit from the U.S. Army Corps of Engineers and compensate for the loss of 0.22 acres (9,698 square feet) of ephemeral stream channel, and a Clean Water Act Section 401 Certification from the Lahontan Regional Water Quality Control Board. The developer shall provide evidence of the permit to the Town Planning Department. **MM BIO-11. California Fish and Game Code §1602 Permit.** Prior to the issuance of a grading permit, the Project Proponent shall obtain a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife. The following shall be incorporated into the permitting, subject to approval by the regulatory agencies: (a) Replacement and/or restoration of jurisdictional "waters of the State" within the Mojave River watershed at a ratio of no less than 2:1 on-site for permanent impacts to 0.22 acres (9,698 square feet) of an ephemeral stream channel. **MM BIO-12. Pre-Construction Rare Plant Clearance Survey:** Prior to the issuance of a grading permit or any permit that allows vegetation removal, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any special-status plants are identified, the City shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging). If complete avoidance is not feasible, the City shall mitigate the loss of the plant(s) through the purchase of mitigation credits from a CDFW-approved bank and/or through land acquisition and conservation at a mitigation ratio determined by CDFW after Project analysis. If the Project has the potential to impact a state-listed species, the Project

Environmental Impact	Mitigation Measures (MM)
	applicant should apply for a California Endangered Species Act (CESA) Incidental Take Permit (ITP) with CDFW.
4.4 (e) Biological Resources Construction will conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Covered by **MM BIO-1.** Western Joshua Tree Incidental Take Permit.
4.5 (b) Cultural Resources Subsurface archaeological resources may be encountered during ground disturbance.	**MM CUL-1**. **Resource Discovery.** If cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within Mitigation Measure TCR-1, 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. **MM CUL-2**. **Monitoring and Treatment Plan**. 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 YSMN for review and comment, as detailed within Mitigation Measure TCR-1. The archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.
4.13 (a) Noise Construction noise levels may be above Town standards.	**MM NOI-1. Noise Barrier**. Prior to the issuance of a grading or building permit, the construction plans shall show details for a minimum 10 feet high portable temporary construction barrier when stationary construction equipment is not shielded by the proposed warehouse building and is located within 120 feet of the project construction boundary. The barrier shall be continuous with no gaps or holes and may be any material that has a minimum Sound Transmission Class (STC) rating of 28.
4.18 (b) Tribal Cultural Resources Subsurface tribal cultural resources may be encountered during ground disturbance.	***MM TCR-1***. **Tribal Monitoring.** Due to the heightened cultural sensitivity of the proposed project area, Tribal monitors representing the Yuhaaviatam of San Manuel Nation (YSMN) shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the YSMN Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior

Environmental Impact	Mitigation Measures (MM)
	to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan. **MM TCR-2. Treatment of Cultural Resources**. If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied in situ. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the YSMN, the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance (or other appropriate treatment) of the discovered resource, and the potential need for construction monitoring during project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by YSMN All plans for analysis shall be reviewed and approved by the applicant and YSMN prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.). If avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 California Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees. All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and YSMN for their review and comment. After approval from all

Environmental Impact	Mitigation Measures (MM)
	parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and YSMN. ***MM TCR-3*. Inadvertent Discoveries of Human Remains/Funerary Objects.** In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify YSMN, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code §7050.5(c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code §5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code §5097.98. Reburial *of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code §5097.98(a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.* It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code §6254(r).
4.19 (a) Utilities and Service Systems Construction/installation of utilities and service systems will impact Biological Resources, Cultural Resources, Paleontological Resources, and Tribal Cultural Resources.	**MM BIO-1** through **MM BIO-12, MM CUL-1**.

3.0 Project Description/Environmental Setting

3.1 Project Location

The Project site consists of approximately 18.7 acres on the northwest corner of Navajo Road and Lafayette Street, and is referred to as Assessor Parcel Numbers: 0463-231-06 (see Figure 3.1, Regional Map; Figure 3.2, Local Area Map; and Figure 3.3, Aerial View).

3.2 Project Description

Develop 18.7 gross acres into a 385,004-square-foot cold storage warehouse building. As shown on Figure 3.4, Preliminary Site Plan, the Project would be divided into two spaces that could accommodate two tenants. Each side of the warehouse would include a 7,700-square-foot, 2-story office area for each space. The project would also include the construction of a 3,000-square-foot electrical and fire pump building.

Truck access is provided by a 60-foot-wide driveway off Navajo Road. Truck loading and unloading activities will take place on the eastern portion of the site facing Navajo Road. A total of 64 truck dock doors are proposed along the eastern side of the building with another 64 truck parking spaces provided adjacent to Navajo Road.

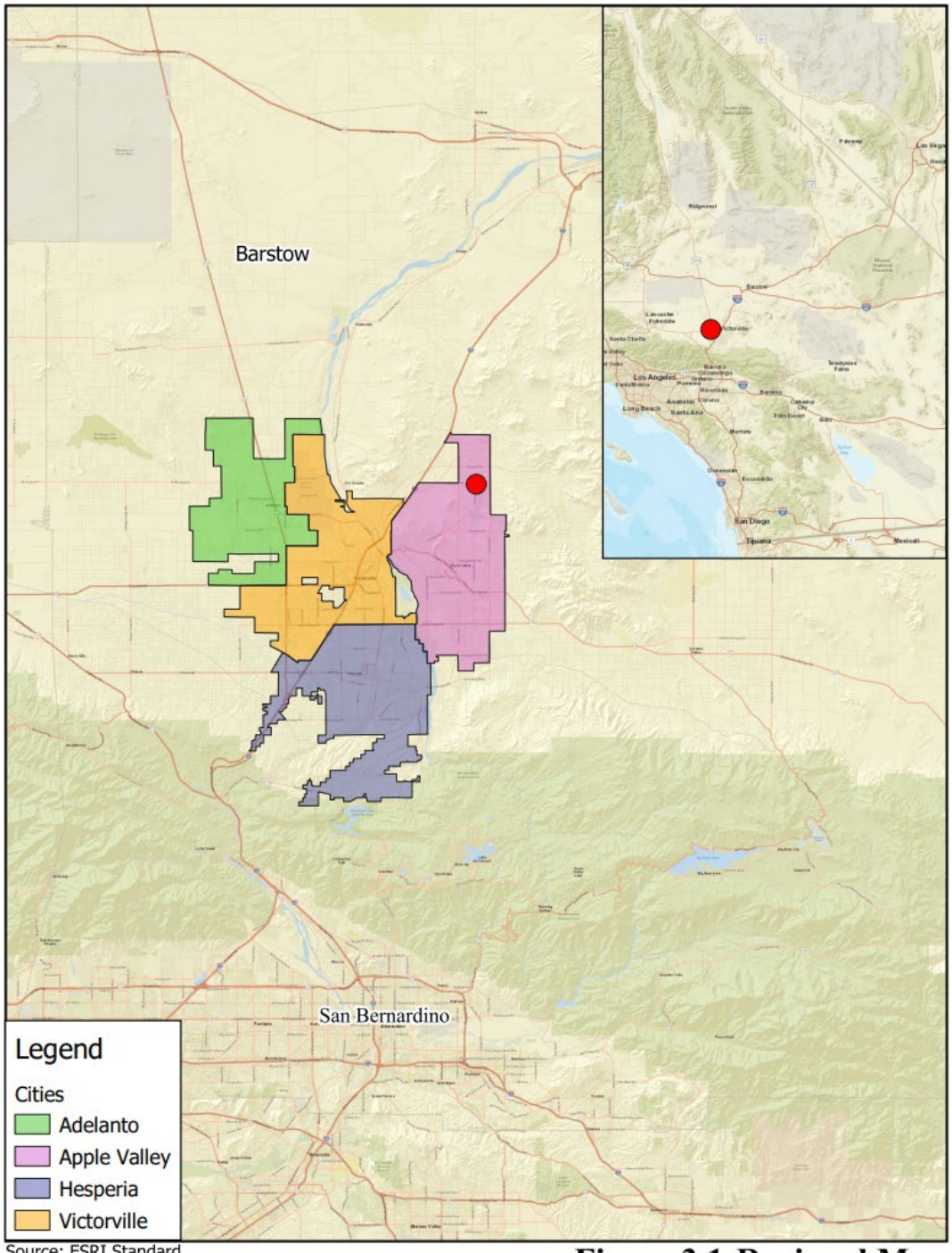
A total of 150 parking spaces for passenger vehicles are proposed along the north, south, and west side of the building accessible by a driveway off Lafayette Road and another off Navajo Road. All of the parking areas include a landscaped setback adjacent to Navajo Road and Lafayette Street to buffer the parking areas. A 6-foot-high decorative block wall with vines is proposed along the northern and western property lines.

Landscaped planters with a variety of trees and groundcover are provided along the frontages of Navajo Road and Lafayette Street. All above on-site ground utilities and irrigation equipment will be screened with landscaping.

3.3 Proposed Improvements

Development of the Project will impact approximately 18.7 acres of undeveloped land, currently covered with desert scrub vegetation, into a cold storage warehouse building. Project activities include site preparation (ground clearing and removal of all vegetation), grading of the entire Project site, and construction of structures and the installation of related infrastructure, paving, and landscaping.

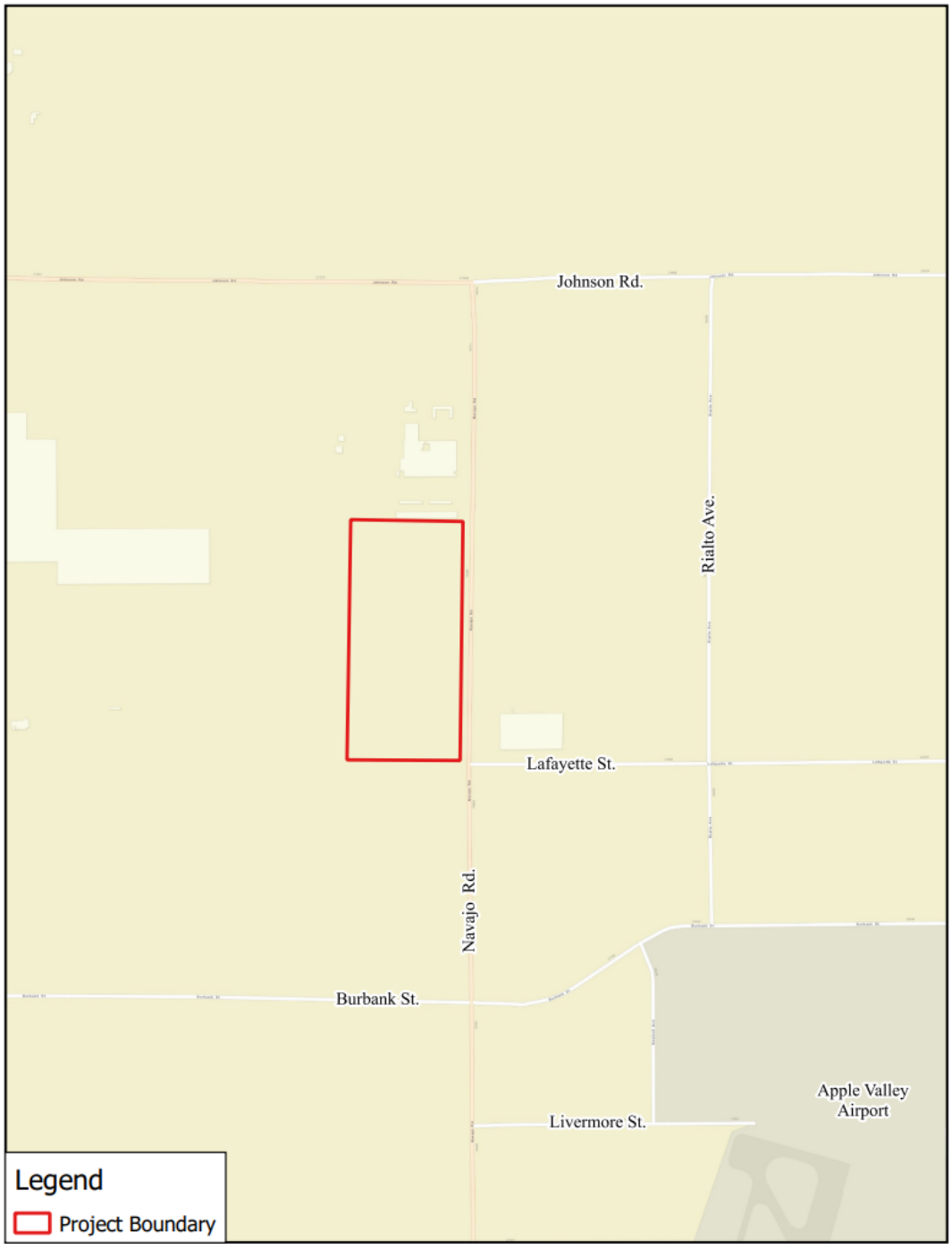
Figure 3.1 Regional Map



Source: ESRI Standard

Figure 3.1-Regional Map
GTS Cold Storage

Figure 3.2 Local Area Map



Source: ESRI Standard

Figure 3.2 -Local Area Map
GTS Cold Storage

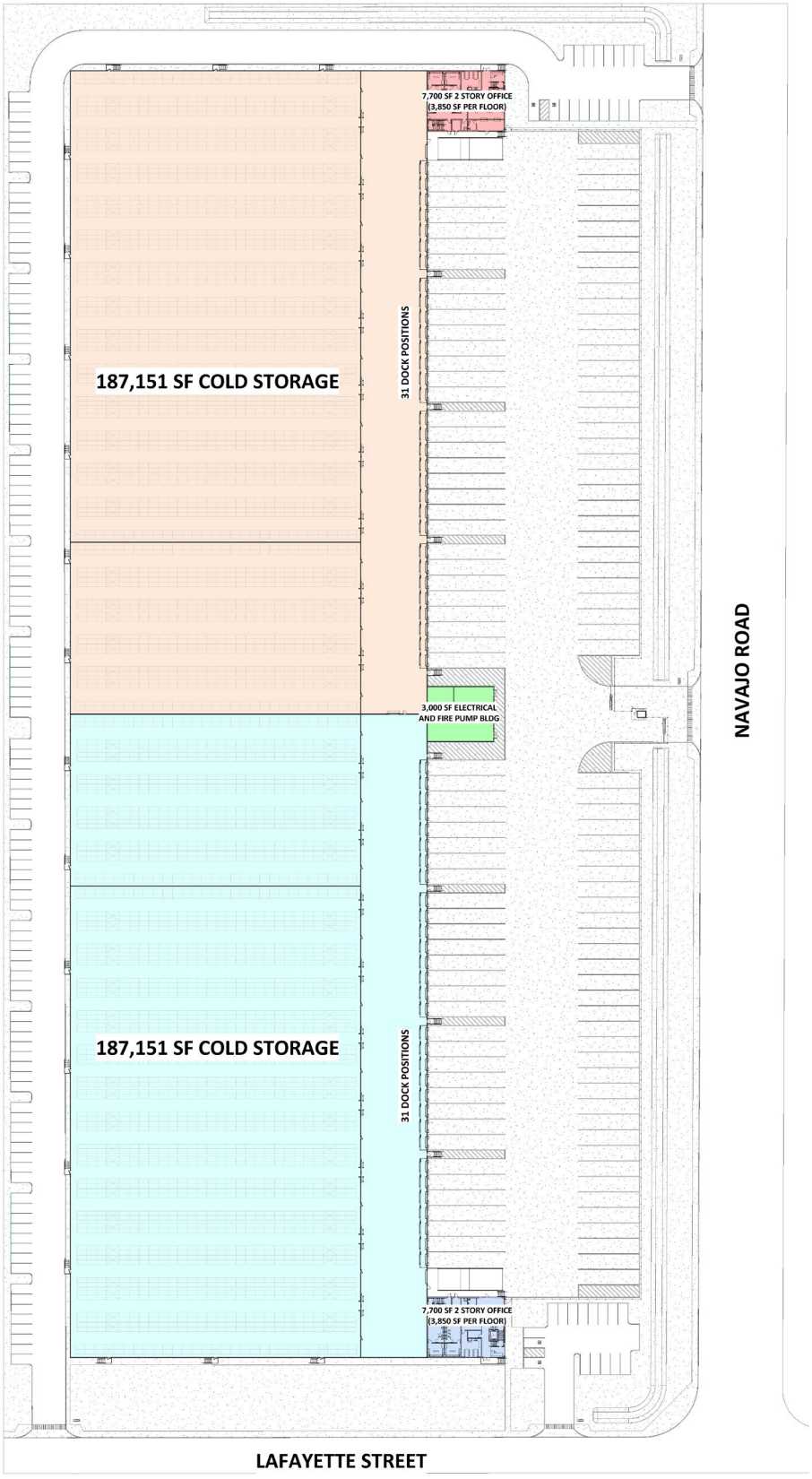
EPC ENVIRONMENTAL CEQA

Figure 3.3 Aerial View

Source: Bing Satellite

Figure 3.3 -Aerial View
TTM GTS Cold Storage

Figure 3.4 Preliminary Site Plan



Street Improvements and Access

Lafayette Street

The ultimate right-of-way is 88 feet. The Project will construct pavement for travel lanes, curb, gutter, sidewalk, and a landscaped parkway within a 32-foot-wide portion of the right-of-way.

Navajo Road

The ultimate right-of-way is 88 feet. The Project will construct pavement for travel lanes, curb, gutter, sidewalk, and a landscaped parkway within a 32-foot-wide portion of the right-of-way.

Water and Sewer Improvements

Water Service

The Project will connect to the existing 16-inch Liberty Utilities water line in Navajo Road adjacent to the site.

Sewer Service

The Project will connect to the existing 12-inch sewer line within the right-of-way of Navajo Road along the site frontage.

Storm Drainage Improvements

In the proposed condition, the runoff will sheet flow to catch basins at various locations on site. The increase in peak flow and runoff volume due to the proposed development will be mitigated on site to reduce the discharge to 90% of the pre-development conditions. This is achieved with the use of an underground storm water chamber system with a minimum capacity of 2.9051 acre-feet (AF) and the use of 2,706 linear feet of 6-foot diameter corrugated steel pipe in a gravel bed measuring 900 feet by 28 feet and 8 feet of depth. Discharge from the site to the street shall be routed through a 6-foot-wide parkway located along Lafayette Street near the southwest corner of the site.

With the above design features, the development of the Project will not have a negative impact on downstream properties or facilities.

3.4 Construction and Operational Characteristics

Construction Schedule

The anticipated construction schedule assumes that the proposed Project would be built over approximately 16 months. The proposed Project would require site preparation, grading, building construction, paving, and architectural coating during construction. Construction equipment and staging are to occur on-site, and construction vehicle access is planned along Lafayette Street, Navajo Road, Dale Evans Parkway, and Johnson Road.

Operational Characteristics

The proposed Project would operate as a cold storage warehouse facility. Typical operational characteristics would include employees and customers traveling to and from the site, truck loading and unloading activities.

3.5 Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed Project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the Project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]). Because a Notice of Preparation was not required, the environmental setting for the Project is **July 2022**, which is the date that the Project's environmental analysis commenced.

