Apple Valley 84

Town of Apple Valley, California



Public Review Draft Environmental Impact Report
SCH No. 2025100104

Lead Agency
Town of Apple Valley
14955 Dale Evans Pkwy
Apple Valley, CA 92307

Town of Apple Valley

January 2026

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Lead Agency
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Lead Agency Discretionary Permits
Development Permit – Major Project
General Plan Amendment
Zone Change
Development Code Amendment
Vesting Tentative Tract Map

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S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

As stated by California Environmental Quality Act (CEQA) Guidelines §15002, the basic purpose of CEQA is to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities involving discretionary government actions (including the approval of development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

An Environmental Impact Report (EIR) is an informational document prepared in compliance with CEQA that informs government decision-makers and the public in general about potentially significant environmental impacts that could result from a project. This EIR represents the independent judgment of the Town of Apple Valley (as the CEQA Lead Agency) and presents an objective evaluation of the physical environmental effects that could result from constructing and operating the proposed Apple Valley 84 Project (the "Project").

Hereafter when the term "Project" is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the Apple Valley 84's planning, construction, and operation; and all associated discretionary and administrative approvals and permits required by law of public agencies. When the term "Project Applicant" is used with the initial letters capitalized, the term shall mean Covington Development Partners, which is the entity that submitted applications to the Town of Apple Valley to entitle the Project site as proposed and as evaluated in this EIR.

Governmental approvals requested from the Town of Apple Valley by the Project Applicant to implement the Project include General Plan Amendment (GPA) 2024-001, Zone Change (ZC) 2024-007, Development Code Amendment (DCA) 2025-003, Development Permit – Major Project 2025-013, Vesting Tentative Parcel Map No. 21034, and Development Agreement. All other related discretionary and administrative actions that are required of the Town of Apple Valley and other public agencies and entities to construct and operate the Project described in this EIR also are

considered part of the Project. Approvals and permits required of other agencies that are currently known to be needed to implement the Project are listed in Section 3.0, *Project Description*.

The Town of Apple Valley has determined that an EIR is required for this Project. Pursuant to CEQA Guidelines § 15063(a), when a lead agency can determine that an EIR will be required for a project, an Initial Study is not required. An Initial Study was not prepared for this Project, however, the Town has determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by CEQA Guidelines §15161, is required. As stated in CEQA Guidelines §15161, a Project EIR should "…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation."

Accordingly, and in conformance with CEQA Guidelines §15121(a), the purpose of this EIR is to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

S.2 PROPOSED PROJECT

S.2.1 LOCATION AND SETTING

The approximately 92.73-acre site is located in the Town of Apple Valley, San Bernardino County, California. The Town of Apple Valley is within the Victor Valley Area of San Bernardino County and is situated northeast of the City of Hesperia, east of the City of Victorville, and west and south of unincorporated San Bernardino County. The Project site is located approximately 0.55 miles east of Interstate 15 (I-15) and approximately 4.0 miles north of State Route 18 (SR-18). Regional access to the Project site is provided via I-15 and SR-18.

At the local scale, the Project is primarily bounded by Johnson Road to the north, Stoddard Wells Road to the south, and vacant land to the east and west (see Figure 2-2, *Vicinity Map,* and Figure 2-3, *Aerial Photograph*). The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01). Under existing conditions, the Project site is vacant and undeveloped. The concrete foundation of a removed structure is located on the southerly part of the site, approximately 75 feet north of Stoddard Wells Road. Refer to EIR Section 2.0, *Environmental Setting*, for more information related to the regional and local setting of the Project site.

S.2.2 PROJECT OBJECTIVES

The underlying purpose and goal of the Apple Valley 84 Project is to develop modern industrial uses in the Town of Apple Valley in close proximity to the State highway system in order to increase

employment opportunities and improve the Town's economic competitiveness. The Project would achieve its underlying purpose and goal through the following objectives.

A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.

B. To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.

C. To attract new businesses to the Town of Apple Valley and thereby provide a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

D. To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.

E. To develop a Class A speculative industrial building in the Town of Apple Valley that is designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.

F. To develop an industrial building in close proximity to the I-15 and SR-18 freeways that can be used as part of the southern California goods movement network.

S.2.3 PROJECT DESCRIPTION SUMMARY

The Project proposes the construction and operation of one industrial building totaling approximately 1,381,412 square feet (sf), including 30,000 sf of office space. Due to the speculative nature of the Project, cold storage has been assumed to account for potential future tenant needs. For the purposes of the analyses contained in this EIR, the Project mix assumes 10% general light industrial, 15% high-cube cold storage warehouse use, and 75% high-cube fulfillment (non-sort) center warehousing use. The Project includes a total of 528 parking stalls, including 10 Americans with Disabilities Act (ADA) accessible stalls,2 ADA accessible van stalls, 22 electric vehicle supply equipment (EVSE) stalls, 2 EVSE ADA accessible stalls, 2 EVSE accessible van stalls, 1 EVSE ambulatory stall, and 79 electric vehicle (EV) capable stalls. Additionally, the Project provides 898 (12' x 55') trailer parking stalls and 231 dock doors on the north and south building elevations.

Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

S.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

CEQA Guidelines Section 15123(b)(2) requires that areas of controversy known to the Lead Agency be identified in the Executive Summary. The Town of Apple Valley has not identified any areas of controversy associated with the Project after considering all comments received in response to the NOP.

Regarding issues to be resolved, this EIR addresses the environmental issues associated with the Project that are known by the Town, that are identified in the comment letters that the Town received on this EIR's NOP which was circulated for a 30-day public review period beginning on October 2, 2025 (refer to *Technical Appendix A*). Environmental topics raised in written comments to the NOP are summarized in Section 1.0, *Introduction*, Table 1-1, *Summary of NOP Comments*, and include but are not limited to the topics of Air Quality, Cultural Resources, Land Use and Planning, and Tribal Cultural Resources.

S.3.1 PUBLIC SCOPING MEETING

A publicly noticed EIR Scoping Meeting was held on October 8, 2025 from 5:00 p.m. – 6:00 p.m. via virtual meeting participation on Microsoft Teams and at the Town Council Chambers at 14955 Dale Evans Parkway, Apple Valley, CA 92307. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of environmental concerns to be addressed in this EIR.

S.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project or to the location of the Project. Each alternative must be able to feasibly attain most of the Project's objectives and avoid or substantially lessen the Project's significant effects on the environment. A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis. The alternatives considered by this EIR include those listed below.

S.4.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire site would remain as is (vacant, undeveloped land). This alternative was selected by the Town as required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in Draft EIR Section 2.0, *Environmental Setting*).

S.4.2 No Project/Existing General Plan and Zoning Designation Alternative

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing land use and zoning standards for the Project site, specifically the Office Professional (O-P) land use and O-P Zoning designation. This alternative would consider the development of one or more administration/professional office buildings at the Project site, which would contain individual office suites occupied by a range of professional tenants, for a total of 600,000 sf. The remaining areas of the Project site would be developed with parking areas, drive aisles, driveway(s), lighting, utility connections, stormwater treatment and conveyance facilities, and landscaped areas. Under this Alternative, vehicular access to the site would be similar to that which is proposed by the Project.

This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the Project with an alternative that would allow the continuation of uses permitted by the Town's General Plan and Zoning.

S.4.3 Reduced Intensity Alternative

The Reduced Intensity Alternative was selected to reduce impacts associated with GHG and transportation. The Reduced Intensity Alternative would consider development of the Project site with a 15% reduction in building square footage. Under this alternative, a total of 1,174,200 sf of industrial uses would be constructed. This alternative would generate approximately 983 employees using an employment generation rate of 1 employee per 1,195 square feet for warehouse uses, compared to the 1,156 employees that would be generated by the Project. The development impact area would generally remain the same as the Project. Access to the site would be the same with a proportional reduction in the number of parking spaces.

S.5 Summary of Impact, Mitigation, and Levels of Impact

Table S-1, *Summary of Impacts, Mitigation, and Levels of Impact*, presents a summary of the environmental impacts resulting from the Project. The potential direct impacts, indirect impacts, and cumulative impacts for all environmental topic areas are addressed in Section 4.1 through 4.15 of this EIR. Growth-inducing impacts and significant irreversible environmental changes are addressed in Section 5.0, *Other CEQA Considerations*.

S.6 Mitigation Monitoring

State law requires the preparation of a mitigation monitoring and reporting program (MMRP) to ensure that measures that would avoid or lessen significant environmental effects of a project are adopted as conditions of approval for the project. The mitigation measures identified in this EIR have been described in sufficient detail to provide the necessary information to identify the party or parties responsible for carrying out the mitigation, when the mitigation will be implemented, and why

the mitigation has been required. An MMRP would be adopted by the Town at the time of Project approval.