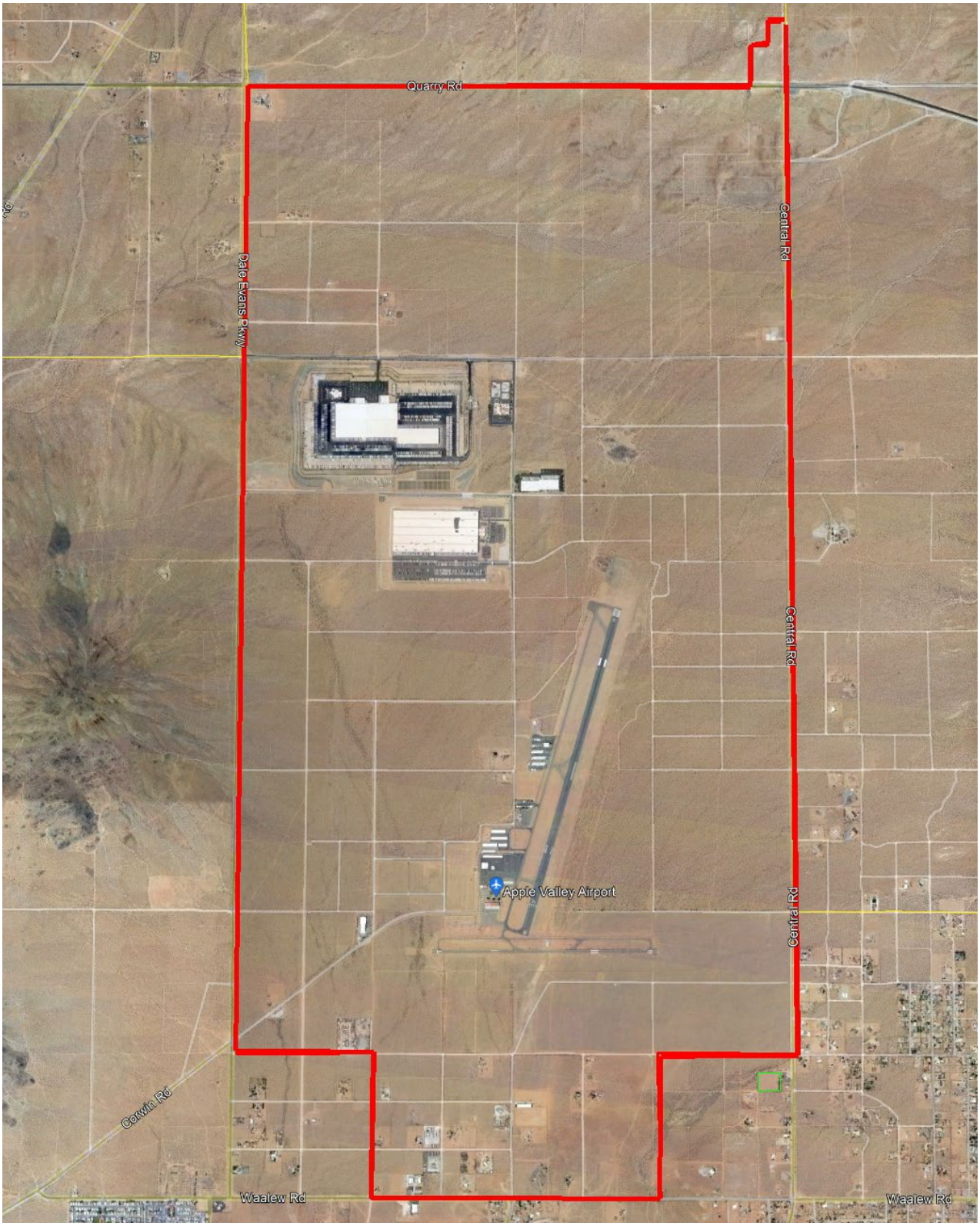
On-site and adjacent land uses, General Plan land use designations, and zoning classifications are shown in Table 3-1.

Table 3-1 Land Uses, General Plan Land Use Designations, and Zoning Classifications

Location	Current Land Use	General Plan Land Use/Zoning Designations
Site	Vacant land	Specific Plan Industrial (I-SP)
North	Victor Valley College Regional Safety Facility	Specific Plan Industrial (I-SP)
South	Big Lots Distribution Center	Specific Plan Industrial (I-SP)
East	Fresenius Medical Care Distribution and vacant land	Specific Plan Industrial (I-SP)
West	Wal Mart Distribution Center	Specific Plan Industrial (I-SP)

Source: Field inspection, Town of Apple Valley, Zoning Map & Permitted Use, Google Earth Pro, January 2023.

Figure 3.5 Development Within North Apple Valley Industrial Specific Plan Area-2022



4.0 Environmental Analysis

The proposed Project is evaluated based on its potential effect on 21 environmental topics. Each of the above environmental topics is analyzed by responding to a series of questions pertaining to the impact of the Project on the topic. Based on the results of the Impact Analysis, the effects of the Project are then placed in one of the following four categories, which are each followed by a summary to substantiate the factual reasons why the impact was placed in a certain category.

Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Significant or potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.	Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.	No "significant" impact(s) identified or anticipated. Therefore, no mitigation is necessary.	No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

As noted above, The NAVISP EIR is meant to serve at a program level. Additional environmental documentation, such as environmental assessments and environmental impact reports, may be required for subdivisions, land use plans and other development applications that may be processed by the Town. Therefore, the following analysis provides additional site specific analysis for the proposed Project.

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

4.1 Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			✓	

Impact Analysis

According to the Conservation and Open Space Element of the Town of Apple Valley General Plan, scenic vistas are identified as the riparian areas along the Mojave River, Summit Bell Mountain, Fairview Mountain, and the knolls and rock outcroppings found throughout the Town.[4]

Impacts to scenic vistas are analyzed from points or corridors that are accessible to the public and that provide a view of a scenic vista. Development within a viewer's line of sight of scenic areas may interfere with a public view of a scenic vista, either by physically blocking or screening the vista from view, or by impeding or blocking access to a formerly available viewing position. Those viewers may see the scenic areas prior to development; but would have those views blocked post-development. Public views and vantage points from the Project site would be from the public rights of way of Lafayette Street and Navajo Road.

From the site, the Mojave River is located approximately 6 miles southwest. Because of distance to the Mojave River and intervening development, public views of this scenic vista would not be blocked by the Project.

From the site, Summit Bell Mountain is located approximately 1.8 miles southwest. Public views are available from the southbound lane of Navajo Road. From the site, Fairview Mountain is located approximately 3 miles southeast. Public views are available from southbound Navajo Road.

The Project site is adjacent to vacant land interspersed with the Walmart Distribution Center to the west, the Big Lots Distribution Center to the southwest, and the Medical Distribution Center to the southeast. These facilities already obstruct distant views of the lower elevations of Summit Bell Mountain and Fairview Mountain.

Views of the lower elevations of these mountains could potentially be obstructed by the proposed Project. However, as required by Section III-Development Standards and Guidelines, F.1.c, Table III-3, Maximum Building Heights (feet), of the North Apple Valley Industrial Specific Plan (NAVISP), the maximum allowable building height is 50 feet.

As noted above, Summit Bell Mountain and Fairview Mountain are located 1.8 miles and 3 miles distance from the Project site. The building height is a maximum of 49.7 feet and will cover 49.9% of the total site area. Given the building height, lot coverage, and the distance to Summit Bell Mountain and Fairview Mountain, the Project would not block views of these scenic resources. Therefore, the Project would have a less than significant impact on scenic vistas, and mitigation is not required.

4 General Plan Open Space & Conservation Element, pages III-22-23.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓

Impact Analysis

According to the California Department of Transportation, the Project site is not located within a state scenic highway.[5] The nearest state scenic highways are Route 173 near Silverlake approximately 17 miles to the south and Route 247 near Yucca Valley approximately 13 miles to the east. As such, there is no impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) If located in an Urbanized Area, conflict with applicable zoning and other regulations governing scenic quality?			✓	

Impact Analysis

According to the U.S. Census Bureau, Apple Valley is located within the Victorville-Hesperia, CA Urbanized Area.[6] As such, the Project was reviewed by the Planning Department and found to be consistent with the Town's applicable regulations governing scenic quality specified in the Town of Apple Valley North Apple Valley Industrial Specific Plan (NAVISP) Chapter III – Development Standards and Guidelines, which includes design standards for Architecture Landscape, Lighting Walls and Fences, and Signage. Each of these elements is discussed below.

Architecture

Development of the Project would result in a high quality, consistent, and integrated site and streetscape through the development of modern commercial buildings in accordance with NAVISP Chapter III – Development Standards and Guidelines (Architecture). The proposed building would reach up to 47.9 feet in height at the tallest parapet and integrate uniformly with the size and scale of surrounding industrial developments. The parapets would shield heating, ventilation, air conditioning (HVAC), and other rooftop equipment from view. The proposed building features sandstone colored architectural insulated metal panels with colored glazed glass windows break up flat surfaces that otherwise appear

5 California Department of Transportation, State Scenic Highway Program, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed June 9, 2022.

6 United States Census Bureau, 2010 Census Urban Area Reference Maps, https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua90541_victorville--hesperia_ca/DC10UA90541_001.pdf. Accessed June 9, 2022.

massive and bulky. The appearance of the building is compatible with the existing buildings adjacent to the Project site.

Landscape

The Project includes landscape treatments through a combination of accent plantings/groundcovers, hedges, and trees along the site perimeter and includes additional trees throughout the parking area in accordance with NAVISP Chapter III – Development Standards and Guidelines (Landscape). The Project would incorporate landscaping through a combination of larger hedges and tall street trees along the site perimeter and include additional trees, shrubs, accents, and groundcover and additional trees throughout the parking area and along the internal drive aisles to balance the landscape design. The perimeter landscape treatments would include the Lafayette Street and Navajo Road frontage and project driveways, as well as along the northern and western site boundaries. Proposed landscaping will be drought tolerant and complement existing natural and manmade features, including the dominant landscaping of surrounding areas.

Lighting

Light poles would be installed throughout the surface parking lot and along on-site pedestrian pathways. The buildings will have security lighting located on the building façades. Additionally, streetlights will be installed along the Project frontage of Lafayette Street and Navajo Road. All lighting on the Project site will comply with NAVISP Chapter III – Development Standards and Guidelines (Lighting) which requires light shielding, functional and aesthetic design, and compatibility with surrounding uses.

Walls and Fences

A 6 foot-high decorative block wall with vines is proposed along the northern and western property lines. A wrought iron fence is proposed on the site perimeter adjacent to Navajo Road. All walls and fencing on the Project site will comply with NAVISP Chapter III – Development Standards and Guidelines (Walls and Fences) which requires that the design and architecture of all walls, retaining walls, and fences shall reinforce the Town's desert character by the use of natural looking materials which can be expected to withstand the extremes of the high desert climate.

Signage

The business identity signage is unknown at this time. However, future signage will comply with NAVISP Chapter III – Development Standards and Guidelines (Signage) which regulates sign area, height, and design standards to ensure that signs shall be designed as an integral part of the total building and site design and shall relate to the architectural style of the buildings or structures with which they are associated.

Based on the preceding analysis, the Project would not conflict with applicable zoning and other regulations governing scenic quality. As such, impacts are less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	

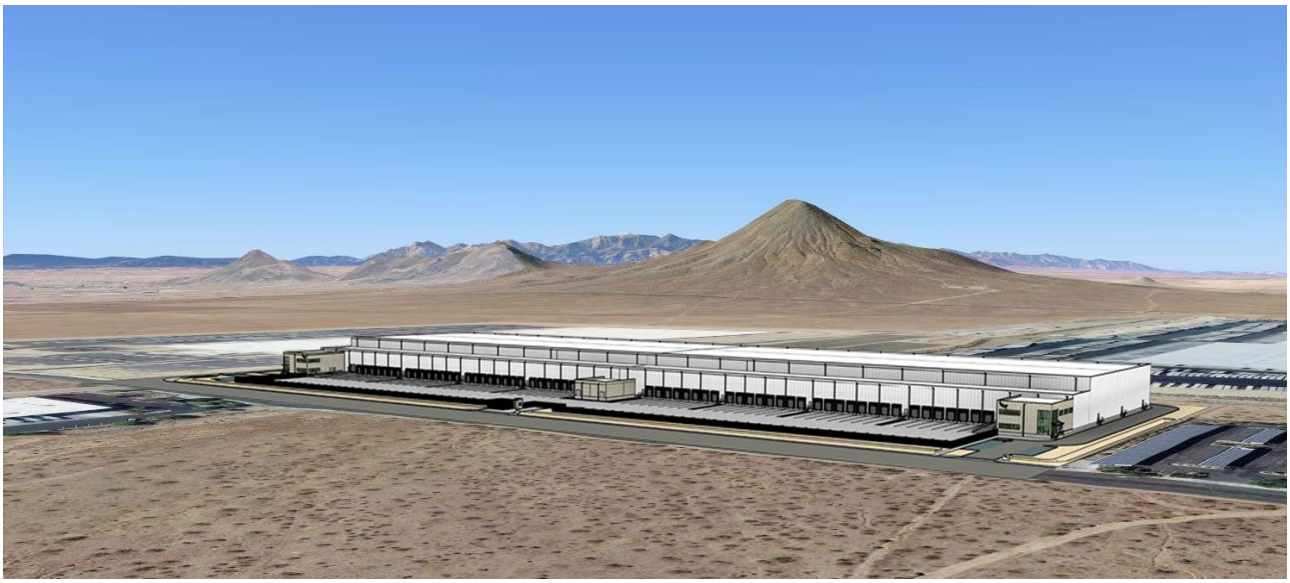
Impact Analysis

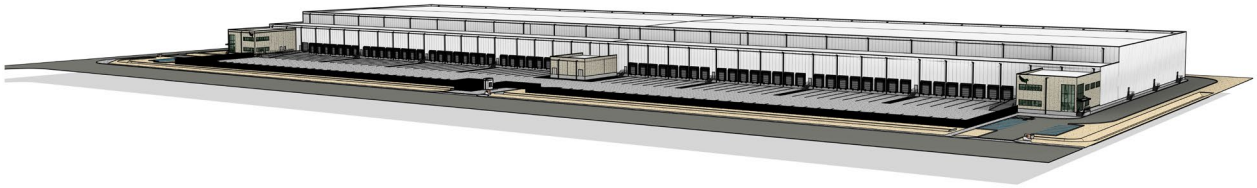
Currently, there are no sources of light and glare on the Project site. Sources of light and glare in the Project area include street lighting and vehicle lighting on adjacent industrial properties and roadways. Bear Valley Road to the south and the adjacent commercial uses to the south and west are heavily lit and well-traveled by vehicles. Because the Project is an industrial use proposed adjacent to existing industrial uses, there are no light-sensitive uses in the Project vicinity.

Development of the Project site would introduce new sources of light into the Project area. Light poles would be installed throughout the surface parking lot and along on-site pedestrian pathways, and streetlights will be installed along the Project frontage of Navajo Road and Lafayette Street.

Any outdoor lighting associated with the proposed Project would be consistent with (NAVISP) Chapter III – Development Standards and Guidelines, Section 3, Lighting, which requires light shielding, functional and aesthetic design, and compatibility with surrounding uses. The purpose of these lighting standards is to minimize light pollution, glare, and spillover, conserve energy resources, and curtail the degradation of the nighttime visual environment. Additionally, as required by Chapter III – Development Standards and Guidelines, Section F.1.d (Windows and Doors) and Section F.1.e (Building Materials and Colors), windows will be glazed and highly reflective or mirror-like exterior building materials are prohibited to reduce potential for substantial glare from the proposed buildings. Therefore, through compliance with NAVISP Development Standards and Guidelines, Project impacts from light and glare would be less than significant. Mitigation is not required.

Figure 4.1.1 Architectural Perspective





4.2 Air Quality

The following analysis is based in part on the following:

- Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum. LSA Associates Inc., dated December 2, 2022, included as Appendix A to this Initial Study.
- MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020, available at: https://www.mdaqmd.ca.gov/rules/overview.

Air Quality Setting

Topography and Climate

The Project site is in Apple Valley in San Bernardino County, which is part of the Mojave Desert Air Basin (Basin) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). This Basin is an assemblage of mountain ranges interspersed with long, broad valleys that often contain dry lakes. Many of the lower mountains that dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor.

Apple Valley, its sphere of influence, and the region are influenced by moderate coastal conditions, though the area is far enough inland that temperatures can reach more than 100 degrees Fahrenheit (°F) during the summer and drop below freezing during the winter. The prevailing wind patterns in the region are controlled by on-shore westerly winds during the day, and off-shore easterly winds in the evenings and at night, with the dominant wind out of the west and southwest. During fall and winter months, climatic conditions associated with strong, dry winds can affect the region, creating a condition known as Santa Ana winds, which can blow for multiple days. These strong wind events suspend and transport large quantities of particulate matter, including sand and dust, which can reduce visibility, damage property, and pose a significant health threat.

Both the State of California and the federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants. These pollutants include ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than 10 microns in size (PM_{10}), particulate matter less than 2.5 microns in size ($PM_{2.5}$), and lead. In addition, the state has set standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

The most common health and environmental effects for each of the air pollutants for which there is a national and/or California AAQS, as well as for toxic air contaminants, are discussed below. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (by the United States Environmental Protection Agency [EPA]), these health effects would not occur unless the standards are exceeded by a large margin or for a prolonged period of time. State AAQS are typically more stringent than federal AAQS. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered pollutants with regional effects, while the others have more localized effects (CARB 2022a).[7]

7 MDAQMD CEQA Guidelines, February 2020, Page 6-7.

Air Pollutants and Health Effects

Air pollutants are the amounts of foreign and/or natural substances occurring in the atmosphere that may result in adverse effects to humans, animals, vegetation and/or materials. The air pollutants regulated by the MDAQMD that are applicable to the Project are described below.[8]

Carbon Monoxide (CO). A colorless, odorless gas resulting from the incomplete combustion of hydrocarbon fuels. Over 80% of the CO emitted in urban areas is contributed by motor vehicles. Carbon monoxide is harmful when breathed because it displaces oxygen in the blood and deprives the heart, brain, and other vital organs of oxygen.

Nitrogen Dioxide NOx). Nitrogen dioxide (NO_2) is a byproduct of fuel combustion. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts quickly to form NO_2, creating a mixture of NO and NO_2 commonly called NOx. NOx can irritate the eyes, nose, throat, and lungs, possibly leading to coughing, shortness of breath, tiredness, and nausea.

Particulate Matter ($PM_{2.5}$ and PM_{10}): One type of particulate matter is the soot seen in vehicle exhaust. Fine particles — less than one-tenth the diameter of a human hair — pose a serious threat to human health, as they can penetrate deep into the lungs. PM can be a primary pollutant or a secondary pollutant from hydrocarbons, nitrogen oxides, and sulfur dioxides. Diesel exhaust is a major contributor to PM pollution.

Sulfur Dioxide (SO_2). A strong-smelling, colorless gas that is formed by the combustion of fossil fuels. Power plants, which may use coal or oil high in sulfur content, can be major sources of SO_2. Sulfur dioxide irritates the skin and mucous membranes of the eyes, nose, throat, and lungs.

Ozone: Ozone is formed when several gaseous pollutants react in the presence of sunlight. Most of these gases are emitted from vehicle tailpipe emissions. Ozone can reduce lung function and worsen bronchitis, emphysema, and asthma.

Volatile Organic Compounds (VOCs): VOCs contribute to the formation of smog and/or may themselves be toxic. VOCs often have an odor, and some examples include gasoline, alcohol and the solvents used in paints. Health effects may include eye, nose and throat irritation, headaches, loss of coordination, and nausea.

Non-Attainment Designations and Classification Status

The United States Environmental Protection Agency and the California Air Resources Board have designated portions of the district non-attainment for a variety of pollutants. An “attainment” designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a “nonattainment” designation indicates that a criteria pollutant concentration has exceeded the established standard. Table 4.2-1 shows the attainment status of criteria pollutants in the MDAB.

8 http://www.aqmd.gov/home/air-quality

Table 4.2-1 Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1-hour standard	Nonattainment	No Standard
Ozone – 8-hour standard	Nonattainment	Attainment
Respirable Particulate Matter (PM_{10})	Nonattainment	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Unclassified	Attainment
Carbon Monoxide (CO)	Attainment	Unclassified/Attainment
Nitrogen Dioxide (N0x)	Attainment	Unclassified/Attainment
Sulfur Dioxide (SO_2)	Unclassified /Attainment	Unclassified/Attainment
Lead	Attainment	Attainment

Source: California Air Resources Board, 2015

As shown in Table 4.2-1 above, the MDAB is classified as Nonattainment for Ozone – 1-hour standard, Ozone – 8-hour standard, Respirable Particulate Matter (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$).

	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?			✓	

Impact Analysis

The following analysis is consistent with the preferred analysis approach recommended by the MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.

Conformity with Air Quality Management Plans

The Project is located within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. Under the Federal Clean Air Act the Mojave Desert Air Quality Management District (MDAQMD) has adopted a variety of attainment plans (i.e., Air Quality Management Plans) for a variety of non-attainment pollutants. A complete list of the various air quality management plans is available from the Mojave Desert Air Quality Management District (MDAQMD) located at 14306 Park Avenue, Victorville, CA 92392 or on their website at: https://www.mdaqmd.ca.gov/rules/overview.

The MDAQMD is responsible for maintaining and ensuring compliance with the various Air Quality Management Plans. Conformity is determined based on the following criteria:

- A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project may also be non-conforming if it increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).
- A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures

that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

The applicable AQAP is the 2017 MDAQMD Federal 75 ppb (parts per billion) Ozone Attainment Plan (Western Mojave Desert Nonattainment Area).[9]

Consistency with Emission Thresholds

As shown in Table 4.2-2 and Table 4.2-3 below, the Project would not exceed MDAQMD significance thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the Project's air quality emissions are less than significant.

Consistency with Control Measures

The construction contractors are required to comply with rules, regulations, and control measures to control fugitive dust from grading (Rule 403) and the application of architectural coatings during building construction (Rule 1113).

Consistency with Growth Forecasts

The Project is within the North Apple Valley Industrial Specific Plan Area (NAVISP) and is zoned I-SP or Specific Plan Industrial, allowing for a broad range of clean manufacturing and warehousing uses, including manufacturing facilities with showrooms and offices, regional warehouse facilities, and support services for manufacturing and warehouses.

The I-SP zone district is intended for the development of a broad range of clean, well planned industrial, quasi-industrial, and commercial support uses within the NAVISP. Uses can range from manufacturing and warehousing to offices and retail facilities that support the employee population within the Specific Plan Area. Furthermore, the I-SP land use designation of the Project is consistent with the land use assumptions of the Town's General Plan, upon which the AQAP emissions projections were predicated. Therefore, the Project would not affect the regional emissions inventory or conflict with strategies in the AQAP.

9 Mojave Desert Air Quality Management District. MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area). Adopted February 27, 2017.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

The following provides an analysis based on the applicable regional significance thresholds established by the MDAQMD to meet national and state air quality standards.

Table 4.2-2 MDAQMD Air Quality Significance Thresholds

Pollutant	Daily Emissions (pounds/day)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM_{10})	82
Particulate Matter ($PM_{2.5}$)	65

Source: MDAQMD CEQA Guidelines, February 2020, Table 6.

Construction and operational emissions for the Project were estimated using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model is authorized for use by the MDAQMD.

Construction Emissions

Construction of the Project is assumed to begin in the year 2023 and last approximately 16 months. Construction phases are assumed to consist of site preparation, grading, building construction, paving, and architectural coating. The Project is expected to be operational in the year 2024. Construction phases are not expected to overlap. Construction activities produce combustion emissions from various sources (utility engines, tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on-site would vary daily as construction activity levels change. The Project will be required to comply with several standard fugitive dust control measures, per MDAQMD Rule 403. The following measures were factored into CalEEMod and are based upon data provided from MDAQMD:

- Utilize soil stabilizers - 30% PM_{10} and $PM_{2.5}$ reduction.
- Replace ground cover - 15% PM_{10} and $PM_{2.5}$ reduction.
- Water exposed areas 2 times per day.

Daily construction emissions based on the above-described parameters are shown in the table below.

Table 4.2-3 Construction Emissions

Maximum Daily Emissions	Emissions (pounds per day)					
	VOCs	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
	26	35	29	<1	10	6
Regional Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	No	No	No	No	No	No

Source: MDAQMD and CalEEMod 2020.4.0

Operational Emissions

The Project would be operated as a cold storage warehouse facility. Typical operational characteristics include employees and visitors traveling to and from the site, delivery of cold storage items, and maintenance activities. The proposed Project would generate emissions from daily operations of heavy-duty truck trips from warehouse operations. It was assumed there would be standard warehouse equipment, and to analyze the worst case, it was assumed they would all be diesel-powered. The GTS Cold Storage Project Trip Generation and Vehicle Miles Traveled Memorandum (Appendix E) determined that the Project would generate 563 car trips, 56 two-axle truck trips, 45 three-axle truck trips, and 153 four-plus axle truck trips daily. Because the distance the haul trucks will travel is unknown, it was conservatively assumed the average truck trip length would be 40 miles. PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

The proposed Project would include refrigeration equipment that would consist of 26 evaporator coils, two gas coolers, and four CO_2 packages on the rooftop of the proposed warehouse building. It was assumed that the only emissions from this equipment would be negligible fugitive emissions. The proposed Project would include a fire pump, which includes a 324-horsepower, 6-cylinder diesel engine. The fire pump would only be used during an emergency event and was included in CalEEMod to normally operate 1 hour per month for maintenance and testing.

Energy source emissions resulting from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas) and the emission factor of the fuel source. Major sources of energy demand include building mechanical systems, such as heating and air conditioning, lighting, and plug-in electronics, such as computers. Greater building or appliance efficiency reduces the amount of energy for a given activity and thus lowers the resultant emissions. The emission factor is determined by the fuel source, with cleaner energy sources, such as renewable energy, producing fewer emissions than conventional sources.

Typically, area source emissions consist of direct sources of air emissions at the project site, including architectural coatings and the use of landscape maintenance equipment. Area source emissions associated with the project would include emissions from the use of landscaping equipment and the use of consumer products.

The results shown in Table 4.2-4 below indicate the Project would not exceed the significance criteria for daily VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ emissions; therefore, operation of the proposed Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state AAQS.

Table 4.2-4 Operational Emissions

	Emissions (pounds per day)					
	VOCs	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	11	25	29	<1	11	3
Regional Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	No	No	No	No	No	No

Source: MDAQMD and CalEEMod 2020.4.0

As shown above, both construction and operational-related emissions would not exceed MDAQMD thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during operation and would not contribute to an existing or projected air quality violation on a direct or cumulative basis. As such, impacts are less than significant, and no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Expose sensitive receptors to substantial pollutant concentrations?			✓	

Impact Analysis

The proposed Project is a cold storage warehouse facility and does not produce toxic air emissions such as those generated by industrial manufacturing uses over the MDAQMD threshold levels or generates heavy-duty diesel truck emissions over a reasonable level. According to the MDAQMD,[10] residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses.

Sensitive receptors include residences such as private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long-term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, and dormitories.[11]

Existing land uses surrounding the Project site include the Victor Valley Community College Regional Public Safety facility to the north, Fresenius Medical Care Distribution and vacant land to the east, a Big Lots Distribution Center to the south, and a Walmart Distribution Center to the west. According to the MDAQMD CEQA Guidelines, residences, schools, daycare centers, playgrounds and medical facilities are

10 Mojave Desert Air Quality Management District (MDAQMD), California Environmental Quality Act (CEQA) And Federal Conformity Guidelines: Planning, Rule Making and Grant Section; Air Monitoring Section, August 2016

11 https://www.mdaqmd.ca.gov/home/showdocument?id=7023

considered sensitive receptor land uses[12]. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated.

- Any industrial project within 1,000 feet
- A distribution center (40 or more trucks per day) within 1,000 feet
- A major transportation project (50,000 or more vehicles per day) within 1,000 feet
- A dry cleaner using perchloroethylene within 500 feet
- A gasoline dispensing facility within 300 feet

The Victor Valley Community College Regional Public Safety facility located adjacent to the northern boundary of the Project site is a community college level institution. For purposes of the air quality analysis, MDAQMD defines a "school" using the school definition at California Health & Safety Code (CH&SC) §42301.9). For the purposes of Sections 42301.5 to 42301.8, inclusive:

> (a) "School" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. Because the Victor Valley Community College Regional Public Safety campus does not meet the definition of a school, it is not considered a sensitive receptor. The nearest sensitive receptor to the Project site is a single-family residence more than 1 mile northwest of the Project site on Cardova Road near Dale Evans Parkway.

Notwithstanding, the air quality analysis conducted for the Project was for regional emissions of pollutants, including $PM_{2.5}$ and PM_{10}. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as diesel particulate matter (DPM). More than 90% of DPM is less than 1 µm in diameter (about 1/70th the diameter of a human hair), and thus is a subset of particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). Most $PM_{2.5}$ derives from combustion, such as use of gasoline and diesel fuels by motor vehicles. Diesel exhaust is considered carcinogenic by the State of California, the National Toxicology Program, the National Institute of Occupational Safety and Health, and the United States Environmental Protection Agency (US EPA).[13]

Table 4.2-4 shows that the full project operations of all vehicles, plus the fire pump and all warehouse material handling equipment (assumed to be diesel) would be 11 pounds per day on a peak day. These emissions are regional, which is to say that only a small portion of these emissions would occur on the project site. The analysis assumed that the haul trucks would have an average trip length of 40 miles (each way) and the rest of the project vehicles would have an average trip length of 7 to 9 miles (each way). Based on the project site layout, vehicles would only drive a few hundred feet onsite and once offsite would immediately leave the vicinity. Thus, less than 1% of the vehicle emissions would occur at the project site. Of the 11 pounds per day of PM_{10} (or DPM) emitted regionally, less than 0.1 pound per day would be emitted onsite, with the rest dispersed as the trucks drive to and from their destinations.

Based on the analysis above, impacts are less than significant.

12 MDAQMD CEQA Guidelines, p. 8. https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000.

13 California Air Resources Board, *Overview: Diesel Exhaust & Health.* https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health, Accessed March 16, 2023.

Conclusion

Based on the preceding analysis, the Project's air quality emissions are below the thresholds of significance established by the MDAQMD. Notwithstanding, the Project will implement all applicable MDAQMD Rules to ensure the minimal amount of emissions of pollutants generated by the Project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Impact Analysis

Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's long-term operational uses.

The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and are thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the Town's solid waste regulations. Therefore, odors associated with the proposed Project construction and operations would be less than significant, and no mitigation is required.

4.3 Biological Resources

The analysis in this section is based in part on the following technical reports:

- General Biological Resources Assessment, RCA Associates Inc., June 13, 2022 included as Appendix B to this Initial Study.
- Joshua Tree Survey, RCA Associates, Inc., September 23, 2022 included as Appendix C to this Initial Study.
- Jurisdictional Water Delineation, RCA Associates, Inc., August 1, 2022 included as Appendix D to this Initial Study.

	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?		✓		

Impact Analysis

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on May 10, 2022 and September 19, 2022 during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats that may support populations of sensitive wildlife and plant species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. Habitat assessments were also conducted for desert tortoise, burrowing owl, and Mohave ground squirrel based on data from USFWS, CDFW, and a search of the California Natural Diversity Database.

Plant Species

The site supports a slightly disturbed desert scrub plant community that covers the property. Species present on the site included kelch grass, creosote bush, Asian mustard, western Joshua tree, Nevada jointfir, and fiddleneck. Only the Joshua tree is considered a sensitive species as further discussed below.

The western Joshua tree became a candidate species under the California Endangered Species Act (CESA), effective October 9, 2020. The CESA prohibits the take and possession of any species, or any part or product of a species that is designated by the California Fish and Game Commission as an endangered, threatened, or candidate species. As a candidate species, western Joshua tree now has full protection under CESA, and any take of the species (including removal of western Joshua tree or similar actions) will require authorization under CESA.

At its October 12-13, 2022 meeting regarding whether to list western Joshua tree as threatened or endangered under the California Endangered Species Act (CESA), the Commission continued the agenda item to its February 2023 meeting, keeping the public record open for the specific purpose of continued input from tribal governments. Importantly, the western Joshua tree will remain protected by CESA during this period.

A Joshua Tree Survey was performed on September 19, 2022 as part of the Protected Plant Preservation Plan (Appendix C of this Initial Study). GPS locations are provided in the report, and each tree was evaluated based on various criteria such as height, health, leaning, clonal, and age class. Figure 4.3.1, Location of Joshua Tree, shows the location of one western Joshua tree on the Project site. The CDFW requires an impact analysis to assess potential impacts to western Joshua trees within a 186-foot buffer zone of each western Joshua tree individual, the western Joshua tree seed bank, and indirect impacts to western Joshua tree. Indirect impacts to western Joshua trees include the destruction of the yucca moth, the western Joshua tree's obligate pollinator, during its dormant and flight phases, which would thereby impact the ability of western Joshua trees to sexually recruit new individuals. It should also be noted that the destruction or modification of western Joshua tree habitat could eliminate critical nurse plants for western Joshua tree seedling survival and disrupt the seed dispersal behavior of rodents; the primary way that western Joshua tree seeds are buried deep enough for successful seed germination.

As shown on Figure 4.3.1, Location of Joshua Tree, development of the Project will result in impacts to every western Joshua tree on the site when considering a 186-foot buffer zone for each western Joshua tree and the size of the Project site being 18.7 acres.

As shown on Figure 4.3.1, Location of Joshua Tree, preservation or relocation on-site is not a viable option and would essentially prevent development of the site as envisioned under the Town's General Plan. Therefore, Mitigation Measure (MM) BIO-1 is recommended.

MM BIO-1. Western Joshua Tree Incidental Take Permit*. If any western Joshua trees (WJT) are to be relocated, removed, or otherwise taken, the Project Proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under CDFW §2081 of the California Endangered Species Act (CESA), prior to the relocation, removal, or take. (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of western Joshua tree, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §2080 and §2085). Permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate project-related impacts of the taking of CESA-listed species. CDFW recommends permanent protection through either the purchase of conservation or mitigation bank credits the establishment of a conservation easement, or payment of the fees listed under the Western Joshua Tree Conservation Act, development of a long-term management plan, and securing funding sufficient to implement management plan tasks in perpetuity. These tasks should be completed, or financial security must be provided before starting any Project activities. To execute an ITP, CDFW requires documentation of CEQA compliance. CDFW requires the CEQA document to have a State Clearinghouse number, show proof of filing fees and proof the document has been circulated.*

Figure 4.3.1 Location of Joshua Tree

Wildlife Species

Birds observed included common ravens, rock pigeon, verdin, house finch, and northern mockingbird. Wildlife species observed on-site included California ground squirrel, white-tailed antelope ground squirrel, and jack rabbit. Other possible wildlife species expected to occur on-site or in the surrounding area include desert cottontails and coyote. Coyotes may frequent the site during hunting activities due to scat and tracks observed and their widespread distribution throughout the region. No reptiles were observed during the survey, but those that may occur include desert coast horned lizard, side blotched lizard, and western whiptail lizard. No distinct wildlife corridors were identified on the site or in the immediate area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species) were observed on the site during the field investigations.

As part of the environmental process, a search of the California Natural Diversity Database (CNDDB) search was performed. Based on this review, it was determined that five special status species have been documented within the Apple Valley North Quadrangle. The following tables provide data on each special status species which has been documented in the area. Table 4.3-2, Presence of Candidate, Sensitive, or Special Status Wildlife Species, provides a summary of all wildlife species that may be in the Project area.

Table 4.3-2 Presence of Candidate, Sensitive, or Special Status Wildlife Species

Species	Status	Presence/Absence
Desert Cymopterus	Federal: None State: None	**Not Present.** The site does not support suitable habitat for the species; and none were observed during field surveys.
Mojave Monkeyflower	Federal: None State: None	**Not Present.** The site does not support suitable habitat for the species; and none were observed during field surveys.
Golden Eagle	Federal: None State: None	**Not Present**. The site does support some suitable habitat, although no golden eagles were observed and are not likely to occur.
Prairie Falcon	Federal: None State: None	**Not Present.** The site does support some suitable habitat, although no prairie falcons were observed and are not likely to occur.
Desert Tortoise	Federal: Threatened State: Threatened	**Not Present:** The site is located within the known distribution of the species. An evaluation of the area and property was conducted, and no tortoises or suitable habitat was observed.
Mohave Ground Squirrel	Federal: None State: Threatened	**Not Present:** The site supports marginal habitat for the species. Species is not expected to occur on the site.
Swainson's Hawk	Federal: None State: Threatened	**Not Present.** There is no habitat that supports the species.
Le Conte's thrasher	Federal: None State: None CDFW: Species of Special Concern	**Not Present**. The site does support suitable habitat for the species. Surveys conducted on-site did not identify any thrashers.

Species	Status	Presence/Absence
Burrowing Owl	Federal: None State: None CDFW: Species of Special Concern	**Not Present/Future Presence Possible.** The site does support suitable habitat for the species; however, no owls or owl sign, or suitable burrows were observed during field surveys.
Mojave Tui Chub	Federal: Endangered State: Endangered	**Not Present.** No suitable habitat on-site, and will not occur on site.
Crotch Bumblebee	Federal: None State: Candidate Endangered	**Not Present**. No Crotch bumble bees were observed on the property, and the species is not expected to occur on the site.

Wildlife Species Mitigation Measures

Although wildlife 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 the U.S. Fish and Wildlife Service were not detected on-site, the site is located within the range of the burrowing owl, Mojave ground squirrel, desert tortoise, and nesting birds. Therefore, the following mitigation measures have been included to ensure any impacts are less than significant to these species.

MM BIO-2. Burrowing Owl Pre-Construction Survey. *Prior to any ground disturbance, pre-construction surveys for burrowing owls on the Project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14 days prior to the beginning of Project activities, and a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of Project construction to determine if the Project site contains suitable burrowing owl or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100% coverage of the Project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply.*

MM BIO-3. Burrowing Owl Avoidance/Relocation. *If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the Project Proponent and the Town, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities on-site and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared*

by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

MM BIO-4. Mohave Ground Squirrel Pre-Construction Survey. *Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010), or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project area and a 50-foot buffer zone. If Mohave ground squirrel presence is confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.*

MM BIO-5. Desert Tortoise Pre-Construction Survey*. A CDFW-approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100% visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to the start of Project activities. If the survey confirms desert tortoise absence, the CDFW-approved biologist shall ensure desert tortoises do not enter the Project area.*

If desert tortoise presence is confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained.

If complete avoidance of desert tortoise is infeasible, the Project Proponent shall apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site.

Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat

and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis.

MM BIO-6. Worker Environmental Awareness Training: *A qualified biologist must present biological resource information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to Project activities to all personnel who will be working within the Project site. The same instruction shall be provided for any new workers prior to their performing any work on-site. Interpretation shall be provided for any non-English speaking workers.*

MM BIO-7. Deceased or Injured Tortoise within the Project Site: *USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on-site (verbal notice within 24-hours and written notification within 5-days).*

MM BIO-8. Species Avoidance: *If during Project activities a desert tortoise is discovered within the Project site, all activities shall immediately stop and the CDFW shall be immediately notified (within 24 hours). Coordination with respective state and federal resource agencies shall be required prior to restarting activities to determine appropriate avoidance, minimization, and mitigation measures.*

MM BIO-9. Nesting Bird Pre-Construction Survey. *Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than 3 days prior to the initiation of Project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests.*

The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the "no disturbance buffer" shall be expanded. If there is no nesting activity, then no further action is needed for this measure.

With the implementation of Mitigation Measures BIO-1 through BIO-9, impacts would be less than significant relating to candidate, sensitive, or special status plant and wildlife species.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓

Impact Analysis

No riparian vegetation (e.g., cottonwoods, willows) exist on the site or in the adjacent habitats.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?		✓		

Impact Analysis

Based on the results of the field investigations, it was determined that the drainage channels bisecting the northeastern corner of the site do meet the criteria as a jurisdictional channel based on several factors discussed below.

The drainage channels on the site are the result of runoff and erosion coming from higher areas of the site and surrounding area to the north and east. Additionally, water enters the drainage channels on the northeast part of the property where they run southwest towards the western boundary. Through the field investigation it was discovered that during major storm events water will enter the drainage channels and flow in a southwest direction approximately 942 feet before running off the property on the western edge, which flows toward a cement culvert that diverts flow west toward the Bell Mountain Wash eventually running south into the Mojave River.

Federal Jurisdiction

Based on a review of the U.S. Army Corps of Engineers Jurisdictional Delineation Instruction Guidebook (COE, 2007), 33 CFR Part 328, and the results of the field work conducted on July 14, 2022, it was determined that the northern channel bisecting the northeast portion of the property is considered jurisdictional and has a direct nexus to one of WoS, WoUS, or the nearest TNW (Mojave River), which is located about 6.7 miles southwest of the site. A 404 Permit from the San Bernardino COE District office may be required per Mitigation Measure BIO-10 below.

State Jurisdiction

Based on the field investigations conducted on July 14, 2022, the northern channel is considered to be jurisdictional waters under the jurisdiction of the state. The California Department of Fish and Wildlife regulates streambeds and banks, and issues streambed alteration permits (Sections 1600-1616) for those projects that impact a jurisdictional channel. A 1602 Permit may be required for the Project, because the channels are considered to be jurisdictional per Mitigation Measure BIO-11 below.

The RWQCB regulates discharge to surface waters under the CWA and the California Porter-Cologne Water Quality Act. Effective July 1, 2010, all dischargers are required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ adopted on September 2, 2009 if any impacts occur to WoUS. A Section 401 permit may be required due to the Channels being considered WoUS per Mitigation Measure BIO-10 below.

Conclusion

The proposed Project would develop the property to allow for construction of two buildings that will include an office, parking spaces, a loading dock, and cold storage. The total amount of impacts to the channel would be approximately 0.22 acres (9,698.7 square feet). Therefore, the following mitigation measures are recommended for the Project to compensate for the impacts to the intermittent blueline channel.

MM BIO-10. Clean Water Act Section 401 and Section 404 Permits. *Prior to issuance of a grading permit, the developer shall obtain a Clean Water Act Section 404 Nationwide Permit from the U.S. Army Corps of Engineers and compensate for the loss of 0.22 acres (9,698 square feet) of ephemeral stream channel, and a Clean Water Act Section 401 Certification from the Lahontan Regional Water Quality Control Board. The developer shall provide evidence of the permit to the Town Planning Department.*

MM BIO-11. California Fish and Game Code §1602 Permit. *Prior to the issuance of a grading permit, the Project Proponent shall obtain a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife. The following shall be incorporated into the permitting, subject to approval by the regulatory agencies: (a) Replacement and/or restoration of jurisdictional "waters of the State" within the Mojave River watershed at a ratio of no less than 2:1 on-site for permanent impacts to 0.22 acres (9,698 square feet) of an ephemeral stream channel.*

MM BIO-12. Pre-Construction Rare Plant Clearance Survey: *Prior to the issuance of a grading permit or any permit that allows vegetation removal, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is*

identified to the taxonomic level necessary to determine rarity and listing status. If any special-status plants are identified, the City shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging). If complete avoidance is not feasible, the City shall mitigate the loss of the plant(s) through the purchase of mitigation credits from a CDFW-approved bank and/or through land acquisition and conservation at a mitigation ratio determined by CDFW after Project analysis. If the Project has the potential to impact a state-listed species, the Project applicant should apply for a California Endangered Species Act (CESA) Incidental Take Permit (ITP) with CDFW.