Table S-1 Summary of Impacts, Mitigation, and Levels of Impact

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
4.1 Aesthetics			
Threshold a: Would the Project have a substantial adverse effect on a scenic vista?	Less than Significant Impact	No mitigation is required.	N/A
Threshold b: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation is required.	N/A
Threshold c: In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant Impact	No mitigation is required.	N/A
Threshold d: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Aesthetic Impacts	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
4.2 Air Quality			
Threshold a: Would the Project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	MM 4.2-1 During construction, the construction contractor shall, at the minimum, use "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by Mojave Desert Air Quality Management District's Rule 1113. Super-Compliant low VOC paints shall be no more than 10 grams per liter of VOC or less for all interior and exterior building coatings. Alternatively, the applicant may utilize tilt-up a concrete building that does not require the use of architectural coatings. This mitigation measure shall be noted on construction drawings verified by the Town of Apple Valley prior to issuance of any construction permits and during coating activities.	Less than Significant Impact with Mitigation Incorporated
Threshold b: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Potentially Significant Impact	Mitigation Measure MM 4.2-1 would apply.	Less than Significant Impact with Mitigation Incorporated
Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?	Less than Significant Impact	No mitigation is required.	N/A
Threshold d: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
Cumulative Air Quality Impacts	Potentially Significant Impact	Mitigation Measure MM 4.2-1 would apply.		Less than Significant Impact with Mitigation Incorporated
4.3 Biological Resources				
Threshold a: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact	MM 4.3-1	A 30-day pre-construction survey for Burrowing Owl in compliance with CDFW's Staff Report on Burrowing Owl Mitigation, dated March 7, 2012, shall be conducted prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to safeguard that no owls have colonized the Project site. If Burrowing Owls have colonized the Project site prior to the initiation of ground-disturbing activities, the Project Applicant shall immediately inform the Town of Apple Valley to determine if "take" would occur and coordinate with CDFW to determine minimization and avoidance measures, as needed. If ground-disturbing activities occur, but the Project site is left undisturbed for more than 30 days, another pre-construction survey shall be conducted no less than fourteen (14) days prior to resuming ground-disturbing activities to safeguard that Burrowing Owl has not colonized the Project since it was last disturbed. If Burrowing Owls are found, the same coordination with CDFW in conjunction with the Town of Apple Valley described above shall be required.	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
		MM 4.3-2	Prior to the issuance of grading permits, the Property Owner/Developer shall obtain authorization from CDFW under the Western Joshua Tree Conservation Act (WJTCA) and a native plant removal permit from the Town of Apple Valley for removal of any native desert plant that is protected by the Town of Apple Valley Plant Protection and Management Policy (Chapter 9.76), the County of San Bernardino's Desert Native Plant Protection, the State Desert Native Plants Act (i.e., Food and Agricultural Code 80001 et seq.), and the WJTCA. The Project Applicant shall transplant impacted trees where feasible with priority given to smaller individuals, and provide compensatory mitigation as required (e.g., payment of WJTCA in-lieu fees into the state WJT Conservation Fund and/or purchase of conservation bank credits) at agency-approved ratios. Additionally, the Project Applicant shall avoid impacting clusters of cacti (e.g., silver cholla) where practicable by flagging/fencing them for avoidance. Where avoidance is not feasible, salvage whole cactus plants and/or pads prior to grading, and transplant them into protected open-space areas on the Project site or to an agency-approved off-site receiver location.	
		MM 4.3-3	Prior to construction activities, a qualified Biologist shall develop and implement a worker environmental awareness program (WEAP) to increase the on-site worker's recognition of and	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
			commitment to Burrowing Owl and Western Joshua Tree protection. The training shall occur prior to construction activities and educate workers on sensitive wildlife and native plants that could occur on site, clarify that collection or harm of such resources is strictly prohibited, review all relevant permit conditions (including any issued under the WJTCA), and outline stop-work and notification procedures in the event any protected species (or other unanticipated biological resource) is encountered during work.	
		MM 4.3-4	In order to ensure that construction activities are limited to the Project site boundaries, prior to the issuance of grading permits, a note shall be placed on the grading plan verified by the Town Engineer, which requires delineation of the limits of disturbance. Limits of grading and construction activities shall be clearly delineated with temporary construction staking, flagging, or similar materials. All workers and equipment shall confine activities within these defined limits to avoid inadvertent disturbance outside the approved impact area.	
		MM 4.3-5	Prior to the issuance of grading permits, a note shall be placed on the grading plan verified by the Town Engineer that the limits of disturbance are clear of debris, trash, and food waste that could attract wildlife. Trash shall be secured in containers and removed from the site regularly. To prevent the introduction or spread of invasive	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
			weeds, ensure all construction equipment arrives clean (free of mud or plant debris) and, where feasible, use only weed-free materials (e.g. mulch, fill). Promptly stabilize or re-vegetate any temporarily disturbed soils with native seed or plants per agency-approved plans.	
Threshold b: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	No Impact	No mitigation is required.		N/A
Threshold c: Would the Project have 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?	Potentially Significant Impact	MM 4.3-6	Prior to issuance of grading permits, the Project Applicant shall provide evidence to the Town of Apple Valley that impacts to 2.17 acres of non-riparian ephemeral streambeds that are subject to regulation under California Fish and Game Code Section 1600 and California Water Code Section 13260 have been mitigated through purchase of wetland establishment and or rehabilitation credits from an approved mitigation bank, including but not limited to the Mohave River Watershed Mitigation Bank, at a minimum 1:1 ratio. In addition, prior to issuance of grading permits, the Project Applicant shall provide the Town with evidence of demonstrating compliance with California Fish and Game Code Section 1600 and California Water Code Section 13260, as applicable.	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
Threshold d: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant Impact	MM 4.3-7	In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any necessary vegetation clearing shall take place outside of the typical avian nesting season for protected species (February 1 through August 31). If work must occur during the nesting season for protected avian species, a qualified biologist shall conduct a pre-construction nesting bird survey of the work area and 500-foot buffer not more than 3 days prior to the onset of ground disturbance. If any active nests are found, the biologist shall establish an appropriate no-work buffer around the nest (typically 50–100 ft for songbird nests and 100–300 ft for raptors, adjusted based on species and observed behavior). Construction within the buffer will be deferred until the nest is no longer active (fledged or failed), as confirmed by the biologist.	Less than Significant Impact with Mitigation Incorporated
Threshold e: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially Significant Impact	Mitigation Measure MM 4.3-2 would apply.		Less than Significant Impact with Mitigation Incorporated