With implementation of **MM BIO-10** through **MM BIO-12**, impacts are less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. Corridors effectively act as links between different populations of a species. The Project site does not represent a wildlife travel route, crossing, or regional movement corridor between large open space habitats. No distinct wildlife corridors were identified on the site or in the immediate area.

Future development of the site will have minimal impact on the general biological resources present on the site, and most, if not all, of the vegetation will likely be removed during future construction activities. Wildlife will also be impacted by development activities, and those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 18.7 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 desert region. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species) were observed on the site during the field investigations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Impact Analysis

Please refer to the discussion under Threshold 4.3 (a) above regarding the Joshua trees.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Impact Analysis

Regional multiple species conservation plans offer long-term assurances for conservation of covered species at a landscape scale, in exchange for biologically appropriate levels of incidental take and/or habitat loss as defined in the approved plan. California's NCCP Act (Fish and Game Code §2800 et seq.) governs such plans at the state level, and was designed to conserve species, natural communities, ecosystems, and ecological processes across a jurisdiction or a collection of jurisdictions. Complementary federal habitat conservation plans are governed by the Endangered Species Act (7 U.S.C. §136, 16 U.S.C. §1531 et seq.) (ESA). Regional conservation plans provide conservation for unlisted as well as listed species. According to the California Natural Community Conservation Plans Map maintained by the California Department of Fish and Wildlife, there are no such plans that encompass the Project site.

4.4 Cultural Resources

The analysis in this section is based, in part, on the following technical report*:*

- Historical/Archaeological Resources Survey, CRM Tech, November 2, 2022 included as Appendix E to this Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?				✓

Impact Analysis

Records Search

South Central Coastal Information Center (SCCIC) records show that the Project area had not been surveyed for cultural resources systematically and at an intensive level before the current study. Although the area was included in a previous study completed for the North Apple Valley Specific Plan in 2006, that study was a program-level reconnaissance that did not include an intensive-level field survey (Tang et al. 2006:8). Within the 1-mile scope of the records search, SCCIC files identify seven additional studies on various tracts of land and linear features, including a 300-acre property adjacent to the western and northern Project boundaries. No cultural resources were previously recorded within or adjacent to the Project area. As a result of the past survey efforts, five historical/archaeological sites and five isolates (i.e., localities with fewer than three artifacts) have been identified and recorded within the 1-mile radius. One of the sites and two of the isolates were prehistoric (i.e., Native American) in origin. The site, designated 36-010860 (CA-SBR-10860), was described as a sparse artifact scatter consisting of one pumice manuport, a petrified wood scraper, and greenstone primary and secondary flakes. Each prehistoric isolate consisted of a single chert flake. The other four sites and three isolates dated to the historic period. The most notable site among these, which was recently recorded approximately 0.4 mile to the southwest of the Project location and for which the official identification number in the inventory is still pending, represents the remains of a practice target at Victorville Precision Bombing Range (PBR) No. 1, a World War II-era aerial bombing training facility. The other sites included a U-shaped enclosure built from stones, a wood-lined pit, and a refuse scatter of mostly cans and some scrap metal, while the isolates represented a single bucket and two cans. None of these known sites or isolates were found in the immediate vicinity of the Project area.

Field Survey

During the field survey, a previously undocumented archaeological site of historical origin was identified within the Project area. The site was recorded into the California Historical Resources Inventory under the temporary designation of 3923-1H, pending assignment of an official identification number. The site consists mainly of two temporally distinct artifact deposits from the World War II era and from the 1950s-1960s. The World War II-era component is represented by an M1A1 3-pound black powder spotting charge, shrapnel from an M38A2 practice bomb, and three .50 caliber shell casings with headstamps dating to 1943. The 1950s-1960s component consists of nine flat-top beverage cans, three friction-closure buckets with round ears, two flat-top food cans, two friction-closure food cans, two

cuboid fuel/oil/water cans, and one bimetal pull-tab beverage can. Most of these refuse items were found along this road and drainages that run through the property, suggesting the possibility of secondary deposition. In addition, the site includes the segment of the 1950s-era dirt road within the Project area, which measures approximately 600 feet in total length and 10 feet in average width. The road continues beyond the Project boundaries, but the segment to the west has been destroyed by the construction of the Walmart Distribution Center.

Conclusion

Site 3923-1H consists of a light scatter of historic-period refuse, mainly rusty cans from the 1950s-1960s, along with a few pieces of World War II-era ammunition remains, the latter presumably associated with military training activities at the nearby practice target of Victorville Precision Bombing Range No. 1 in 1943-1944. Due to the lack of any close historical association or potential for important archaeological data, the site does not appear to be eligible for listing in the California Register of Historical Resources. Therefore, it does not meet the definition of a "historical resource" for CEQA-compliance purposes. No other features or artifacts of prehistoric or historical origin were encountered within or adjacent to the Project boundaries.

Based on these findings, a conclusion of No Impact regarding "historical resources" is appropriate. No further historic cultural resources investigation is recommended for the Project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		

Impact Analysis

Archaeological Setting

Although no surface cultural resources (including historic-period or prehistoric archaeological resources, or historic-period architectural resources) or cultural resource sensitivity were identified on or near the Project site, future ground-disturbing activities have the potential to reveal buried deposits not observed on the surface. Therefore, the following mitigation measure is recommended.

MM CUL-1: Resource Discovery. *If cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within Mitigation Measure TCR-1, 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.*

MM CUL-2: Monitoring and Treatment Plan*. 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 YSMN for review and comment, as detailed within Mitigation Measure TCR-1. The archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Impact Analysis

The Project site does not contain a cemetery, and no known formal cemeteries are located within the immediate site vicinity. If human remains are discovered during Project grading or other ground-disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et seq.

4.5 Energy

The analysis in this section is based in part on the following technical reports:

- Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum, LSA Associates, Inc., December 2, 2022, included as Appendix A to this Initial Study.
- GTS Cold Storage Project Trip Generation and Vehicle Miles Traveled Memorandum, LSA Associates, Inc., January 12, 2023, included as Appendix K to this Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	

Impact Analysis

Electricity and Natural Gas

Construction

The anticipated construction schedule assumes that the proposed Project would be built over approximately 16 months. The proposed Project would require site preparation, grading, building construction, paving, and architectural coating during construction.

Construction of the proposed Project would require energy for the manufacture and transportation of building materials and for preparation of the site for grading activities and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities.

Construction activities are not anticipated to result in an inefficient use of energy, because gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the proposed Project. Energy usage on the Project site during construction would be temporary in nature and would be relatively small in comparison to the state's available energy sources. Therefore, construction energy impacts would be less than significant, and no mitigation would be required.

Operations

Occupancy of the cold storage facility would result in the consumption of natural gas and electricity. Energy demands are estimated at 3,861,864 kWh/yr of electricity, 19,916,300 kBTU/yr of natural gas, 124,146 gal/yr of gasoline, and 209,934 gal/yr of diesel. Natural gas would be supplied to the Project by Southwest Gas Corporation, and electricity would be supplied by Southern California Edison (SCE). The Project will also comply with the applicable Title 24 standards.

In addition, the Project will be required to provide rooftop solar panels, or sources of on-site renewable energy, per the latest 2019 California Energy Code requirements. The Energy Code

requires all new residential construction to achieve net-zero emissions associated with electricity usage using on-site renewable sources. This analysis has conservatively assumed 80% of electricity usage will be captured via on-site renewable sources (i.e., solar panels), as part of the Project design.

Motor Vehicle Fuels

Construction

Most activities would use fuel-powered equipment and vehicles that would consume gasoline or diesel fuel. Heavy construction equipment (e.g., dozers, graders, backhoes, dump trucks) would be diesel powered, while smaller construction vehicles, such as pick-up trucks and personal vehicles used by workers, would be gasoline powered.

The energy usage on the Project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed Project would be relatively small in comparison to the state's available energy sources, and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level and because the Project's total impacts to regional energy supplies would be minor, the proposed Project would not conflict with California's energy conservation plans as described in the CEC's 2021 Integrated Energy Policy Report. In addition, the proposed Project would comply with Title 24 and CALGreen standards. Thus, as shown above, the proposed Project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and would not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Impacts would be less than significant, and no mitigation measures would be necessary.

Operations

Fuel that would be consumed by Project-generated traffic is a function of total vehicles miles traveled (VMT) and estimated vehicle fuel economies of vehicles accessing the Project site. The Project will result in 4,523,785 annual VMT[14] and an estimated annual fuel consumption of 169,614 gallons of fuel.[15]

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands.

Conclusion

As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

14 GTS CalEEMod Datasheets.

15 EPA, 2020 Automotive Trend Report, https://www.epa.gov/automotive-trends/explore-automotive-trends-data, accessed June 11, 2022.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Impact Analysis

The regulations directly applicable to the Project are the California Building Energy Efficiency Standards for Residential and Non-Residential Buildings, Title 24, Part 6, and the California Green Buildings Standards Code, which is the California Code of Regulations, Part 11 (CALGreen). These regulations include but are not limited to the use of energy efficient heating and cooling systems, water-conserving plumbing, and water-efficient irrigation systems. The Project is required to demonstrate compliance with these regulations as part of the building permit and inspection process.

4.6 Geology and Soils

The analysis in this section is based in part on the following technical report*:*

- Preliminary Soil Investigation Report, GeoMat Testing Laboratories, Inc., June 9, 2022, included as Appendix F to this Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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.				✓

Impact Analysis

According to Countywide Plan Policy Map HZ-1, Earthquake Fault Zones, the Project site is not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972.[16] In addition, there is no evidence of any faults or faulting activity on the Project site. The risk of ground rupture due to fault displacement beneath the site is low. Impacts would be less than significant. Mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?			✓	

Impact Analysis

The Project site is located within a seismically active region, with a number of faults traversing or in proximity to the region. According to the California Department of Conservation, Fault Activity Map of California 2010, the site is located approximately 3.4 miles southwest of the Helendale-South Lockart fault zone.

The subject site, as is the case with most of the tectonically active California area, will be periodically subject to moderate to intense earthquake-induced ground shaking from nearby faults. Significant damage can occur to the site and structural improvements during a strong seismic event. Neither the location nor the magnitude of earthquakes can accurately be predicted at this time.

16 https://www.arcgis.com/apps/webappviewer/index.html?id=d88e2db7ee5649478d70e95c56b0d62d. Accessed January 2, 2023.

Title 8 (Buildings and Construction) and Title 9 (Development Code) of the Town's Code of Ordinances incorporate design and construction standards of the 2019 edition of the CBC. Prior to the issuance of a grading permit, the Project Applicant would be required to submit detailed grading plans and a site-specific geotechnical investigation of the Project prepared in conformance with the current CBC and applicable Apple Valley standards.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?			✓	

Impact Analysis

Liquefaction is a soil strength and stiffness loss phenomenon that typically occurs in loose, saturated, cohesionless soils as a result of strong ground-shaking during earthquakes. The potential for liquefaction at a site is usually determined based on the results of a subsurface geotechnical investigation and the groundwater conditions beneath the site. Hazards to buildings associated with liquefaction include bearing capacity failure, lateral spreading, and differential settlement of soils below foundations, which can contribute to structural damage or collapse.

According to Countywide Plan Policy Map HZ-2, Liquefaction and Landslides, the site is not located in an area considered to have a potential for liquefaction.[17] Therefore, the potential for liquefaction associated ground deformation (seismic settlement and differential compaction) beneath the site is considered very low.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?				✓

Impact Analysis

Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. The site and the surrounding properties are flat and not prone to slope instability hazards, such as landslides. According to Countywide Plan Policy Map HZ-2, Liquefaction and Landslides, the Project site is not susceptible to landslides.[18] The Project will not be impacted by a landslide or impact adjacent properties due to a Project generated landslide.

17 https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905. Accessed January 2, 2023.
18 https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905. Accessed January 2, 2023.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			✓	

Impact Analysis

Development on the Project site would convert a majority of existing permeable surfaces to paved surfaces, which would generally reduce the potential for soil erosion from the site. However, earthwork activities as part of the construction process would expose soils to the potential for soil erosion or loss of topsoil. Short-term erosion effects during the construction phase would be prevented through required grading permits and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and incorporation of best management practices (BMPs) intended to reduce soil erosion. Refer to Section 4.9, Hydrology and Water Quality, for additional information.

Compliance with storm water regulations include minimizing storm water contact with potential pollutants by providing covers and secondary containment for construction materials, designating areas away from storm drain systems for storing equipment and materials, and implementing good housekeeping practices at the construction site. Prior to the issuance of a grading permit, the Project Proponent would be required to prepare and submit site-specific detailed grading plans to Apple Valley in accordance with Chapter 9.45.030 (Industrial Design Standards) of the Apple Valley Development Code to minimize soil erosion, runoff, and water waste.

Operation of the Project would be subject to a Water Quality Management Plan (WQMP), which incorporates measures to capture excess storm water runoff and prevent soil erosion to downstream water courses from the conversion of permeable surfaces to impermeable surfaces pursuant to the Municipal Separate Storm Sewer System Permit, General Construction Activity National Pollutant Discharge Elimination (NPDES) Permit No. CAS000004 (MS4 Permit) issued by the State Water Resources Control Board.

The SWPPP and WQMP would identify BMP measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to a project's SWPPP as the Post-Construction Management Plan. Adherence to the BMPs contained in the SWPPP and WQMP is a standard regulatory requirement for all projects that create or replace more than 5,000 square feet of impervious surface area in Apple Valley and would ensure that impacts related to soil erosion would remain less than significant. No mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	

Impact Analysis

As detailed in Section 4.6, Thresholds (a)(iii) and (a)(iv) above, the Project site is not located in an area considered susceptible to landslides, lateral spreading, subsidence, liquefaction, or collapse.

As required by the Town of Apple Valley Code of Ordinances, Section J104.2.3 Engineered Grading Requirements," 6-Recommendations in the geotechnical report and the engineering geology report shall be incorporated into the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, that are applicable to grading, may be included by reference.

Based on the Project-specific geotechnical investigation of the site (Appendix G of this Initial Study), post-liquefaction settlement of subsurface sands could cause damage to the proposed development during seismic shaking. Shrinkage, bulking, subsidence, and settlement are primarily dependent upon the degree of soil compaction achieved during construction. Variations in the in-situ density of existing soils and the degree to which fill soils are compacted would influence earth volume changes. The Geotechnical Report recommends that a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations. Upon implementation, post-construction differential movements of shallow foundations designed and constructed in accordance with applicable provisions of the 2019 edition of the CBC and measures identified in a project-specific Geotechnical Investigation would be within CBC tolerable limits of post-construction static and differential settlements of 1.0 and 0.5 inches, respectively. Therefore, impacts from settlement, subsidence, and/or collapse would be reduced to less than significant with compliance with the Town of Apple Valley Code of Ordinances, Section J104.2.3 Engineered Grading Requirements.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in the Uniform Building Code, creating substantial direct or indirect risks to life or property?			✓	

Impact Analysis

Expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on

these soils. The amount and types of clay present in the soil influence the extent or range of the shrink/swell. The occurrence of clayey soils is often associated with geologic units having marginal stability. Expansive soils can be widely dispersed, and they can occur along hillside areas as well as low-lying alluvial basins.

Expansive soils are characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. Changes in soil moisture content can result from precipitation, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors and may result in unacceptable settlement or heave of structures or concrete slabs supported on grade.

Based on laboratory classification, the upper foundation soil on-site is expected to have a very low expansion potential (EI<20), as defined in ASTM D4829.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				✓

Impact Analysis

The Project would connect to the municipal wastewater collection system and would not use septic systems. There would be no impact relative to septic system or alternative wastewater disposal systems. Mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	

Impact Analysis

As stated in the NAVISP EIR, "Paleontological resource studies shall be required prior to development for all lands identified as having a high potential for paleontological resources in Exhibit III-20. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground-disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits."[19] As shown in Exhibit III-20[20] of the NAVISP EIR, the Project site is located

19 North Apple Valley Industrial Specific Plan, III.H. Cultural Resources, p. III-23.
20 North Apple Valley Industrial Specific Plan, Paleontological Sensitivity Map, Exhibit III-20, p. III-19.

in the Low to Moderate sensitivity area for paleontological resources. Therefore, impacts are less than significant.

Unique Geologic Feature

The Project site is relatively flat. The site soils generally consist of Quaternary Alluvium (Cajon Sand and Helendale Bryman Loamy Sand), which are common soil types in Apple Valley. As such, the Project does not contain a geologic feature that is unique or exclusive locally or regionally.

4.7 Greenhouse Gas Emissions

On December 28, 2018, California adopted comprehensive amendments to the California Environmental Quality Act (CEQA) Guidelines, which include a suite of provisions aimed at improving the analysis of greenhouse gas (GHG) emissions and climate change impacts in state environmental reviews. These provisions touch on both climate change mitigation and adaptation, providing more detailed guidance on topics such as assessing the significance of GHG emissions, analyzing energy impacts and efficiency, estimating vehicle emissions, and evaluating environmental risks in light of a changing and uncertain baseline. These amendments flesh out many of the provisions on climate change and energy that were first added to the CEQA Guidelines in 2010. Because CEQA did not require a GHG impact analysis prior to 2010, the NAVISP EIR did not directly analyze GHG emissions in the context of current CEQA requirements. Therefore, the following Project level analysis is provided.

The following documents were used in the preparation of this analysis:

- Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum. LSA Associates Inc., dated December 2, 2022, included as Appendix A to this Initial Study.
- Mojave Desert Air Quality Management District, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	

Impact Analysis

Greenhouse Gas Emissions and Climate Change

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern with GHGs is that increases in GHG concentrations are contributing to global climate change. Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most in the scientific community agree that there is a direct link between increased emissions of GHGs and long-term global temperature increases. The principal GHGs are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), perfluorocarbons (PFCs), and hydrofluorocarbons (HFCs). Because different GHGs have different warming potentials, and CO_2 is the most common reference gas for climate change, GHG emissions are often quantified and reported as CO_2 equivalents (CO_2e). No single land-use project could generate enough greenhouse gas (GHG) emissions to change the global average temperature noticeably. Cumulative GHG emissions, however, contribute to global climate change and its significant adverse environmental impacts. Thus, the primary goal in adopting GHG significance thresholds, analytical methodologies, and mitigation measures is to ensure new land use development provides its fair share of the GHG reductions needed to address cumulative environmental impacts from those emissions.

GHG Emissions Analysis

GHG emissions for the Project were estimated by using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with construction and operations emissions. CalEEMod is authorized for use to assess project emissions by the Mojave Desert Air Quality Management District (MDAQMD). MDAQMD significance thresholds were used for determining the Project's impacts. The MDAQMD's GHG Thresholds for Carbon Dioxide Equivalent (CO_2e) is 100,000 tons for annual emissions and 548,000 pounds for daily emissions. CalEEMod program outputs annual CO_2e emissions in Metric Tons per year ($MTCO_2e$/year); however, the MDAQMD threshold is in tons per year (tons/year). Therefore, the emissions results are included as both $MTCO_2e$/year and CO_2e tons/year. Construction and operation emissions are shown in Table 4.7-1 and Table 4.7-2 below.

Construction Activities. Construction activities associated with maximum buildout would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

As shown in Table 4.7-1, the project construction emissions would total 1,181 MT CO_2e.

Table 4.7-1 Construction Greenhouse Gas Emissions

Construction Phase	Total Emissions per Phase (MT)			Total Emissions per Phase (MT CO_2e)
	CO_2	CH_4	N_2O	
Site Preparation	17	<1	<1	17
Grading	84	<1	<1	84
Building Construction	1,012	<1	<1	1,032
Architectural Coating	26	<1	<1	26
Paving	21	<1	<1	21
Total Emissions for the Entire Construction Process				**1,181**

Source: Compiled by LSA (November 2022).
CH_4 = methane; CO_2 = carbon dioxide; CO_2e = carbon dioxide equivalent; N_2O = nitrous oxide
MT CO_2e = metric tons of carbon dioxide equivalent; MT = metric tons

Operational GHG Emissions. Long-term GHG emissions are typically generated from mobile sources (e.g., cars, trucks, and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile source GHG emissions would include project-generated vehicle and truck trips to and from the project site. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste.

As described above, the proposed project would include refrigeration equipment that would use CO_2 as the cooling agent. It was assumed that the only CO_2 emissions from this equipment would be negligible fugitive emissions. Also as described above, the fire pump, which includes a 324-horsepower, 6-cylinder

diesel engine that would only be used during an emergency event and normally operated 1 hour per month for maintenance and testing. As shown in Table 4.7-2, the project would generate 4,588 4,549 MT CO_2e per year.

Table 4.7-2 Long-Term Operational Greenhouse Gas Emissions

Source	Pollutant Emissions (MT per year)					
	Bio-CO_2	NBio-CO_2	Total CO_2	CH_4	N_2O	CO_2e
Area	0	<1	<1	<1	0	<1
Energy	0	1,748	1,748	<1	<1	1,758
Mobile	0	2,416	2,416	<1	<1	2,490
Fire Pump	0	1	1	<1	0	1
Waste	55	0	55	3	0	137
Water	14	103	117	1	<1	164
Total Project Emissions	**69**	**4,268**	**4,337**	**5**	**0**	**4,549**

Source: Compiled by LSA (November 2022).
Bio-CO_2 = biologically generated CO_2; CH_4 = methane; CO_2 = carbon dioxide; CO_2e = carbon dioxide equivalent; MT = metric tons; N_2O = nitrous oxide; NBio-CO_2 = non-biologically generated CO2

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

The following analysis will consider whether the Project is compliant with the Apple Valley 2019 Climate Action Plan (CAP). If the Project is determined to be compliant with the CAP, then impacts related to the greenhouse gas emissions resulting from that Project will be considered less than significant.

As demonstrated in Table 4.7-1 and Table 4.7-2, above, based on projections made using CalEEMod Version 2020.4.0, the Project is expected to generate 4,549 metric tons of CO2e per year. As described in greater detail in Section 4.12 of this Initial Study, Population and Housing, according the Town's General Plan Housing Element, 16.6% of the Town's population works in Apple Valley. The remaining 83% work elsewhere, which could suggest a jobs-housing imbalance within the Town limits. As such, it is expected that the jobs created by the Project would be sourced from the local workforce and would not require people to relocate from surrounding communities. Given the existing demand for jobs in the Town, it is likely that all of the jobs created by the Project would be filled by existing residents of Apple Valley. It is therefore assumed that the Town's 2030 population, including buildout of the Project, would be 84,535 as analyzed in the CAP.

Based on a population of 84,535, Table 4.7-3 shows that in order for the Town to meet the 2030 emissions reduction target, it would have to meet 5.32 tons per capita. The table also shows that with implementation of the CAP reduction measures, the Town expects to go beyond the established emissions target, reducing forecasted emissions to 410,922 MTCO_2e per year or 4.86 tons per capita. The 2030 emissions forecast with CAP measures accounts for community emissions, including industrial projects. It is therefore likely that the Project's estimated annual emissions of 4,549 MTCO_2e would

already be covered by the 2030 emissions forecast. However, assuming an industrial development like the proposed Project was not accounted for in the CAP 2030 forecast, and to ensure a conservative analysis, the Project's emissions were added to the existing forecast. As shown in Table 4.7-3, the total annual emissions from the Project and existing 2030 forecast would be 415,471.00 $MTCO_2e$, or 4.91 tons per capita. Both the total and per capita emissions meet the CAP target for 2030 of 40% below the 2005 baseline. The Town-wide emissions in 2030, including the Project, would therefore meet the CAP greenhouse gas emissions reduction target.

Table 4.7-3 Project Emissions and CAP Reduction Target

Target/Scenario	Forecast ($MTCO_2e$)	Population	Tons Per Capita
CAP 2030 forecast w/CAP measures	410,922.00	84,535	4.86
Project emissions (per year)	4,549	84,535	--
Total	**415,471.00**	**84,535**	**4.91**
CAP 2030 target (40% below baseline)	**449,347.00(1)**	84,535	5.32
		Exceeds CAP 2030 Target?	**No**

To ensure that the Project's GHG emissions are reduced to the greatest extent possible, the Project will be subject to applicable reduction measures from the CAP. The Project's consistency with applicable reduction measures is described in Table 4.7-4.

Conclusion

With the addition of the Project's emissions, Town-wide CO_2e emissions would still meet the 2030 reduction target. Impacts are less than significant.

Conflict with an Applicable Plan, Policy, or Regulation

Town of Apple Valley Climate Action Plan 2019 Update

The 2019 Climate Action Plan (CAP) Update is Apple Valley's comprehensive strategy to reduce greenhouse gas (GHG) emissions in response to the challenges of climate change. The CAP, which was originally adopted in 2010, was designed to be revised every 3 years to respond to advances in technology, emerging policy reforms, and to build upon the successes of Apple Valley's efforts to reduce greenhouse gas emissions. The 2019 CAP represents the third update to the original document, and the information herein supersedes previous updates.[21] The 2019 CAP Update seeks to ensure that the reduction measures proposed and implemented in the CAP continue to support the Town's greenhouse gas emissions reduction targets of 15% below 2005 levels by 2020 and 40% below 2005 levels by 2030 per Senate Bill 32 (SB 32).

The CAP's reduction measures are divided into three broad categories: Town Municipal Operational Measures, Community Operational Measures, and New Development Measures. Because the Project is a "New Development," it is measured against the New Development Measures applicable to the Project as shown in Table 4.7-4. As indicated in Table 4.7-4 the Project would be consistent with the CAP New Development Measures and therefore impacts are less than significant.

21 Town of Apple Valley Climate Action Plan 2019 Update, Adopted May 2021, p.1. https://www.applevalley.org/home/showpublisheddocument/31233/637623641454430000

Table 4.7-4 Consistency with Town of Apple Valley Climate Action Plan New Development Measures

Measures	Consistency Determination
ND-9. During project construction, encourage on-site and off-road construction equipment to utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. As a conservative measure, no reduction in GHG emissions was taken for the implementation of this measure as it is unknown if biodiesel can be readily applied to the various pieces of construction equipment that will be necessary for the project.	**Consistent.** The MDAQMD, through the construction permit process, requires that the developer of the Project provide information on the use of biodiesel and alternatives to diesel fuel. Additionally, the Alternative Diesel Fuels (ADF) regulation has made more readily available low carbon, and often times lower polluting, diesel fuel substitutes to enter the commercial market in California.
ND-11. Install pedestrian, bicycle and/or equestrian trails connecting project to school(s), commercial project(s) or transit.	**Consistent.** The Project development includes construction of sidewalks connecting to the Victor Valley campus and the adjacent development.
ND-12. Building and site plan designs shall ensure that the project energy efficiencies meet applicable California Title 24 Energy Efficiency Standards. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the applicant, and reviewed and approved by the Town prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this measure provided that the total increase in efficiency meets or exceeds Title 24 standards: • Buildings shall meet or exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. • Incorporate dual-paned or other energy efficient windows. • Incorporate energy efficient space heating and cooling equipment. • Incorporate the use of tankless water heaters in all residential units and community buildings. • Promote building design that will incorporate solar control in an effort to minimize direct sunlight upon windows. A combination of design features including roof eaves, recessed windows, “eyebrow” shades and shade trees shall be considered. • Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by Town. Automatic devices to turn off lights when they are not needed shall be implemented. • To the extent that they are compatible with landscaping guidelines established by the Town, shade producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.	**Consistent**. Building will be designed and constructed to meet California Title 24 energy requirements. Requirements will be met using a combination of the building envelope, HVAC system and electrical systems.

Measures	Consistency Determination
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings. • All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, and wind energy systems on properties greater than 2 acres, appropriate to their architectural design. • Consideration shall be given to using LED lighting for all outdoor uses (i.e., buildings, pathways, landscaping, carports).	
ND-16. Install Energy Star appliances and energy efficient fixtures.	**Consistent.** Energy star appliances will be installed in office breakrooms or as applicable.
ND-17. Install all CFL or LED light bulbs.	**Consistent**. LED light bulbs will be installed throughout facility.
ND-18. Install common area electric vehicle charging station(s) and secure bicycle racks.	**Consistent.** Electrical vehicle charging and secure bicycle racks will be installed as required per city ordinances/California title 24 energy code.
ND-19. To reduce the project's energy use from the grid: • Install solar panels/photovoltaic systems sufficient to provide electric power and heat water within the project, and/or • Install other clean energy system sufficient to provide electric power and heat water within the project, and/or	**Consistent**. The Project proposes solar panels.
ND-22. Install combined heat and power facilities in appropriate applications.	N/A.
ND-23. Specify rubberized and/or recycled asphalt for roads and driveways to the extent economically viable.	N/A
ND-24. Recycle and/or salvage non-hazardous construction and demolition waste, and develop and implement a construction waste management plan quantifying the reduction in the waste stream.	**Consistent.** The Project shall comply with Section 5.408 of the 2019 California Green Building Code Standards, which requires new development projects to submit and implement a construction waste management plan in order to reduce the amount of construction waste transported to landfills.
ND-25. Reuse construction waste in project features (e.g., shattered concrete or asphalt can be ground and used in walkways and parking lots).	**Consistent.** CALGreen requires covered projects to recycle and/or salvage for reuse a minimum 65% of the nonhazardous construction and demolition waste or meet a local construction and demolition waste management ordinance, whichever is more stringent.
ND-26. Facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that serve each building and are dedicated to the collection and storage of paper, cardboard, glass, plastics, and metals.	**Consistent.** Trash enclosures will be provided easily accessible from the building and recycling collection containers will be provided.

4.8 Hazards and Hazardous Materials

The analysis in this section is based in part on the following technical report:

- Phase I Environmental Site Assessment Report, Priority One Environmental, Inc., September 23, 2022. (Appendix G).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	

Impact Analysis

Construction of the Project has the potential to create a hazard to the public or the environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, oils, solvents, and other materials.

Construction

Potential hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on-site during construction of the proposed Project. These materials are typical of materials delivered to construction sites. Due to the relatively small scale of proposed development (385,004 square feet of industrial uses on 18.7 acres), only limited quantities of these materials are expected to be used during construction, so they are not considered hazardous to the public at large.

The transport, use, and disposal of hazardous materials during construction would be regulated by the Hazardous Materials Division of the San Bernardino County Fire Department and the California Occupational Safety and Health Administration. Additionally, the United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on state highways and rail lines, as described in Title 49 of the Code of Federal Regulations and implemented by Title 13 of the CCR.

Operation

Similar to Project construction, the transport, use, and disposal of hazardous materials during Project operation would be regulated by the Hazardous Materials Division of the San Bernardino County Fire Department and the California Occupational Safety and Health Administration. Additionally, transport of hazardous materials by truck and rail on state highways and rail lines would be regulated by the United States Department of Transportation Office of Hazardous Materials Safety as described above.

Pursuant to California Health and Safety Code §25507, a business shall establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a)(1) through (8). This requirement is also codified as Program 1.D.1 of the Hazardous and Toxic Materials Element of the Apple Valley General Plan.

These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. Therefore, impacts from the routine transport, use, or disposal of hazardous materials would be less than significant. Mitigation is not required.

As stated previously, California Health and Safety Code §25507 requires a business to establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a)(1) through (8). This requirement is also codified as Program 1.D.1 of the Hazardous and Toxic Materials Element of the Apple Valley General Plan.

Mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	

Impact Analysis

There are no existing or planned schools within a 0.25-mile radius of the Project site. Because no schools are located or proposed within 0.25 mile of the Project site, and any transport of hazardous materials associated with construction of the proposed Project would be in accordance with applicable regulatory policy, impacts related to an accidental release of hazardous materials or emissions of hazardous substances within one-quarter mile of an existing or proposed school would be less than significant. Mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Impact Analysis

Hazardous materials sites compiled pursuant to Government Code §65962.5 are listed on the "Cortese List" (named after the Legislator who authored the legislation that enacted it), which is maintained by the California DTSC.[22] The Project site is not on any list of hazardous material sites compiled pursuant to Government Code §65962.5.

As detailed in the Phase I Environmental Site Assessment (Appendix G) prepared for the Project site and a one-half-mile radius encompassing the Project site, Environmental Database Reports were searched for records identifying recognized environmental conditions (REC), controlled recognized environmental conditions (CREC), and historical recognized environmental conditions (HREC) on or near the Project site. Based on this research, the Project site was not listed in any database searched. However, the properties to the south and west were listed in the databases as discussed below.

- **West Coast Equipment LLC, ADVC Inc, 18880 Navajo Road**: This site is currently a distribution center for BIG Lots. No Resource Conservation and Recovery Act (RCRA violations were found. Four active San Bernadino County permits were listed and include: hazardous materials 1-3 chemicals special, APSA exempt, small quantity generator, and hazardous materials 4-10 chemicals. Based on the regulatory nature of the listings, no impact to the Subject Property is anticipated.
- **Victorville PRB #1, NO 1, N-1:** The land to the west of the Subject Property was used by the Armed Forces as a bombing target area and firing range in the 1940s. The asphalt target was located near the northwestern portion of the present-day lot to the south of the Subject Property. The land was released to the U.S. Department of the Interior in 1948 by the Letter of Transfer. The letter declared that the area was certified to be free and clear of explosives or explosive objects reasonably possible to detect by visual inspection. The transfer became official in 1954. Based on the Letter of Transfer stating the area is free of explosives and the regulatory nature of the listings, no impact to the Subject Property is anticipated. Therefore, no impact would occur. Mitigation is not required.

22 https://calepa.ca.gov/sitecleanup/corteselist/. Accessed January 3, 2023.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

The Project site is located approximately one-quarter miles northwest of the Apple Valley Airport. According to Section 9.65.040 - Airport Overlay Districts, projects located within an Airport Overlay District shall be reviewed for consistency with the provisions of the Apple Valley Airport Comprehensive Land Use Compatibility Plan (CLUCP). The Airport Overlay Districts are described below:

Airport Master Plan – Safety Area For the purposes of the CLUCP, the Federal Aviation Administration (FAA) defined Runway Protection Zone, Runway Object Free Zone, Inner Safety Zone, and Emergency Touch Down Zone will be located within final airport boundaries established by the County's adopted Apple Valley Master Plan. To the maximum extent practical, these areas should be clear of objects and structures in conformance with the building restriction lines as shown in the Airport Master Plan.

Airport Overlay District A-1 – This overlay district includes the outer safety zone with the runway approach surface which conforms with the adopted Airport Master Plan flight paths that extend along the runway centerline from the ends of each of the runway surfaces.

Airport Overlay District A-2 – This zone is based upon the traffic pattern/overflight zone adopted in the Apple Valley Airport Master Plan. The basic shape of the zone was based on a 1,000-foot-wide flight path, which was extended from the centerline of the runway ends.

According to A-1, Airport Overlay Districts, of the CLUCP, the Project site is not within an Airport Overlay District.[23]

No impact related to airport hazards for people residing or working on the Project site would occur. Mitigation is not required.

23 Zoning Map, Town of Apple Valley; https://www.applevalley.org/Home/ShowDocument?id=12366

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Impact Analysis

Construction

Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Typical Apple Valley requirements include prior notification of any lane or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. The Project developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities. Compliance with these requirements would ensure that short-term impacts related to this issue are less than significant. Mitigation is not required.

Operation

In accordance with the California Fire Code, the Project Proponent is required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/evacuation access to and from the Project site. Proposed vehicle and pedestrian access to the Project site would be provided by three ingress/egress driveways along Navajo Road and Lafayette Street.

These improvements would be subject to compliance with the Apple Valley Development Code and would be reviewed by the Apple Valley Fire Protection District and the San Bernardino County Sheriff's Department through the Apple Valley general development review process. Proper site design and compliance with standard and emergency access requirements would allow for evacuation if necessary during ongoing commercial operations. This would ensure that long-term impacts related to this issue are less than significant. Mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Impact Analysis

According to the California Department of Forestry and Fire Protection (CAL FIRE), the Project site is not located within a wildfire State Responsibility Area, nor is the site classified as a Very High Fire Hazard

Severity Zone (VHFHSZ).[24] The nearest VHFHSZ is located approximately 10 miles south of the site. The Project is required to comply with 2019 California Building Code requirements for ignition-resistant construction. In consideration of the Project site's location in an area of Apple Valley away from wildland areas susceptible to fires and compliance with wildland fire safety policies, it is not expected that the Project would expose people or structures to significant loss or injury from wildland fires. Impacts are less than significant, and mitigation is not required.

24 https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/#explorefhsz. Accessed January 4, 2023.

4.9 Hydrology and Water Quality

The following documents were used in the preparation of this analysis:

- Preliminary Hydrology Study & Drainage Analysis, Joseph E. Bonadiman & Associates, Inc., June 2022 included as Appendix H to this Initial Study.
- Water Quality Management Plan, Joseph E. Bonadiman & Associates, Inc., June 2022 included as Appendix I to this Initial Study.

	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?			✓	

Impact Analysis

Pre-Development Conditions

The 18.7-acre site is currently pre-developed and consists of sandy and loamy sand, with sparse vegetation. The site is impacted by a significant off-site tributary to the northeast of the Project site. The general area surrounding the site consists of typical poorly covered desert terrain sloping to the southwest. Off-site flows originate in the hills to the northeast of the site flowing in a southwesterly direction across native desert with no clearly defined flow path.

The existing on-site Project area is generally flat, consisting of typical poorly covered desert terrain, sloping to the southwest. The is aerial evidence of flows crossing the site in a southerly direction. However, it is hard to define on the ground, with no clearly defined flow paths.

Construction Impacts

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

Section III – Existing Conditions, Impacts, and Mitigation Measures of the Town of Apple Valley General Plan and Annexations 2008-001 & 2008-002/Environmental Impact Report states that the Town of Apple Valley participates in the National Pollutant Discharge Elimination System (NPDES) and obtains a Municipal Stormwater Permit for construction activities. The permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

Compliance with the permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) will identify construction Best Management Practices (BMPs) that will be implemented to prevent soil erosion and the discharge of sediment into the local storm drains during

the Project's construction phase. Typical BMP measures include, but are not limited to, preserving natural vegetation, stabilizing exposed soils, use of sandbags, and installation of temporary silt fencing.

Operational Impacts

Storm water pollutants commonly associated with residential land uses include sediments, nutrients, trash and debris, bacteria and viruses, oil and grease, and pesticides. Pursuant to the Municipal Separate Storm Sewer System Permit, General Construction Activity National Pollutant Discharge Elimination (NPDES) Permit No. CAS000004 (MS4 Permit) issued by the State Water Resources Control Board. requires the preparation of a Water Quality Management Plan (WQMP) for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed. The Project will comply with the Town of Apple Valley and the Phase II Small MS4 General Permit for the Mojave River Watershed as described below.

Development of the site results in an increase in peak flow and runoff volume as a result of the proposed development and therefore requires mitigation.

Per the San Bernardino County Hydrology Manual, developed sites shall not increase flow rate exiting the site over the existing conditions. To meet mitigation requirements per "San Bernardino County Detention Basin Design Criteria" post-development peak flow rates generated by the site shall be less than or equal to 90% of the pre-development peak flow rate based on shifting the rainfall values for the 10-year, 25-year, and 100-year storms, providing a least a 50% confidence level that the detention basin outflow will not adversely impact downstream properties. This can be achieved with the use of an underground storm water chamber system with a minimum capacity of 2.9051 acre-feet (AF). This can be achieved with the use of 2,706 linear feet of 6-foot-diameter corrugated steel pipe in a gravel bed measuring 900 feet by 28 feet and 8 feet of depth. Pipe shall be placed on a bed of 6 inches of gravel with 3-foot spacing between pipe side walls and 2 feet of gravel around the perimeter of the system. Out flow from the system shall be controlled with a 15-inch pipe and may be connected directly to the chamber system or any part of the on-site storm drain piping that is larger than 15 inches, as long as the invert remains 4 feet above the bottom of the chamber system. Total water depth is estimated to be at 7.70 feet from the bottom of the chamber system. Resulting in a peak out flow of the 100-year storm event is estimated to be 11.35 cfs. Discharge from the site to the street shall be routed through a 6-foot-wide parkway located along Lafayette Street near the southwest corner of the site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	

Impact Analysis

Ground Water Supply Discussion

The Project is located within the Mojave River Groundwater Basin, which is the primary source of domestic groundwater in Apple Valley through several subsurface aquifers, or subareas; the Alto Subarea has the largest water supply in the Mojave River Groundwater Basin. The Mojave River Groundwater Basin, including the Alto Subarea, is in a state of overdraft and therefore subject to adjudication via the Mojave Basin Area and the Warren Valley Adjudications (the Adjudication). The Adjudication limits the amount of groundwater that may be withdrawn without replenishment via imported groundwater. Although current reliance on groundwater recharge is primarily from precipitation and runoff from the San Bernardino and San Gabriel Mountains to the south, the Mojave Water Agency (MWA) has established a groundwater replenishment program to reduce annual and cumulative groundwater overdraft through artificial recharge into the Mojave River Groundwater Basin, including the Alto Subarea.

Water levels in the western portion of Alto Subarea in the Regional Aquifer exhibit declines consistent with heavy pumping and limited local recharge. Continued pumping in depleted areas of the Regional Aquifer may result in long-term local negative impacts such as declining yields and water quality problems. As a whole, the Alto Subarea appears to be in regional balance, although portions of the subarea have shown continued historical declines. However, the Alto Subarea sub-basin of the Mojave River Groundwater Basin is adjudicated, so users are assigned a variable Free Production Allowance (FPA). If any producer pumps more than the assigned FPA, it incurs Replacement Water Obligations to the Watermaster equal to the cost to purchase the amount of production in excess of the FPA. MWA then purchases and recharges to the groundwater imported water from the State Water Project to satisfy those obligations.