Threshold f: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact	No mitigation is required.		N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
Cumulative Biological Resources Impacts	Potentially Significant Impact	Mitigation Measures MM 4.3-1 through MM 4.3-7 would apply/		Less than Significant Impact with Mitigation Incorporated
4.4 Cultural Resources				
Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource in pursuant to § 15064.5?	Potentially Significant Impact	MM 4.4-1	Prior to the issuance of a grading permit, the Project Applicant shall retain a Registered Professional Archaeologist, meeting Secretary of Interior standards, ("Project Archaeologist") subject to the approval of the Town to be on-call during all mass grading and trenching activities. The Project Archaeologist's responsibilities include, but are not limited to, performing the tasks that require the need for a qualified archaeologist pursuant to Mitigation Measures MM 4.4-2 through MM 4.4-3 below. In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and the Project Archaeologist shall be contacted to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, any culturally-affiliated tribes shall be contacted as detailed within Mitigation Measure MM 4.14-1, regarding any pre-contact finds and be provided information after the Project Archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regard to significance and treatment.	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		MM 4.4-2 If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, that includes performance standards identified in Mitigation Measure MM 4.4-3. The drafts of which shall be provided to any consulting tribes for review and comment, as detailed within Mitigation Measure MM 4.14-1. The Monitoring and Treatment Plan shall be subject to final approval by the Town of Apple Valley Planning Department. The Project Archaeologist shall monitor the remainder of the Project and implement the Plan accordingly. MM 4.4-3 In the event that buried archaeological resources/Tribal Cultural Resources are uncovered during the course of ground disturbing activity associated with the Project, all work must be halted in the vicinity of the discovery and the Project Archaeologist shall visit the site of discovery and assess the significance and origin of the archaeological resource in coordination with consulting tribes. The following procedures will be carried out for treatment and disposition of the discoveries: 1) **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		the project archaeologist. The removal of any artifacts from the Project site will need to be thoroughly inventoried with tribal monitor oversite of the process; and 2) **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Town of Apple Valley Planning Department with evidence of same: a) Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. This will require revisions to the grading plan, denoting the location and avoidance of the resource. b) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; location information regarding the reburial location shall be included into the final report. Copies of the report shall be provided to the Town for their records, any consulting tribes, and the South Central Coastal Information Center. c) Curation. A curation agreement with an appropriate qualified repository within San Bernardino County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Bernardino County, to be accompanied by payment of the fees necessary for permanent curation.	
Threshold b: Would the Project cause a substantial adverse change in the	Potentially Significant Impact	Mitigation Measures MM 4.4-1 through MM 4.4-3 would apply.	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
significance of an archaeological resource pursuant to § 15064.5?			
Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Cultural Resources Impacts	Potentially Significant Impact	Mitigation Measures MM 4.4-1 through MM 4.4-3 would apply.	Less than Significant Impact with Mitigation Incorporated
4.5 Energy			
Threshold a: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant Impact	No mitigation is required.	N/A
Threshold b: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Energy Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.6 Geology and Soils			
Threshold a: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; landslides?				
Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact	No mitigation is required.		N/A
Threshold c: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than Significant Impact	No mitigation is required.		N/A
Threshold d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than Significant Impact	No mitigation is required.		N/A
Threshold e: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact	No mitigation is required.		N/A
Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact	MM 4.6-1	Prior to the start of the proposed Project activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, an outline of steps to follow if a fossil discovery is made, and the contact information for the Project paleontologist. The training shall be developed by the Project paleontologist. MM 4.6-2 Prior to the commencement of any ground-disturbing activities, the Project Applicant shall retain both a qualified paleontologist and paleontological monitor to prepare and implement a Paleontological Resource Impact Mitigation Project (PRIMP), which describes monitoring and fossil collection procedures. If a paleontological resource is discovered, the paleontologist or paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project paleontologist shall complete the following: 1) **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor and Project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		determined to be potentially significant, the Project paleontologist (or paleontological monitor) shall recover them following standard field procedures for collecting paleontological resources as outlined in the paleontological mitigation plan for the Project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils, such as complete skeletons or large mammal fossils, require more extensive excavation and longer salvage periods. In the case of discovery of larger fossils, the paleontologist or paleontological monitor shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossils can be removed in a safe and timely manner. Bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) shall be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" in accordance with "Microfossil Salvage" section of the Society of Vertebrate Paleontology	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		guidelines to test the feasibility of the deposit to yield fossil bones and teeth. 2) **Fossil Preparation and Curation.** The paleontological mitigation plan for the Project shall identify the museum that has agreed to accept fossils that may be discovered during Project-related excavations. Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens shall be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 30 days after all laboratory work is completed. The cost of curation shall be assessed by the repository and will be the responsibility of the Project Applicant. 3) **Final Paleontological Mitigation Report.** Upon completion of ground-disturbing activity, and curation of fossils if necessary, the Project paleontologist shall prepare and submit to the Town of Apple	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		Valley a final paleontological mitigation report outlining the results of the mitigation and monitoring program. The report shall include a discussion of the location, duration, and methods of monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils and where fossils were curated.	
Cumulative Geology and Soils Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.7 Greenhouse Gas Emissions			
Threshold a: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	MM 4.7-1 The Project shall implement the following measure in order to reduce operational energy source GHG emissions to the extent feasible: • Commit to on-site solar generation sufficient to meet at least 75% of the Project's total operational energy requirements from within the building envelope. • Install Energy Star-rated heating, cooling, lighting, and appliances. • Provide information on energy efficiency, energy-efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the Project. • Structures shall be equipped with outdoor electric outlets in the front and rear of the	Significant and Unavoidable Impact