The Project site is not located within a designated groundwater recharge area, nor does it propose direct additions to or withdrawals of groundwater. Furthermore, the proposed construction does not reach depths that would impair or alter the direction or rate of flow of groundwater. Through implementation of code requirements, a Final WQMP shall be developed to specify BMPs designed and implemented to retain the Project site's minimum design capture volume and hydromodification volume. Storm water shall be captured on-site and allowed to infiltrate into the ground such that post-development storm water runoff volume or time of concentration will not exceed pre-development storm water runoff. Additional Project Design Features designed to maximize groundwater infiltration, such as roof downspouts draining into pervious, landscaped areas and maintenance of existing surface flows across the Project site into infiltration basin(s), would further facilitate groundwater recharge. Periodic maintenance of any required infiltration basin and landscaped areas during Project occupancy and

operation shall be in accordance with the schedule outlined in the WQMP. Through implementation of code requirements, the amount of water infiltrated on site post-development would not exceed existing conditions, and the Project's potential impacts to groundwater availability, quality, or recharge capabilities would be less than significant. Mitigation is not required.

Groundwater Recharge Discussion

Development of the Project would increase impervious surface coverage on the Project site, which would in turn reduce the amount of direct infiltration of runoff into the ground. The Project proposes to use roads within the Project site to carry runoff to a proposed water quality basin, designed for both retention and detention. As such, the Project will not interfere substantially with groundwater recharge.

In addition, according to a review of historical groundwater data (California Department of Water Resources and California State Water Resources Control Board groundwater well data [http://wdl.water.ca.gov and http://geotracker.waterboards.ca.gov]), depth to groundwater is greater than 50 feet below ground surface (bgs) in the general Project site area. As such, the Project will not impact groundwater.

Sustainable Groundwater Management Discussion

California depends on groundwater for a major portion of its annual water supply, particularly during times of drought. This reliance on groundwater has resulted in overdraft and unsustainable groundwater usage in many of California's basins.[25] The Sustainable Groundwater Management Act (SGMA) was enacted to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. The Town of Apple Valley is located within the Upper Mojave River Valley portion of the Mojave River Basin.

The Mojave River is an adjudicated basin (i.e., water rights are determined by court order).[26] Adjudicated basins are exempt from the SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of a basin. No component of the Project would obstruct or prevent the implementation of the management plan for the Mojave River Basin. As such, the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

Conclusion

Based on the analysis above, the Project is not forecast to 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.

25 https://www.waterboards.ca.gov/water_issues/programs/gmp/, accessed on June 10, 2022.
26 https://gis.water.ca.gov/app/bp-dashboard/final/, accessed on June 10, 2022.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
(i) Result in substantial erosion or siltation on- or off-site?			✓	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
(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?			✓	
(iv) Impede or redirect flood flows?			✓	

Impact Analysis

Existing Condition/Pre-Development

The 18.7-acre site is currently pre-developed and consists of sandy and loamy sand, with sparse vegetation. The site is impacted by a significant off-site tributary to the northeast of the Project site. The general area surrounding the site consists of typical poorly covered desert terrain sloping to the southwest. Off-site flows originate in the hills to the northeast of the site flowing in a southwesterly direction across native desert with no clearly defined flow path.

The existing on-site Project area is generally flat, consisting of typical poorly covered desert terrain, sloping to the southwest. The is aerial evidence of flows crossing the site in a southerly direction. However, it is hard to define on the ground, with no clearly defined flow paths.

Proposed Condition/Post Development

As indicated above, an increase in peak flow and runoff volume is expected from Area “A” as a result of the proposed development. The increase in flow rates shall be mitigated on-site as to reduce the discharge from Area “A” to 90% of the pre-development conditions per the San Bernardino County Hydrology Manual. Per “San Bernardino County Detention Basin Design Criteria,” post-development peak flow rates generated by the site shall be less than or equal to 90% of the pre-development peak flow rate based on shifting the rainfall values for the 10-year, 25-year and 100-year storms, providing a least a 50% confidence level that the detention basin outflow will not adversely impact downstream properties. After routing through the proposed basin, the post-development 100-year runoff is 26.36 cfs as shown in Table 4.9-1 below.

Table 4.9-1 Pre-Development vs. Post Development Storm Water Runoff

Description	Peak Flow Rate (cubic feet per second)
Existing Condition	26.36 cfs
Design Criteria (90% of 26.36 cfs).	23.724 cfs
Post Development	16.33 cfs
Meets Requirement?	Yes

Source: Preliminary Hydrology Study, Appendix D

As shown in Table 4.9-1 above, proposed development can be mitigated as designed to be compatible with the Town of Apple Valley Master Plan of Drainage. The development of the subject site will not significantly change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓

Impact Analysis

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[27] According to the California Department of Conservation, California Official Tsunami Inundation Maps,[28] the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche, because there is no water body around the Project site capable of producing as seiche.

27 https://www.fema.gov/flood-maps, accessed on June 10, 2022.
28 California Department of Conservation, California Official Tsunami Inundation Maps, https://www.conservation.ca.gov/cgs/tsunami/maps#:~:text=Coordinated%20by%20Cal%20OES%2C%20California,considered%20tsunamis%20for%20each%20area., accessed June 10, 2022.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Impact Analysis

As discussed under Threshold 4.9 (a) and 4.9 (c), with implementation of the proposed drainage system improvements and features, the Project will not conflict with or obstruct implementation of the Lahontan Basin Plan. In addition, as discussed under Threshold 4.9 (b), the Project site is not subject to a Sustainable Groundwater Water Management program and will not substantially impede sustainable groundwater management of the basin.

4.10 Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is in an area that consists primarily of industrial-use land. The Project site is bordered on the north by a college, and to the south, east, and west by industrial-use land. The Project site is planned for industrial development by the General Plan. The properties in the immediate area are also planned for industrial development. Thus, the development of the Project site is a logical continuation of the development pattern in the area as proposed by the General Plan and will not divide an established community.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

The applicable plans and policies relating to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect are evaluated throughout this Initial Study document as described below.

North Apple Valley Industrial Specific Plan

- Land Use Element: The General Plan Land Use and Zoning designation for the Project site is I-SP (Industrial Specific Plan) The Specific Plan Industrial District is intended to support the development of a broad range of clean, well planned industrial, quasi-industrial and commercial support uses within the North Apple Valley Industrial Specific Plan. Uses can range from manufacturing and warehousing to offices and retail facilities that support the employee population within the Specific Plan Area. Uses that generate excessive noise or other environmental impacts are not permitted in the District. All uses are to be conducted within enclosed structures. Outdoor storage may be permitted, if completely screened from view. As such, the Project is consistent with the new General Plan land Use and Zoning.
- Circulation Element: Please refer to Section 4.14, Transportation, for the analysis.

- Conservation/Open Space Element: Please refer to Sections 4.1, Aesthetics, and Section 4.3, Biological Resources, for the analysis.
- Noise Element: Please refer to Section 4.11, Noise, for the analysis.
- Safety Element: Please refer to Section 4.8, Hazards and Hazardous Materials, for the analysis.
- Community Design Element: Please refer to Section 4.1, Aesthetics, for the analysis.

Town of Apple Valley Development Code

In instances where the Development Code applies to an environmental effect, it is identified in the Analysis section for each environmental topic. As detailed in such instances, impacts are less than significant.

Mojave Desert Air Quality Management District Air Quality Management Plan

Please refer to Section 4.2, Air Quality, for the analysis.

San Bernardino County Regional Greenhouse Gas Reduction Plan

Please refer to Section 4.7, Greenhouse Gas Emissions, for the analysis.

Water Quality Control Plan for the Lahontan Region (Basin Plan)

Please refer to Section 4.9, Hydrology and Water Quality for the analysis.

Conclusion

As demonstrated throughout this Initial Study document, the Project would not conflict with any applicable land use plan, policy, or regulation due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, with compliance with mandatory regulatory requirements or mitigation measures.

4.11 Noise

The following analysis is based in part on the following:

- Noise and Vibration Impact Analysis, LSA Associates, Inc., December 2022 included as Appendix J to this Initial Study.

	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 more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		

Impact Analysis

Methodology

In California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal. 4th 369, Case No. S213478, the California Supreme Court stated "In light of CEQA's text, statutory structure, and purpose, we conclude that agencies generally subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment – and not the environment's impact on the project – that compels an evaluation of how future residents or users could be affected by exacerbated conditions." Notwithstanding "special CEQA requirements [that] apply to certain airport, school and housing construction projects [,]" the Court held "that ordinary CEQA analysis is concerned with a project's impact on the environment, rather than with the environment's impact on projects and its users or residents.

Exceptions to this are housing projects for agricultural workers, affordable housing, and transit priority projects (a type of development that is either 100% residential or a mixed-use development (where 50% of the project is residential), that has a floor area ratio (ratio of total building square footage to total lot square footage) of 0.75, a minimum net density of at least 20 dwelling units per acre).

Moreover, special CEQA requirements apply to certain airport, school, and housing construction projects. In such situations, CEQA requires agencies to evaluate a project site's environmental conditions regardless of whether the project risks exacerbating existing conditions. The environmental review must consider—and a negative declaration or exemption cannot issue without considering—how existing environmental risks such as noise, hazardous waste, or wildland fire hazard will impact future residents or users of a project. That these exceptions exist, however, does not alter our conclusion that ordinary CEQA analysis is concerned with a project's impact on the environment, rather than with the environment's impact on a project and its users or residents.

Existing Ambient Noise Levels

The existing noise sources in the Project area include traffic noise on Navajo Road and Lafayette Street, aircraft noise from Apple Valley Airport to the southeast, and industrial activities from the industrial uses surrounding the Project site. Noise from motor vehicles is generated by engines, the interaction between the tires and the road, and the vehicles' exhaust systems. Noise from aircraft is generated by aircraft engines from takeoffs and landings. Noise generated from industrial activities include truck parking activities and back-up alarms.

Figure 4.11.1, Table 4.11-1, and Table 4.11-2 describe the measured average ambient noise levels.

Table 4.11-1 Short-Term Ambient Noise Level Measurements

Monitor No.	Location	Start Time	Noise Level (dBA)			Noise Source(s)
			Leq	Lmax	Lmin	
ST-1	Located along the western edge of the project site bordering the Walmart distribution center on 21101 Johnson Road in Apple Valley.	10:32 a.m.	43.8	55.6	32.7	Heavy-duty truck parking lot noise such as reverse beeping and low speed traffic coming from the Walmart distribution center.

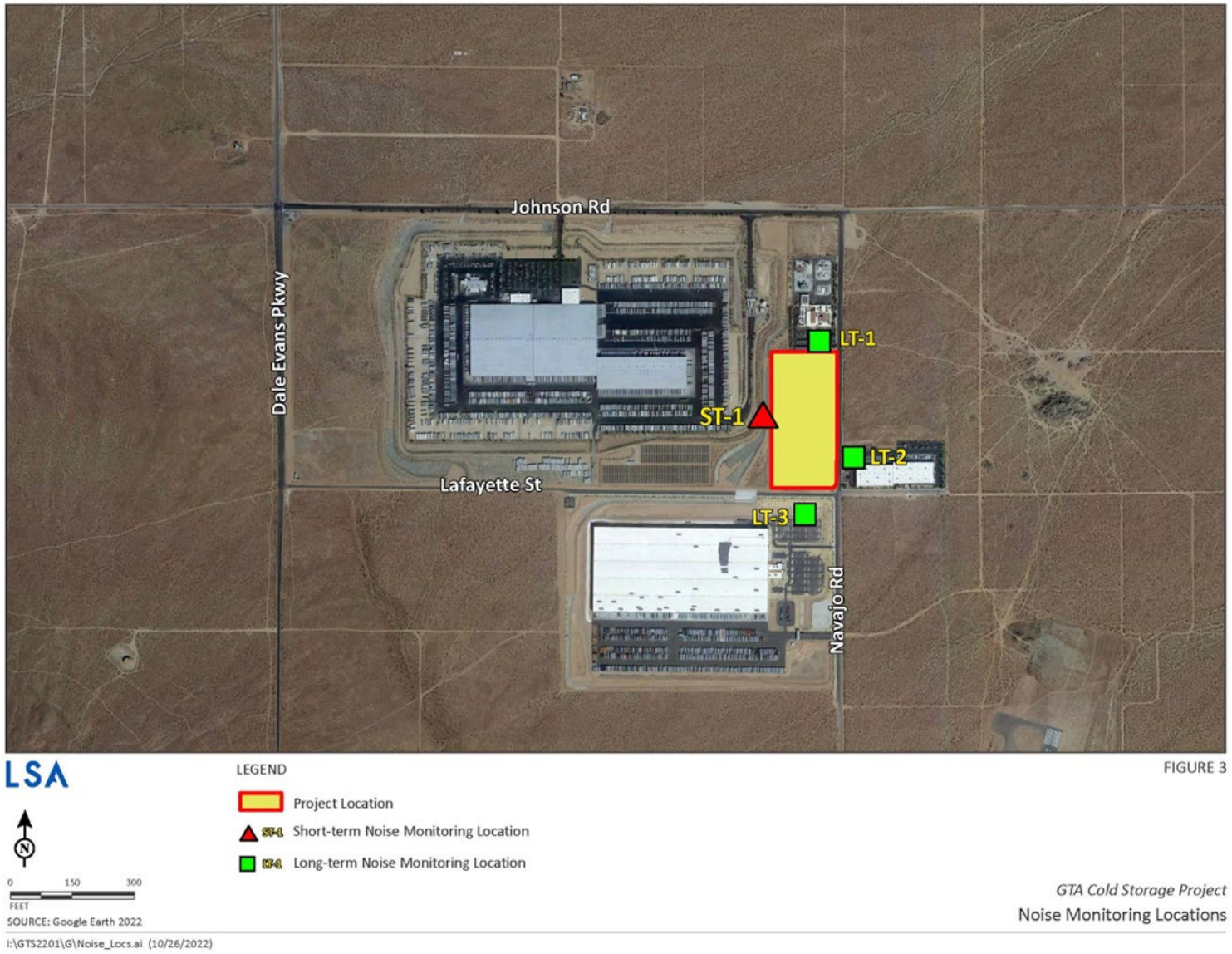
Source: Compiled by LSA (2022).
dBA = A-weighted decibel
Leq = equivalent continuous sound level; Lmax = maximum measured sound level Lmin = minimum measured sound level

Table 4.11-2 Long-Term Ambient Noise Monitoring Results

Monitor No.	Location	Noise Level (dBA)					Noise Sources
		Daytime		Nighttime		CNEL	
		Leq	Lmax	Leq	Lmax		
LT-1	19190 Navajo Road, Apple Valley, CA 92307. Located at the southern boundary of the Victor Valley College under the solar panels.	50.0-60.2	68.4–77.6	47.3-54.8	67.5–72.3	59.8	Traffic on Navajo Road and parking lot activity.
LT-2	18925 Navajo Road, Apple Valley, CA. On a parking lot light pole of a distribution center.	46.0-59.9	66.7–75.8	47.0-57.8	70.1–75.7	61.2	Faint traffic on Navajo Road. Infrequent parking lot activity.
LT-3	Northeast corner of the Big Lots distribution center at 18925 Navajo Road, Apple Valley, CA 92307.	42.8-52.7	56.3–68.6	41.7-50.0	55.0–60.7	53.1	Faint traffic noise at intersection of Lafayette Street and Navajo Road.

Source: Compiled by LSA (2022).
Note: Long-term (24-hour) noise level measurements were conducted from September 27, 2022, to September 28, 2022.
CNEL = Community Noise Equivalent Level; dBA = A-weighted decibels; Leq = equivalent continuous sound level; Lmax = maximum instantaneous noise level

Figure 4.11.1 Noise Measurement Locations



Short-Term Construction Noise Impact Analysis

Two types of short-term noise impacts could occur during construction on the Project site. First, construction crew commutes and the transport of construction equipment and materials to the site for the Project would incrementally increase noise levels on roadways leading to the site. The pieces of construction equipment for construction activities would move on-site, would remain for the duration of each construction phase, and would not add to the daily traffic volume in the project vicinity. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 84 dBA), the effect on longer-term ambient noise levels would be small, because the number of daily construction-related vehicle trips would be small compared to existing daily traffic volumes in the project area. The building construction phase would generate the most trips out of all of the construction phases, at 449 trips per day based on the California Emissions Estimator Model (CalEEMod) (Version 2020.4.0) results contained in Attachment B of the GTS Cold Storage Project Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum (LSA 2022a).

Roadways that would be used to access the project site include Lafayette Street, Navajo Road, Dale Evans Parkway, and Johnson Road. Lafayette Street, Navajo Road, Dale Evans Parkway, and Johnson Road have estimated existing daily traffic volumes of 562, 670, 3,845, and 2,560, respectively, near the Project site. Based on the information above, construction-related traffic noise would increase by up to 2.6 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment. Therefore, no short-term construction-related impacts associated with worker commutes and transport of construction equipment and material to the project site would occur, and no noise reduction measures would be required.

The second type of short-term noise impact is related to noise generated from construction activities. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. The project anticipates site preparation and grading, building construction, paving, and architectural coating phases of construction. These various sequential phases change the character of the noise generated on a project site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.11-3 lists the Lmax recommended for noise impact assessments for typical construction equipment included in the FHWA Highway Construction Noise Handbook (FHWA 2006), based on a distance of 50 feet between the equipment and a noise receptor.

As shown on Table 4.11-3, Typical Construction Equipment Noise levels, below, noise levels generated by heavy construction equipment can range from approximately 75 dBA to 99 dBA when measured at 50 feet.

Table 4.11-3 Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor[1]	Maximum Noise Level (L_{max}) at 50 ft[2]
Backhoe	40	80
Compactor (ground)	20	80
Compressor	40	80
Crane	16	85
Dozer	40	85
Dump Truck	40	84
Excavator	40	85
Flatbed Truck	40	84
Forklift	20	85
Front-End Loader	40	80
Grader	40	85
Impact Pile Driver	20	95
Jackhammer	20	85
Pickup Truck	40	55
Pneumatic Tools	50	85
Pump	50	77
Rock Drill	20	85
Roller	20	85
Scraper	40	85
Tractor	40	84
Welder	40	73

Source: FHWA Highway Construction Noise Handbook, Table 9.1 (FHWA 2006).
Note: The noise levels reported in this table are rounded to the nearest whole number.
1 The usage factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.
2 The maximum noise levels were developed based on Specification 721.560 from the CA/T program to be consistent with the City of Boston, Massachusetts, Noise Code for the "Big Dig" project.
CA/T = Central Artery/Tunnel; FHWA = Federal Highway Administration;
ft = foot/feet; Lmax = maximum instantaneous noise level

Table 4.11-4 shows the combined noise level at 50 feet from all mobile and stationary equipment in each phase as well as the L_{eq} noise level for each equipment at 50 feet based on the quantity, reference L_{max} noise level at 50 feet, and the acoustical usage factor. As shown in Table 4.11-4, construction noise levels would reach up to 89.2 L_{eq} at a distance of 50 feet from mobile construction equipment and 82.5 dBA L_{eq} at a distance of 50 feet from stationary construction equipment.

Table 4.11-4 Summary of Construction Phase, Equipment, and Noise Levels

Construction Phase	Construction Equipment	Equipment Type	Quantity	Reference Noise Level at 50 ft (dBA Lmax)	Acoustical Usage Factor[1] (%)	Noise Level at 50 ft (dBA Leq)	Combined Stationary Noise Level at 50 ft (dBA Leq)	Combined Mobile Noise Level at 50 ft (dBA Leq)
Site Preparation	Bulldozers	Mobile	3	85	40	85.8	--[2]	87.3
	Front-End Loaders	Mobile	4	80	40	82.0		
Grading	Excavator	Mobile	2	85	40	84.0	--[2]	89.2
	Grader	Mobile	1	85	40	81.0		
	Bulldozer	Mobile	1	85	40	81.0		
	Scraper	Mobile	2	85	40	84.0		
	Front-End Loaders	Mobile	2	80	40	79.0		
Building Construction	Crane	Stationary	1	85	16	77.0	82.5	84.9
	Forklifts	Mobile	3	85	20	82.8		
	Generator	Stationary	1	82	50	79.0		
	Front-End Loaders	Mobile	3	80	40	80.8		
	Welders	Stationary	1	73	40	69.0		
Paving	Pavers	Mobile	2	85	50	85.0	--[2]	87.6
	Paving Equipment	Mobile	2	85	20	81.0		
	Rollers	Mobile	2	85	20	81.0		
Architectural Coating	Air Compressors	Stationary	1	80	40	76.0	76.0	--[3]

Source: Compiled by LSA (2022).
1 The acoustical usage factor is the percentage of time during a construction noise operation that a piece of construction equipment operates at full power.
2 Stationary construction equipment is not anticipated during this construction phase.
3 Mobile construction equipment is not anticipated during this construction phase.
dBA = A-weighted decibels; ft = foot/feet
Leq = equivalent continuous sound level Lmax = maximum instantaneous noise level

Table 4.11-5 shows the noise levels generated from mobile construction activities from the center of the Project site during the noisiest construction phase at the closest off-site property lines surrounding the project site. As shown in Table 4.11-5, the property lines to the north and west representing the college and the industrial use would be exposed to mobile construction noise levels of 66.6 dBA L_{eq} and 73.5 dBA L_{eq}, respectively. These noise levels would not exceed the Town's mobile construction noise standard of 85 dBA L_{eq} for business properties. It should be noted that the college was evaluated as a business property because the college is zoned for industrial under the NAVISP.