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		structures to facilitate use of electrical lawn and garden equipment. MM 4.7-2 In order to reduce the amount of waste disposed at landfills, the Project would implement a 75% waste diversion program. Prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following solid waste reduction measures: • Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available. • Evaluate the potential for onsite composting. MM 4.7-3 To reduce water demands and associated energy use, subsequent development proposals within the Project site would be required to implement a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy). Prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following water conservation measures: • Install low-water use appliances and fixtures.	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		• Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces. • Implement water-sensitive urban design practices in new construction. • Install rainwater collection systems where feasible MM 4.7-4 The Project Applicant or successor in interest shall implement the following measures: • The Project's landscape plan shall incorporate drought-tolerant plants and use water-efficient irrigation techniques. • All appliance fixtures shall be Energy Star-rated. • All fixtures installed in restrooms and employee break areas shall be U.S. Environmental Protection Agency (U.S. EPA) WaterSense certified or equivalent. MM 4.7-5 As a condition of certificates of occupancy, all on-site cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be required to be powered by electricity. MM 4.7-6 **Electrical Infrastructure for Electric Equipment and Vehicles.** The Project shall be designed to include electrical infrastructure to accommodate	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
			the required number of electric vehicle (EV) charging stations, the anticipated number charging stations for electric cargo handling equipment, and the potential installation of additional automobile and truck EV charging stations per Title 24, Part 11: California Green Building Standards Code (CALGreen). Electrical conduit shall be installed within reasonable locations (e.g., parking areas, at or near dock doors) at the time of building construction to satisfy this requirement. The Project's electrical rooms shall be of sufficient size to accommodate the upsizing of electrical equipment to accommodate potential future electrical loads.	
		MM 4.7-7	**EV Charging Stations.** Prior to issuance of a Certificate of Occupancy, Level 2 (or faster) EV charging stations shall be installed on-site for employees for the percentage of employee parking spaces commensurate with CALGreen requirements in effect at the time of building permit issuance plus additional charging stations equal to 5% of the total employee parking spaces in the building permit, whichever is greater.	
		MM 4.7-8	**Sustainable Energy, Waste, and Water Design Measures.** The Project Applicant or successor in interest shall implement the following measures: • Structures shall be equipped with outdoor electric outlets in the front and rear of the	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		structures to facilitate use of electrical lawn and garden equipment. • Storage areas shall be provided for recyclables and green waste, as well as food waste storage if a pick-up service is available. • The roof shall provide R-19 insulation to decrease overall energy consumption and increase occupant comfort. • A timer system for lighting to ensure that lights shall be switched off during times of non-operation shall be installed on the Project site. MM 4.7-9 **Design of Ingress/Egress Points.** Entry gates into the loading dock/truck court areas shall be sufficiently positioned to ensure that all truck and other vehicles are contained on site and inside the property line. Queuing, or circling of vehicles, on public streets immediately pre- or post-entry to the Project shall be strictly prohibited unless queuing occurs in a deceleration lane or right turn lane exclusively serving the Project site. MM 4.7-10 **Measures to Reduce the Urban Heat Island Effect.** The following measures shall be implemented to reduce the urban heat island effect: • The Project's roof structures shall be designed to include "cool roof" materials	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		with a minimum aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of CALGreen, Table A5.106.11.2.3 for Tier 1 standards. • Sufficient shade trees shall be provided throughout the Project site so that at least 30% of the automobile parking areas will be shaded within 15 years after Project construction is complete (excluding the truck courts where trees cannot be planted due to interference with truck maneuvering). MM 4.7-11 **Truck Requirements and Restrictions.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are informed of the following operational responsibility: • Only haul trucks meeting California Air Resources Board (CARB) model year 2010 (or newer) engine emission standards shall be used for the on-road transport of materials to and from the Project site. In addition, tenants shall be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer)	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		Greenhouse Gas Regulation, Periodic Smoke Inspection Program, and the Statewide Truck and Bus Regulation. The building manager or their designee shall be responsible for enforcing these requirements. MM 4.7-12 **Idling Time Restriction.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are informed of the following operational responsibility: • Upon commencement of operations, the tenant/operator of the Project shall be required to restrict truck idling on site to a maximum of 3 minutes, subject to exceptions defined by the CARB's commercial vehicle idling requirements. The building manager or their designee shall be responsible for enforcing this requirement. MM 4.7-13 **Anti-Idling Implementation Measures.** The following measures shall be implemented to reduce air pollutant emissions from idling: • Signage. Legible, durable, weather-proof signs shall be placed at truck access	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		gates, loading docks, and truck parking areas that identify the Project's three-minute idling restriction. At a minimum, each sign shall include: (1) instructions for truck drivers to shut off engines when not in use; (2) instructions for drivers of diesel trucks to restrict idling to no more than 3 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; (3) telephone numbers of the building facilities manager and CARB to report violations; and (4) that penalties apply for violations. Prior to the issuance of an occupancy permit, the Town of Apple Valley shall conduct a site inspection to ensure that the signs are in place. • Efficient Load Management. The facility operator(s) shall be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. • Anti-Idling Training. Tenants and operators on the Project site shall ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		courses (such as the free, one-day Course #512).	
		MM 4.7-14 **Truck Routing Plan.** The Project Applicant or successor in interest shall establish and submit for approval to the Town of Apple Valley a Truck Routing Plan that provides for routes between the Project site and the State Highway System. The Truck Routing Plan shall include measures, such as signage, pavement markings, and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The Truck Routing Plan shall make every effort to avoid passing sensitive receptors, to the greatest extent possible, unless otherwise superseded by an applicable truck routing ordinance adopted by the Town of Apple Valley. The tenant/operator of the Project shall be responsible for enforcement of the Truck Routing Plan. A revised plan shall be submitted to the Town of Apple Valley prior to a business license being issued by the Town of Apple Valley for any new tenant/operator of the Project site. The revised plan shall expand upon the original Truck Routing Plan and describe the operational characteristics of the use of the tenant/operator, including, but not limited to, hours of operations, types of items to be stored within the building, and whether any modifications to the Project's designated truck routes are necessary. The Town of Apple Valley shall have discretion to determine if changes to the Truck Routing Plan are necessary including any	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		additional measures to alleviate truck routing and parking issues that may arise during the life of the Project. Signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel. MM 4.7-15 **Transportation Demand Management Plan.** For occupants with more than 250 employees, a Transportation Demand Management (TDM) program to reduce employee commute vehicle emissions shall be established, subject to review and approval by the Town of Apple Valley. The TDM plan shall apply to Project tenants through tenant leases. The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. Examples of trip reduction measures may include, but are not limited to: • Transit passes • Car-sharing programs • Telecommuting and alternative work schedules • Ride sharing programs MM 4.7-16 **Yard Sweeping to Reduce Fugitive Dust.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		informed of the following operational responsibility: • Yard and parking area sweeping shall be periodically conducted to minimize dust generation from the Project site. The building manager or their designee shall be responsible for enforcing this requirement. MM 4.7-17 **Provision of Information Regarding Programs to Reduce Emissions from Trucks.** Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the Town of Apple Valley demonstrating that occupants/tenants of the Project site have been provided informational documentation regarding: • Funding opportunities that provide incentives for using cleaner than-required engines and equipment, such as the Carl Moyer Program and Voucher Incentive Program. The U.S. EPA SmartWay Program, which assists freight shippers, carriers, logistics companies, and other stakeholder partner with the U.S. EPA to measure, benchmark, and improve logistics operations and reduce air pollutant emissions from transport of cargo.	

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		MM 4.7-18 **Fire Pump Requirements.** All diesel-fueled fire pump shall meet U.S. EPA-certified Tier 4 Interim emissions standards, at a minimum. MM 4.7-19 The Project Applicant/Developer/Owner shall require tenants to use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are commercially available, as reasonably determined by the Lead Agency.	
Threshold b: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially Significant Impact	Mitigation Measures MM 4.7-1 through MM 4.7-19 would apply.	Significant and Unavoidable Impact
Cumulative Greenhouse Gas Emissions Impacts	Potentially Significant Impact	Mitigation Measures MM 4.7-1 through MM 4.7-19 would apply.	Significant and Unavoidable Impact
4.8 Hazards and Hazardous Materials			
Threshold a: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant Impact	No mitigation is required.	N/A
Threshold b: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Threshold c: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact	No mitigation is required.	N/A
Threshold d: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact	No mitigation is required.	N/A
Threshold 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?	Less than Significant Impact	No mitigation is required.	N/A
Threshold f: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	No mitigation is required.	N/A
Threshold g: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Cumulative Hazards and Hazardous Materials Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.9 Hydrology and Water Quality			
Threshold a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less than Significant Impact	No mitigation is required.	N/A
Threshold b: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant Impact	No mitigation is required.	N/A
Threshold c: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impeded or redirect flood flows?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Threshold d: Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than Significant Impact	No mitigation is required.	N/A
Threshold e: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Hydrology and Water Quality Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.10 Land Use and Planning			
Threshold a: Would the Project physically divide an established community?	No Impact	No mitigation is required.	N/A
Threshold b: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Land Use and Planning Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.11 Noise			
Threshold a: Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels?	Less than Significant Impact	No mitigation is required.	N/A
Threshold 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?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Noise Impacts	Less than Significant Impact	No mitigation is required.	N/A
4.12 Public Services			
Threshold a: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the 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 Fire Protection? Police protection? Schools? Parks? Other Public Facilities?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Public Services Impacts	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)		Level of Significance After Mitigation
4.13 Transportation				
Threshold a: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than Significant Impact	No mitigation is required.		N/A
Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Potentially Significant Impact	MM 4.13-1	Prior to the issuance of the certificate of occupancy for the tenant, the Project operator or tenant shall: 1) prepare and submit a Transportation Demand Management (TDM) Program to the Town Engineer for review, detailing strategies for reducing the use of single occupant vehicles by employees; and 2) provide written documentation to the satisfaction of the Town that the TDM Program requirement is incorporated into any lease agreement for the project site to ensure enforceability. The TDM Program shall include all feasible transportation measures recommended by California Air Pollution Control Officers Association (CAPCOA) and analyzed in the VMT report (see EIR Technical Appendix K2) as calculated pursuant to the "CAPCOA Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity" or other substantial evidence. Transportation measures to be considered in the TDM Program may include, but are not limited to: • **T-7 Commute Trip Reduction (CTR) Marketing**, to educate employees about their travel choices to the employment location	Significant and Unavoidable Impact