Table 4.11-5 Mobile Construction Noise Levels

Land Use	Direction	Reference Noise Level at 50 ft (dBA)	Distance[1] (ft)	Distance Attenuation (dBA)	Noise Level without Mitigation (dBA Leq)	Construction Noise Standard (dBA)	Exceeds Noise Standard?	Noise Level with Mitigation (dBA Leq)	Exceeds Noise Standard?
College	North	89.2	675	22.6	66.6	85[2]	No	--	--
Industrial	East	89.2	420	18.5	70.7	85	No	--	--
Industrial	South	89.2	700	22.9	66.3	85	No	--	--
Industrial	West	89.2	350	15.7	73.5	85	No	--	--

Source: Compiled by LSA (2022).
1 Distance from the center of the project site to the property line of the affected land use.
2 The college was evaluated as a business property with a mobile construction noise standard of 85 dBA Leq because the college is zoned for industrial under the North Apple Valley Industrial Specific Plan (NAVISP).
dBA = A-weighted decibels; ft = foot/feet
Leq = equivalent continuous sound level

In addition, Table 4.11-6 shows the noise levels generated from stationary construction activities in the area where the warehouse building would be constructed during the noisiest construction phase at the closest off-site property lines surrounding the project site. As shown in Table 4.11-6, the property lines to the north, south, and west representing the college and industrial uses would be exposed to stationary construction noise level of 81.7 dBA L_{eq}, 76.1 dBA L_{eq}, and 81.7 dBA L_{eq}, respectively.

These noise levels would exceed the Town's stationary construction noise standard of 75 dBA L_{eq} for business properties. Similar to mobile construction activities, it should be noted that the college was evaluated as a business property because the college is zoned for industrial under the NAVISP. Implementation of a minimum 10-foot-high portable temporary construction barrier would be required when stationary construction equipment is not shielded by the proposed warehouse building and is located within 120 feet of the project construction boundary. The 10-foot-high portable temporary construction barrier would provide a noise reduction of 10 dBA and would reduce construction noise levels to below the Town's stationary construction noise standard of 75 dBA L_{eq} for business properties, as shown in Table 4.11-6.

Table 4.11-6 Stationary Construction Noise Levels

Land Use	Direction	Reference Noise Level at 50 ft (dBA)	Distance[1] (ft)	Distance Attenuation (dBA)	Noise Level without Mitigation (dBA Leq)	Construction Noise Standard (dBA)	Exceeds Noise Standard?	Noise Level with Mitigation (dBA Leq)	Exceeds Noise Standard?
College	North	82.5	55	0.8	81.7	752	Yes	71.7[3]	No
Industrial	East	82.5	230	13.3	69.2	75	No	--	--
Industrial	South	82.5	105	6.4	76.1	75	Yes	66.1[3]	No
Industrial	West	82.5	45	-0.9	83.4	75	Yes	73.4[3]	No

Source: Compiled by LSA (2022).

1 Distance from the active construction area near the center of the project site to the property line of the affected land use.

2 The college was evaluated as a business property with a stationary construction noise standard of 75 dBA Leq because the college is zoned for industrial under the North Apple Valley Industrial Specific Plan (NAVISP).

3 A 10 ft high portable temporary construction barrier located near the stationary construction equipment would provide a minimum noise reduction of 10 dBA.

dBA = A-weighted decibels; ft = foot/feet

Leq = equivalent continuous sound level

Where technically and economically feasible, implementation of the noise reduction measure to erect portable temporary construction barriers for stationary construction equipment would be required to reduce stationary construction noise levels so that the Town's stationary noise standard is not exceeded at the closest property lines surrounding the project site. In addition, compliance with the Town's permitted hours of construction and equipping all mobile and stationary internal combustion engine powered equipment or machinery with suitable exhaust and air intake silencers in proper working order pursuant to Section 9.73.060(F) of the Town's Municipal Code would minimize construction noise. Therefore, no noise impacts from project construction activities would occur with the implementation of noise reduction and minimization measures.

Mitigation Measure

MM NOI-1. Noise Barrier. *Prior to the issuance of a grading or building permit, the construction plans shall show details for a minimum 10 feet high portable temporary construction barrier when stationary construction equipment is not shielded by the proposed warehouse building and is located within 120 feet of the project construction boundary. The barrier shall be continuous with no gaps or holes and may be any material that has a minimum Sound Transmission Class (STC) rating of 28.*

Operational Noise Analysis

Long-Term Traffic Noise Impacts

The FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108) (FHWA 1977) was used to evaluate traffic-related noise conditions along roadway segments in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry, to compute typical equivalent noise levels during daytime, evening, and nighttime hours.

The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. Traffic volumes and traffic mix were obtained from the traffic counts and the GTS Cold Storage Project Trip Generation and Vehicle Miles Traveled Memorandum (LSA 2022b). The proposed project would result in a project-related traffic noise increase of up to 3.2 dBA along Navajo Road between Johnson Road and Driveway. Although this noise increase would be barely perceptible, there are no noise-sensitive land uses adjacent to this roadway segment. Therefore, no off-site traffic noise impacts would occur, and no noise reduction measures are required.

Long-Term Stationary-Source Noise Impacts

Truck delivery and truck loading and unloading activities, truck parking activities, fire pump, and heating, ventilation, and air conditioning (HVAC) equipment associated with the project would potentially affect the existing off-site sensitive land uses. The following provides a detailed noise analysis and discussion of each stationary noise source.

Truck Delivery and Truck Loading and Unloading Activities

Truck delivery and truck loading/unloading activities for the proposed project would take place on the eastern side of the proposed warehouse building, These activities would take place both during daytime and nighttime hours. Noise levels generated from these activities include truck movement, docking at loading dock doors, backup alarms, air brakes, idling, and loading and unloading activities. These activities would result in a maximum noise similar to noise readings from truck delivery and truck loading and unloading activities for other projects, which would generate a noise level of 75 dBA Lmax at 50 feet based on measurements conducted by LSA. As a worst-case scenario, truck delivery and truck-unloading activities would generate the maximum noise level for an entire 1-hour period, which would be a noise level of 75 dBA Leq at 50 feet.

The office portion of the proposed warehouse building would be approximately 30 feet high and would shield the college property line to the north and the industrial property line to the south from truck delivery and truck loading/unloading activities. Also, the proposed warehouse building would be approximately 46 feet high and would shield the industrial property to the west from truck delivery and truck loading/unloading activities.

Truck Parking Activities

The project would include surface parking for trucks. Noise generated from parking activities would include noise generated by vehicles traveling at slow speeds, engine start-up noise, car door slams, car horns, car alarms, and tire squeals. In addition, noise generated from truck parking would include backup alarms and air brakes. Representative parking activities would generate approximately 60 to 70 dBA Lmax at 50 feet based on measurements LSA conducted.

It is estimated that there would be parking activities for up to 15 trucks based on the project trip generation from the GTS Cold Storage Project Trip Generation and Vehicle Miles Traveled Memorandum (LSA 2022b). It is estimated that truck parking activities would generate the maximum noise level for a cumulative period of 4 minutes in any hour based on a maximum of 15 trucks in an hour, which would be 58.2 dBA Leq at 50 feet.

The proposed warehouse building would shield the industrial property line to the west from truck parking activities.

Refrigeration Equipment

The proposed Project would include refrigeration equipment that would consist of 26 evaporator coils, 2 gas coolers, and 4 carbon dioxide (CO_2) packages on the rooftop of the proposed warehouse building. The evaporator coils would be within the building's interior and would not generate noise at the exterior of the proposed warehouse building. The gas cooler would generate a noise level of 80 dBA at a distance of 50 feet. The CO_2 package would contain approximately 11 compressors. Each compressor would generate a noise level of 72.9 dBA Leq at a distance of 1.8 meters, which would be equivalent to 63.6 dBA Leq at a distance of 50 feet. A total of 11 compressors would generate a noise level of 74.0 dBA Leq at a distance of 50 feet. The CO_2 package with the 11 compressors would be contained in a metal-insulated enclosure that would provide a minimum noise reduction of 10 dBA.

Fire Pump

The proposed project would include a fire pump, which includes a six-cylinder diesel engine and would be contained in the fire pump building on the eastern side of the proposed warehouse building. The fire pump would only be used during an emergency event and turned on briefly for maintenance and testing. The fire pump would generate a noise level of 109.2 dBA Leq at 3.3 feet. At a distance of 50 feet, noise levels generated from the fire pump would be equivalent to 85.8 dBA Leq. The fire pump building would be constructed of tilt-up concrete with a roof and would provide a minimum interior-to-exterior noise reduction of 25 dBA (FHWA 2011). Although Section 9.73.060(F) of the Town's Municipal Code exempts noise generated from the fire pump during an emergency event, noise levels generated during maintenance and testing would occur during daytime hours and would be required to comply with the Town's noise standard.

Heating, Ventilation, and Air Conditioning Noise

The proposed project would include up to two rooftop HVAC units at the northeast and southeast corners of the building for the office portion of the warehouse (a total of four rooftop HVAC units). The HVAC equipment could operate 24 hours per day. Each rooftop HVAC unit would generate a noise level of 62.4 dBA Leq at a distance of 50 feet. Each group of two HVAC units operating simultaneously at each location would generate a noise level of 65.4 dBA Leq at a distance of 50 feet.

Stationary-Source Noise Impacts Summary

The combined stationary-source noise level at the property line of the college would be 62.2 dBA Lmax (64.0 dBA Leq). At the property line of the industrial uses to the east, south and west, the combined stationary-source noise levels would be 64.9 dBA Lmax (64.0 dBA Leq), 59.1 dBA Lmax (62.2 dBA Leq), and 43.5 dBA Lmax (62.5 dBA Leq), respectively. Noise levels at the property line of the college and industrial uses to the east, south, and west would not exceed the Town's daytime and nighttime noise standard of 75 dBA and 70 dBA, respectively. The college was evaluated using the Town's noise standard for industrial uses because the college is zoned for industrial under the NAVISP. In addition, the project would not affect the college during nighttime hours because the college would not operate during nighttime hours. Therefore, no noise impacts from project operations would occur. No noise reduction measures are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of excessive ground borne vibration or groundborne noise levels?			✓	

Impact Analysis

Groundborne vibration levels from automobile traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. The Project does not involve the use of heavy trucks, so vehicle traffic generated by the Project will not generate excessive ground borne vibration.

According to the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018,[29] while ground vibrations from construction activities do not often reach the levels that can damage structures, construction vibration may result in building damage or prolonged annoyance from activities such as blasting, piledriving, vibratory compaction, demolition, and drilling or excavation near sensitive structures. The Project does not require these types of construction activities.

29 https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

The Project site is approximately one-quarter miles northwest of the Apple Valley Airport. According to San Bernardino Countywide Plan Policy Map HZ-9, Airport Safety and Planning Areas, the Project site is not located within an area exposed to excessive noise levels.[30]

30 https://cms.sbcounty.gov/lus/Planning/AirportLandUse.aspx, accessed on June 18, 2022.

4.12 Population and Housing

	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)?			✓	

Impact Analysis

Population Growth

The Town of Apple Valley is in the Victor Valley region of San Bernardino County. Neighboring jurisdictions include the cities of Victorville, Hesperia, and Adelanto. Between 2000 and 2010, the Apple Valley population increased 27.5%, from 54,239 to 69,135. Between 2010 and 2018, it increased 4.7% to 72,359. The percentage increase during this period was comparable to those of neighboring cities and the County as a whole, which ranged between 3.8% and 5.2%. The Southern California Association of Governments (SCAG) prepares population forecasts for jurisdictions within its coverage area as part of future growth policies and programs. SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) projects the Apple Valley population will reach 101,400 in 2045.[31] The Project does not include the construction of new homes and would not increase the residential population in the Town of Apple Valley.

The Project proposes construction of a 385,004-square-foot cold storage warehouse building. The facility will service local markets for anyone that is looking to transport their cold goods to increase productivity and decrease production time. The proposed operating hours are seven days a week from 5:00 a.m. to 7:00 p.m., while operating two shifts. This business will create employment opportunities such as general office, drivers, dispatchers, sales personnel, and maintenance. The Specific Plan assumed that industrial lands would generate one job per 1,250 square feet.[32] Based on this ratio, the Project would result in 308 jobs. According to the Town's General Plan Housing Element, 16.6% of the Town's population works in Apple Valley. The remaining 83% work elsewhere, which could suggest a jobs-housing imbalance within the Town limits.[33] As such, it is expected that the jobs created by the Project would be sourced from the local workforce and would not require people to relocate from surrounding communities. Therefore, the Project is not expected to contribute to direct unplanned growth in the Town of Apple Valley. Additionally, the Project would generate temporary construction jobs. It is expected that these would be sourced from the local workforce and would not require people to relocate from surrounding communities.

31 Town of Apple Valley, Adopted Housing Element Update, Revised November 21, 2022, p. 17-18. https://www.applevalley.org/home/showpublisheddocument/32796/638052460500930000

32 North Apple Valley Industrial Specific Plan/Environmental Impact Report Section III. Existing Conditions, Project Impacts and Mitigation Measures (Certified: October 10, 2006), p III-162.

33 Town of Apple Valley, Adopted Housing Element Update, Revised November 21, 2022, p. 22. https://www.applevalley.org/home/showpublisheddocument/32796/638052460500930000

Infrastructure Extensions

Although the Project site is in a relatively undeveloped area, it is adjacent to an existing development. The Project would connect to the existing infrastructure located in Lafayette Street and Navajo Road adjacent to the Project site. No additional infrastructure will be needed to serve the Project other than to connect to infrastructure near the site. Based on the above discussion, the Project would not induce substantial unplanned population growth in area, either directly or indirectly. This impact would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Impact Analysis

The Project site consists of undeveloped vacant land. Therefore, implementation of the Project would not displace a substantial number of existing housing, nor would it necessitate the construction of replacement housing elsewhere.

4.13 Public Services

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

Impact Analysis

Fire Protection

The Apple Valley Fire Protection District (AVFPD) provides fire protection and prevention and emergency services to the Town and the Project site. The AVFPD is an independent district that encompasses a total of ±206 square miles serving the Town as well as unincorporated areas of San Bernardino County.[34] The AVFPD extends from Mojave River on the western boundary to Lucerne Valley in the east.[35] The District's desired ratio for full-time fire personnel to population is approximately 1 firefighter for every 1,500 persons within the service area.

Development of the proposed industrial facility may incrementally increase the demand for fire protection services but not to the degree that the existing fire stations could not meet demand because fire hazards are continuously monitored and investigated by AVFPD through their ongoing programs. The fire stations nearest to the Project site are AVFPD Station 334 at 12143 Kiowa Road and Station 337 at 19305 Jess Ranch Parkway. These fire stations have an average response time of 6 minutes 25 seconds within the Town, ensuring quick access to fire services in emergencies. Additionally, the AVFPD maintains a mutual aid agreement with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management, which allows nearby fire departments to assist the Town during major emergencies.

Project design features incorporated into the structural design and layout of the proposed development would keep service demand increases to a minimum. For example, the Town and AVFPD will coordinate closely to enforce fire codes and other applicable standards and regulations as part of building plan

34 Apple Valley Fire Protection District, Special Districts. https://avfpd.org/special-districts/.
35 Apple Valley Fire Protection District, Special Districts. https://avfpd.org/special-districts/.

review and conduct building inspections. The AVFPD will continue to review the development process to identify and mitigate any fire hazards and ensure adequate emergency water flow to the proposed development.

The project would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public safety structures such as fire stations and purchasing equipment for new public safety structures. Since the Project would not require provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, no impact would occur, and mitigation is not required.

Police Protection

The Town of Apple Valley contracts with the San Bernardino County Sheriff's Department for law enforcement services within Town limits. The Apple Valley Police Department is in the Apple Valley Civic Center at 14931 Dale Evans Parkway in Apple Valley. Implementation of the Project would incrementally increase the demand for police services; however, the Project could operate 24 hours per day, which would help reduce the overall potential for crime on the site. The project site would be equipped with formal surveillance through the use of closed-circuit television, electronic monitoring, and potentially security patrols, as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants.

The Town monitors staffing levels to ensure that adequate police protection and response times continue to be provided as individual development projects are proposed and on an annual basis as part of the Town Council's budgeting process. Currently, the staffing at the Apple Valley Police Department consists of 49 sworn personnel and 14 civilian/general employees, 6 of whom are qualified to perform non-suspect-involved crimes or calls for service. The Department has set a target ratio of 1 deputy per 1,500 residents.[36] Additionally, the proposed development would be reviewed by the Department to ensure provision of adequate police protection and compliance with established Sheriff's Department standards. The Town would also continue to monitor population levels and Sheriff's Department staffing levels to ensure that sufficient levels of police protection are provided. The continual monitoring of police staffing levels by the Town would ensure the Project would not result in a significant reduction in police response times.

Any future construction of new or expansion of existing police protection facilities would be subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated. However, the addition of 49,995 square feet of commercial building constructed in accordance with local policies would not require new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Therefore, no impact would occur, and no mitigation is required.

Schools

The Project does not include housing; therefore, no increase in the number of school-age students is expected. California Government Code (§65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as "Level 1 fees" and are subject to inflation adjustment every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the adoption of Senate

36 Town of Apple Valley, Police Department. https://www.applevalley.org/services/police-department.

Bill 50 and Proposition 1A in 1998, schools meeting certain criteria can now adopt Level 2 and 3 developer fees. The amount of fees that can be charged over the Level 1 amount is determined by the district's total facilities needs and the availability of state matching funds. If there is state facility funding available, districts are able to charge fees equal to 50% of their total facility costs, termed "Level 2" fees. If, however, there are no state funds available, "Level 3" fees may be imposed for the full cost of their facility needs.

Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." The Project Applicant would be required to pay these development fees in accordance with Government Code §65995 and Education Code §17620. Through payment of development fees, no impacts related to school services would occur. Mitigation is not required.

Parks

The proposed Project does not include development of residential units; therefore, there would be no direct increase in population or corresponding demand for park facilities or programs. Project-generated population estimates are based on anticipated employment generation from development of the proposed Project for regional commercial uses.

According to the Apple Valley General Plan, the Town maintains 346.87 acres of developed parkland including seven Mini-Parks, two Neighborhood Parks, three Community Parks and two Special Use Parks.[37] All these recreational amenities collectively would serve the employees and patrons of the Project, which would minimize any significant new increase in utilization of nearby recreational facilities such that it would result in a substantial or accelerated physical deterioration of such facilities. Since the Project would not result in a direct increase in population, Project-related impacts to existing neighborhood and regional parks or other recreational facilities would be less than significant.

Other Public Facilities

The type of use of the proposed Project (i.e., cold storage) does not generate new population, because employees and patrons are expected to reside in Apple Valley and vicinity. Also, the project is consistent with the Town's Land Use and Zoning designations, so the proposed development would not cause an unanticipated increase in population that would require access to public facilities, including Town's libraries (Newton T. Bass Apple Valley Library located adjacent to Town Hall off of Dale Evans Parkway).[38] Even if employees of the proposed Project (up to 72 employees) would require access to public facilities, the projected increase in population (through employment generation) would be consistent with planned population growth in Town, as detailed in Section 4.10 (Land Use and Planning) and Section 4.12 (Population and Housing) above and is not expected to require construction or expansion of any public facilities, including libraries. Payment of required fees, taxes, and other DIFs (district improvement financing) by the Project Applicant would sufficiently offset any incremental increase in demand for governmental services. No impact would occur, and no mitigation is required.

37 Town of Apple Valley, Parks & Facilities. https://www.applevalley.org/services/parks-recreation/parks-facilities-golf-course/parks-facilities

38 San Bernardino County Library, Apple Valley Newton T. Bass Branch Library. https://sbclib.org/library-locations/apple-valley-newton-t-bass-branch-library/

4.14 Transportation

	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?			✓	

Impact Analysis

A significant impact would occur if the development of the Project would conflict with programs, plans, or ordinances that support transit services, bicycle lanes, sidewalks, and trails.

Future street improvements that are programmed to implement the updated circulation network plan will be designed in accordance with all applicable engineering standards relating to vehicle traffic, bicycles, pedestrian safety, line of site, and other design criteria. Impacts will be less than significant.

The Project would construct the following circulation system improvements:

Roadway Facilities

For CEQA purposes, roadway facilities are viewed in the context of how they reduce the amount of vehicle miles traveled and promote the use of other non-motorized modes of travel such as transit, bicycle, and pedestrian. The proposed roadway improvements will promote a reduction in VMT by constructing sidewalks to facilitate pedestrians and by improving roadway to allow access for transit service.

Bicycle and Pedestrian Facilities

There are no bicycle or pedestrian projects proposed adjacent to the Project site. Thus, the Project would not interfere with proposed bicycle and pedestrian facilities planned elsewhere in the Town of Apple Valley. However, the Project would construct streets that meet Town standards and would provide sidewalks and pavement that would accommodate bicycle travel.