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
		beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT, including: ○ Onsite or online commuter information services. ○ Employee transportation coordinators. ○ Onsite or online transit pass sales. ○ Guaranteed ride home service. • **T-8 Ridesharing Program.** ○ Designating a certain percentage of desirable parking spaces for ridesharing vehicles. ○ Designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles. ○ Providing an app or website for coordinating rides. • **T-10 End-of-Trip Bicycle Facilities.** The Project shall install and maintain end-of-trip facilities for employee use. End-of-trip facilities may include bike parking, bike lockers, showers, and personal lockers.	
Threshold c: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Threshold d: Would the Project result in inadequate emergency access?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Transportation Impacts	Potentially Significant Impact	Mitigation Measure MM 4.13-1 would apply.	Significant and Unavoidable Impact
4.14 Tribal Cultural Resources			
Threshold 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: 1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or 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 Public	Potentially Significant Impact	Mitigation Measures MM 4.4-1 through MM 4.4-3 would apply. MM 4.14-1 Any culturally-affiliated Tribes (including the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department) shall be contacted, as detailed in Mitigation Measure MM 4.4-1, of any pre-contact cultural resources discovered during grading activities, and be provided information regarding the nature of the find, so as to provide Tribal input with regard to significance and treatment. Should the find be deemed significant, as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Tribe, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents the Tribe for the remainder of the Project, should the Tribe elect to place a monitor on-site.	Less than Significant Impact with Mitigation Incorporated

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			
Cumulative Tribal Cultural Resources Impacts	Potentially Significant Impact	Mitigation Measures MM 4.4-1 through MM 4.4-3, and MM 4.14-1 would apply.	Less than Significant Impact with Mitigation Incorporated
4.15 Utilities and Service Systems			
Threshold a: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than Significant Impact	No mitigation is required.	N/A
Threshold b: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than Significant Impact	No mitigation is required.	N/A
Threshold c: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected	Less than Significant Impact	No mitigation is required.	N/A

Potential Impacts	Level of Significance Before Mitigation	Mitigation Measures (MM)	Level of Significance After Mitigation
demand in addition to the provider's existing commitments?			
Threshold d: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant Impact	No mitigation is required.	N/A
Threshold e: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant Impact	No mitigation is required.	N/A
Cumulative Utilities and Service Systems Impacts	Less than Significant Impact	No mitigation is required.	N/A

1.0 INTRODUCTION

This Draft Environmental Impact Report ("Draft EIR" or "EIR") is an informational document that represents the independent judgement of the Town of Apple Valley, acting as the Lead Agency pursuant to the California Environmental Quality Act ("CEQA"), and evaluates the physical environmental effects that could result from construction and operation of the proposed Apple Valley 84 Project (hereinafter the "Project"). Discretionary and other related ministerial actions that are required to construct and operate the Project are also described in this EIR.