Public Transit Facilities

Public transportation services within the Town of Apple Valley and near the proposed Project are provided by the Victor Valley Transit Authority (VVTA). The closest connection points to the VVTA system are Route 40, which covers North Apple Valley. The Project is not proposing any improvements that would conflict with Route 40, or any future transit route in the area.

Conclusion

As detailed above, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓	

Impact Analysis

On December 28, 2018, the California Office of Administrative Law cleared the revised California Environmental Quality Act (CEQA) guidelines for use. Among the changes to the guidelines was removal of vehicle delay and level of service from consideration under CEQA. With the adopted guidelines, transportation impacts are to be evaluated using the metric of VMT. The Town adopted its Resolution No. 2021 08 on May 11, 2021. The resolution contains the VMT analysis methodologies for non-screened development. Additionally, the Town recommended using the screening criterion from the County's TIS (Transportation Impact Study) Guideline to determine whether a project could be screened out from a detailed VMT analysis.

Project Screening Determination

The County's TIS Guidelines provides multiple screening criteria for land use projects. The project was compared with the screening criteria established in Section 4.1, Analysis Methodology, of the TIS Guidelines to check if the project can be screened out. Following is a brief description about the project in relation with the project screening criteria:

- Local Serving Projects: The County's TIS Guidelines includes a list of local serving land uses including K-12 schools, local serving retail (less than 50,000 square feet), local serving gas stations, daycare centers, banks, among others that are presumed to have less than significant VMT impact. Based on the project land use, it does not satisfy this screening criteria.
- Small Project/Low Trip Generator: The County's TIS Guidelines identifies that projects that are estimated to generate up to 110 daily trips, including 63,000 square feet of warehousing and 79,000 square feet of high cube transload and short-term storage warehouse is estimated to have minimal effect on regional VMT and could be screened out. Based on the project area and daily trip generation the project does not satisfy this screening criteria.
- Transit Priority Area (TPA) Screening: The project is not located within a TPA. Therefore, this screening criteria does not apply to the project.
- Low VMT Area Screening: The TIA Guidelines recommends examining the project location within the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool. Based on information obtained from the SBCTA VMT screening tool, the project is not located within a low VMT area. Therefore, this screening criteria does not apply to the project. As such, the project could not be screened out of VMT analysis. Therefore, a detailed VMT analysis was conducted to assess the project's VMT impact.

VMT Analysis

The detailed VMT analysis was conducted using the San Bernardino Traffic Analysis Model (SBTAM). Additionally, as recommended in the Town's VMT resolution, VMT per service population (population + employment) metric was used for this analysis. As included in the Town's VMT resolution, project-generated VMT impact needs to be evaluated by comparing both baseline and cumulative project-generated VMT per service population with the Town's General Plan Buildout VMT per service population. The Town's General Plan Buildout scenario VMT per service population data was obtained from the SBCTA VMT screening tool.

Project's effect on VMT needs to be determined by comparing the citywide VMT per service population for baseline and Cumulative Plus Project scenario with corresponding No Project scenario metric. The following is a detailed description of the VMT analysis.

Project Traffic Analysis Zone Update

The first step in preparation of this analysis was to update the traffic analysis zone (TAZ) in the model that includes the Project area. Because SBTAM does not allow addition of new TAZs, non-project-related land use for the project location TAZ was moved to an adjacent TAZ and the project land use was added in this TAZ. The project TAZ was utilized to calculate Project-specific VMT per service population. Project land uses were converted into model socioeconomic data using appropriate regional factors.

A similar approach was used for cumulative year. It should be noted that the Project land use was included in the model as an additional land use and no shifting of land use/socioeconomic data from the parent TAZ was applied. Therefore, the cumulative VMT analysis can be considered as a conservative estimate.

Model Runs and Project VMT Estimation

Model runs were conducted for this update with project model scenarios after incorporating the project land use as described above. Project VMT was estimated from SBTAM model runs using origin-destination trip matrices and by multiplying them with the final assignment skim matrices. The extracted project VMT was divided by the estimated project service population to develop the project VMT per service population for both scenarios.

Project VMT Impact

Table 4.14-1 summarizes the Town's significant threshold and project VMT per service population for the base year. As shown in Table 4.14-1, the project's VMT per service population is 5.7% lower than the Town's threshold. Therefore, based on the Town's VMT resolution, the Project will not have a significant VMT impact for the base year.

Table 4.14-1 Threshold and Base Year Project VMT per Service Population

Town Threshold*	Project	Difference	Percentage Difference	Significant Impact
33.2	31.3	(1.9)	(5.7%)	No

*Estimated using "No project" SBTAM Future year (2040) model runs

The table below summarizes the significant threshold and the project VMT per service population for the cumulative year. As shown in Table 4.14-2, the project's cumulative year VMT per service population is 0.2% lower than the Town's threshold. Therefore, as stated in the Town's VMT resolution, the project will not have a significant VMT impact for the cumulative year.

Table 4.14-2 Threshold and Cumulative Year Project VMT per Service Population

Town Threshold*	Project	Difference	Percentage Difference	Significant Impact
33.2	33.1	(0.1)	(0.2%)	No

*Estimated using "No project" SBTAM Future year (2040) model runs

Project's Effect on VMT

Table 4.14-3 summarizes the base year No Project and With Project townwide roadway VMT per service population. As shown in Table 4.14-3, the With Project townwide roadway VMT per service population remains unchanged compared to the No Project metric. As such, the Project's effect on VMT for the base year is less than significant.

Table 4.14-3 Base Year (2016) Townwide Roadway VMT per Service Population

	No Project	With Project	Difference	Percentage Difference
Town of Apple Valley*	9.3	9.3	0.0	0.0%

*Estimated using SBTAM model

The table below summarizes the corresponding values for cumulative year. As shown in Table 4.14-3, the With Project townwide roadway VMT per service population remains unchanged compared to the No Project metric. As such, the project's effect on VMT for the cumulative year is less than significant.

Table 4.14-4 Cumulative Year (2040) Townwide Roadway VMT per Service Population

	No Project	With Project	Difference	Percentage Difference
Town of Apple Valley*	10.7	10.7	0.0	0.0%

*Estimated using SBTAM model

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	

Impact Analysis

There are no proposed roadway improvements. In addition, the Project is located in an area planned for industrial uses. As such, the Project would not be incompatible with existing development in the

surrounding area to the extent that it would create a transportation hazard because of an incompatible use.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?			✓	

Impact Analysis

Emergency access would be available from these existing streets connecting to the Town's wide circulation system. During the preliminary review of the Project, the Project's transportation design was reviewed by the Town's Engineering Department, the Fire Department, and the Sheriff's Department to ensure that adequate access to and from the site would be provided for emergency vehicles.

4.15 Tribal Cultural Resources

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

Impact Analysis

§21074 of the Public Resources Code describes Tribal Cultural Resources as follows:

(a) "Tribal cultural resources" are either of the following:
  (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  (2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Register of Historical Resources/Local Register of Historical Resources

A historical resource or archaeological resource may also be a tribal cultural resource if it conforms with the criteria described in Public Resources §21084 (a) above. As discussed in Section 4.4, Cultural Resources, based on a records search and a pedestrian field survey, no historic or archaeological resources eligible for listing on the California Register of Historical Resources or a local register were

encountered on the surface of the Project site. However, grading, utility trenching, and the construction of the water quality basin have the potential to reveal buried deposits below the surface. Therefore, Mitigation Measure MM CUL-1 under Section 4.4, Cultural Resources, shall apply. These measures require that the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the discovery, to provide Tribal input with regards to significance and treatment. In addition, if significant pre-contact cultural resources, as defined by CEQA, are discovered, and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment.

Impact Analysis

Assembly Bill (AB) 52

The Legislature added requirements regarding tribal cultural resources for CEQA in Assembly Bill 52 (AB 52) that took effect July 1, 2015. AB 52 requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a Proposed Project. The Town commenced the AB 52 process by sending out consultation invitation letters to the tribes who previously requested notification pursuant to Public Resources Code §21080.3.1.

Under AB 52, the Town consults with those tribes that have requested to be contacted for consultation. The Town has four such requests on file from the Cabazon Band of Mission Indians, the Cahuilla Band of Indians, Yuhaaviatam of San Manuel Nation, and the Twenty-nine Palms Band of Mission Indians. Consultation requests were sent to all four tribes on the Town's AB52 Notification List, along with a copy of the Project cultural resources report.

The only tribe who requested consultation was the Yuhaaviatam of San Manuel Nation who indicated that the proposed Project is near known prehistoric tribally affiliated sites and the development will exclusively be conducted on undisturbed native soil. Because of this, they requested that tribal monitoring measures be attached to the final mitigation measures of the Project. Therefore, the following mitigation measures (MM) are recommended.

MM TCR-1. Tribal Monitoring. *Due to the heightened cultural sensitivity of the proposed project area, Tribal monitors representing the Yuhaaviatam of San Manuel Nation (YSMN) shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural*

Resources") shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the YSMN Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

MM TCR-2. Treatment of Cultural Resources. *If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied in situ. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the YSMN, the archaeologist/ applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance (or other appropriate treatment) of the discovered resource, and the potential need for construction monitoring during project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by YSMN All plans for analysis shall be reviewed and approved by the applicant and YSMN prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).*

If avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 California Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and YSMN for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and YSMN.

MM TCR-3. Inadvertent Discoveries of Human Remains/Funerary Objects. *In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify YSMN, the applicant/ developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code §7050.5(c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code §5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code §5097.98.*

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code §5097.98(a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code §6254(r).

With implementation of **MM TCR-1** through **MM TCR-3**, impacts would be less than significant.

4.16 Utilities and Service Systems

	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?		✓		

Impact Analysis

The Project would require new construction of new utility infrastructure as described below.

Water Service

The Project will connect to the existing 12-inch water line in Lafayette Street and Navajo Road adjacent to the site.

Sewer Service

The Project will connect to the 8-inch sewer line within the right-of-way of Lafayette Street along the site frontage.

Storm Drainage Improvements

In the proposed condition, the runoff will sheet flow to catch basins at various locations on site. The increase in peak flow and runoff volume due to the proposed development will be mitigated on site to reduce the discharge to 90% of the pre-development conditions. Runoff from the site to the street shall be routed through a 6-foot-wide parkway located along Lafayette Street near the southwest corner of the site.

Electric Power Facilities

The Project will connect to the existing Southern California Edison electrical distribution facilities available in the vicinity of the Project site.

Natural Gas Facilities

The Project will connect to the existing Southwest Gas Corporation natural gas distribution facilities available in the vicinity of the Project site.

Telecommunication Facilities

Telecommunication facilities include a fixed, mobile, or transportable structure, including, all installed electrical and electronic wiring, cabling, and equipment, all supporting structures, such as utility, ground network, and electrical supporting structures, and a transmission pathway and associated equipment to provide cable TV, internet, telephone, and wireless telephone services to the Project site. Services that

are not provided via satellite will connect to existing facilities maintained by the various service providers.

Conclusion

Construction or installation of utilities and service systems may impact Biological Resources, Cultural Resources, Paleontological Resources, and Tribal Cultural Resources. Mitigation Measures BIO-1 through BIO-12, CUL-1 and CUL-2, and TCR-1 through TCR-3 are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple years?			✓	

Impact Analysis

The AVRWC is one of ten retail water purveyors under the administration of the MWA that provides domestic water services to most of the Town of Apple Valley, including to the Project site. The AVRWC supplies water to its customers from local groundwater, which is replenished by MWA imported water. Since 2000, per capita water use has dropped by about 45 percent and is projected to continue to decrease in the future, albeit at a slower rate, due to active water savings, such as the 2014 State mandate for mandatory conservation, and passive water savings, such as building code requirements to utilize low-flow fixtures in indoor plumbing. MWA's estimated per capita water use since the year 2000 has dropped from approximately 342 to 189 gallons per day in the year 2015.

Project-generated population estimates are based on anticipated employment generation from development of the proposed Project for retail uses.

As detailed in Table ES-3 of the 2015 Urban Water Management Plan for Mojave Water Agency, existing and projected water supplies for MWA's service territory, including the Project site served by the AVRWC, are adequate to meet demand through year 2040, and an extended projection indicates existing and planned supplies are sufficient to meet projected demands until 2055.124 To ensure reliability during single-dry and multiple-dry years, the MWA imports water through the [California] State Water Project. According to the 2015 Urban Water Management Plan for Mojave Water Agency, the MWA has adequate supplies to meet demands during average, single-dry, and multiple-dry years throughout the Plan's 25-year planning period.

Since the proposed Project is consistent with the planned land use and zoning designations of the site, the general water demand from the proposed development was anticipated in the projections presented in the 2015 Urban Water Management Plan for Mojave Water Agency. Therefore, the amount of water available for the Project is sufficient for normal, single-dry, and multiple-dry years. Since planned supplies are sufficient, impacts would be less than significant, and mitigation is not required.

Conclusion

Based on the analysis above, the Project's water demand can be accommodated by the AVRWC during normal, dry, and multiple years.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

The Project site is within the Town of Apple Valley which owns, operates, and maintains local wastewater collection system. Currently, the Town has force main lines and gravity sewer lines that connect to regional intercept lines and convey wastewater to a wastewater treatment plant operated by the Victor Valley Wastewater Reclamation Authority (VVWRA) in Victorville. These regional intercept lines are owned and maintained by VVWRA and are located along Dale Evans parkway, trending southeasterly along Stoddard Wells Road to Victorville, as well as well as from Nanticoke Road along Standing Rock Avenue and then along Highway 18 to the Town's western boundary. Operational discharge flows treated by the VVWRA would be required to comply with waste discharge requirements for that facility. VVWRA serves an area of the Mojave Desert made up of nearly 400,000 residents. The plant has a capacity of 18 million gallons per day (MGD) and averages treatment of 13 million gallons of water on a daily basis. In the event that VVWRA is unable to meet the projected water demand, Apple Valley Subregional Water Reclamation Plant (AVSWRP) and Hesperia Subregional Water Reclamation Plant (HSWRP) would be able to supplement capacity.

Apple Valley's average wastewater flow is 100 gallons per person per day. Under a worst-case scenario where the Project site would be occupied 24 hours per day, the Project would generate 7,200 gallons of wastewater per day or 2.628 million gallons of wastewater per year. The Project's estimated wastewater treatment demand represents 0.04 percent of VVWRA's current daily surplus capacity.[39] As sufficient surplus treatment capacity is available, impacts would be less than significant, and mitigation is not required.

39 Victor Valley Wastewater Reclamation Authority, Wastewater Rate Study and Connection Fee Update. https://www.vvwra.com/home/showpublisheddocument/110/637694908398370000

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Generate solid waste more than State or local standards, or more than the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	

Impact Analysis

Solid waste collection is a "demand-responsive" service, and current service levels can be expanded and funded through user fees. Solid waste from the proposed Project would be hauled by Burrtec Waste Industries, Inc. and transferred to the Victor Valley Materials Recycling Facility (MRF)/Transfer Station. From the MRF, the non-recyclable material would be transferred to regional landfills as available. Solid waste generated by the proposed on-site uses would be collected and processed by Burrtec, after which non-recyclable material would be sent to Victorville Landfill. Victorville Landfill has an average daily throughput of 900 tons per day with a remaining capacity of 82 million cubic yards.

The Victorville Landfill has adequate capacity to serve the proposed Project. As adequate daily surplus capacity exists at the receiving landfill, and the Project would comply with local and State waste reduction strategies, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Impacts would be less than significant, and mitigation is not required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Impact Analysis

The Project operator is required to coordinate with Burrtec Waste Industries, Inc., which would collect solid waste from the site and transfer the solid waste to the MRF. The MRF would sort the solid waste into recyclable and non-recyclable waste and would transfer the nonrecyclable waste to Mid-Valley Landfill for disposal. All development within the Town, including the proposed Project, is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other local, State, and federal solid waste disposal standards. For example, the California Mandatory Commercial Recycling Law (Assembly Bill 341) requires any business that generates more than 4 cubic yards of commercial solid waste per week to arrange for recycling services.

Through compliance with mandatory solid waste disposal standards, the proposed Project would not conflict with applicable federal, state, and local statutes and regulations related to solid waste. Impacts would be less than significant, and mitigation is not required.

4.17 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		

As indicated in this Initial Study, Biological Resources, Cultural Resources, Soils and Geology, and Tribal Cultural Resources may be adversely impacted by Project development. The following mitigation measures are required to reduce impacts to less than significant levels:

- BIO-1: Western Joshua Tree Incidental Take Permit
- BIO-2: Burrowing Owl Pre-Construction Survey
- BIO-3: Burrowing Owl Avoidance/Relocation
- BIO-4: Mojave Ground Squirrel Pre-Construction Survey
- BIO-5: Desert Tortoise Pre-Construction Survey
- BIO-6: Worker Environmental Awareness Training
- BIO-7: Deceased or Injured Tortoise Within the Project Site
- BIO-8: Species Avoidance
- BIO-9: Nesting Bird Pre-Construction Survey
- BIO-10. Clean Water Act Section 401 and 404 Permits.
- BIO-11. California Fish and Game Code Section 1602 Permit.
- BIO-12. Pre-construction Rare Plant Clearance Survey.
- CUL-1: Resource Discovery
- CUL-2: Monitoring and Treatment Plan
- NOI-1: Noise Barrier

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?		✓		

The cumulative impacts analysis provided here is consistent with §15130(a) of the CEQA Guidelines in which the analysis of the cumulative effects of a project is based on two determinations: Is the combined impact of this project and other projects significant? If so, is the project's incremental effect cumulatively considerable, causing the combined impact of the projects evaluated to become significant? The cumulative impact must be analyzed only if the combined impact is significant, and the project's incremental effect is found to be cumulatively considerable (CEQA Guidelines §15130(a)(2) and (3)).

The analysis of potential environmental impacts in Section 4.0, Environmental Analysis, of this Initial Study concluded that the Project would have no impact or a less than significant impact for all environmental topics, apart from Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), Tribal Cultural Resources, and Utilities and Service Systems (installation of facilities that involves disturbance of previously undisturbed land). For these resources, Mitigation Measures are required to reduce impacts to less than significant levels as discussed below.

Biological Resources

As discussed in Section 4.3, Biological Resources, of this Initial Study, 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. Wildlife will also be impacted by development activities and those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. More mobile species (i.e., birds, and large mammals) will be displaced into adjacent areas and will likely experience minimal impacts.

As shown in Figure 4.3.1, Location of Joshua Trees, preservation or relocation on-site is not a viable option and would essentially prevent the development of the site as envisioned under the Apple Valley General Plan. Therefore, MM BIO-1 is recommended.

Although wildlife 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 were not detected, the project site is located within the range of the Burrowing Owl, Mojave Ground Squirrel, Desert Tortoise, and Nesting Birds. Therefore, Mitigation Measures MM BIO-2 through BIO-9 are included to ensure any impacts are less than significant to these species.

As discussed in Section 4.3, Biological Resources, the natural drainage courses that bisect the project site are impacted by development. Therefore, Mitigation Measures BIO-10, Clean Water Act Section 401 and 404 Permits, and BIO-11, California Fish and Game Code Section 1602 Permit are required. As discussed in Section 4.3, Biological Resources, rare plants may be impacted. Therefore, MM BIO-12, Pre-Construction Rare Plant Survey is required.

Overall, the loss of about 18.7 acres of disturbed desert vegetation is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitats throughout the surrounding desert region. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable with implementation of the above described mitigation measures.

Cultural Resources

As discussed in Section 4.4, Cultural Resources, of this Initial Study, the records search and field survey did not identify any historical resources or unique archaeological resources within the Project site boundaries. Research results, combined with surface conditions have failed to indicate sensitivity for buried cultural resources. No additional cultural resources work, or monitoring is necessary during the proposed activities associated with the development of the earthmoving activities. If previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation, if necessary, as required by Mitigation Measures CUL-1 through CUL-2. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Noise

As discussed in Section 4.11, Noise, of this Initial Study, construction noise levels may temporarily exceed the Town of Apple Valley's noise threshold. This requires the introduction of MM NOI-1, where prior to the issuance of a grading or building permit, there is an allowance for a 10-foot-high portable temporary construction barrier. This can help to dampen any excess noise coming from the construction site.

Tribal Cultural Resources

As discussed in Section 4.15, Tribal Cultural Resources, of this Initial Study, the construction and operation of the Project could potentially impact tribal cultural resources. Pending results of the AB 52 tribal consultation process, Mitigation Measure TCR-1 is required. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Utilities and Service Systems

As discussed in Section 4.16, Utilities and Service Systems, of this Initial Study, the installation and construction of the sewer, water, and storm drainage facilities described below will result in earth moving that may impact Biological Resources, Cultural Resources, and Tribal Cultural Resources. Potential impacts to these resources are mitigated by Mitigation Measures BIO-1 through BIO-12, CUL-1 through CUL-2, and TCR-1. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

As indicated by this Initial Study, the Project will not result in potentially significant environmental impacts that directly affect human beings (i.e., Air Quality, Agriculture and Forestry Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Recreation, Transportation, and Utilities and Service Systems.