When the term "Project" is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the planning, construction, and operation of the Apple Valley 84 Project, including all discretionary and administrative approvals and permits required for its implementation. When the term "Project Applicant" or "Applicant" are used with the initial letters capitalized, the terms shall mean Covington Development Partners, which is the entity that submitted applications for the Project as proposed and as evaluated in this EIR.

1.1 PURPOSES OF CEQA AND THIS DRAFT EIR

This Draft EIR has been prepared in compliance with CEQA, as amended, and the CEQA State Guidelines (Title 14 California Code of Regulations [CCR] § 15000 et. seq.) ("CEQA Guidelines"), as amended. As stated by CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed development activities involving discretionary government approvals (including the approval of private development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why the governmental agency approved the project in the manner the agency chose (if the project involves significant environmental effects).

Following a preliminary review of the Project's application materials, the Town concluded that the Project and its associated implementation actions clearly have the *potential* to result in significant environmental effects; as such, the Town proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The Town determined that a Project EIR, as described in CEQA Guidelines Section 15161, would be required.

Pursuant to CEQA Guidelines Section 15161, this Project EIR shall "… focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of

the project including planning, construction, and operation." Also, pursuant to CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 SUMMARY OF THE PROJECT EVALUATED BY THIS EIR

The Project Applicant proposes the construction and operation of one industrial building totaling approximately 1,381,421 square feet (sf) on an approximate 92.73-acre property (hereinafter the "Project site"). The Project site is comprised of 12 parcels (Assessor's Parcel Number [APN]: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01). The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, storm drain facilities, exterior lighting, walls/fencing, and signage as well as site adjacent improvements.

The Project Applicant has filed applications for the following discretionary actions, which are under consideration by the Town of Apple Valley:

- ❑ General Plan Amendment
- ❑ Zone Change
- ❑ Development Code Amendment
- ❑ Development Permit – Major Project
- ❑ Vesting Tentative Parcel Map
- ❑ Development Agreement

All components of the Project are described in detail in EIR Section 3.0, *Project Description*.

1.3 LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 *et seq.)* and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq*.).

Pursuant to Public Resources Code Section 21067 and CEQA Guidelines Article 4 and Section 15367, the Town of Apple Valley is the Lead Agency under whose authority this EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the Town has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA; (2) review and consider information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the Town's independent judgement; (4) ensure

that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the Town will have the legal authority to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment; or
- Approve the Project even though the Project could cause a significant effect on the environment if the Town makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to lessen the effect or avoid the significant effect; and 2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the General Plan Amendment, Zone Change, Development Code Amendment, Development Permit – Major Project, Vesting Tentative Parcel Map, and Development Agreement and all other governmental discretionary and administrative actions related to the Project.

1.4 EIR SCOPE, FORMAT, AND CONTENT

1.4.1 EIR Scope

The Town filed a Notice of Preparation (NOP) with the State Clearinghouse of the California Office of Land Use and Climate Innovation (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to Responsible Agencies, Trustee Agencies, and other interested parties on October 2, 2025, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the Town identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, a publicly noticed EIR Scoping Meeting was held on October 8, 2025 from 5:00 p.m. – 6:00 p.m. via virtual meeting participation on Microsoft Teams and at the Town Council Chambers at 14955 Dale Evans Parkway, Apple Valley, CA 92307. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of environmental concerns to be addressed in this EIR.

The NOP and written comments received by the Town during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP and during the Scoping Meeting are summarized below in Table 1-1, *Summary of NOP Comments*. The purpose of this table is to present a summary of the key environmental topics that were expressed by public agencies, interested parties, and members of the general public to be of primary interest. All comments received in response to the NOP are summarized below and provided in *Technical Appendix A* to this EIR. There were no comments made during the EIR Scoping Meeting held on October 8, 2025.

Table 1-1 Summary of NOP Comments

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
State and Local Agencies			
Mojave Desert Air Quality Management District (MDAQMD)	October 22, 2025	• Recommends the Project owner/operators obtain a Dust Control Plan for the Project • Requires signage compliant with Rule 403 • Requires usage of a water truck to minimize visible fugitive dust emissions • Requires maintenance, access vehicular roads, and parking areas to be stabilized to eliminate visible fugitive dust • Requires Project to obtain district permits for any miscellaneous process equipment that may not be exempt under District Rule 219 • Requires Project to comply with Rule 403 – Fugitive Dust Control	Subsection 4.2, *Air Quality*
Native American Heritage Commission (NAHC)	October 3, 2025	• Provides information regarding required Native American consultation pursuant to Senate Bill 18 and Assembly Bill 52.	Subsection 4.4, *Cultural Resources*, and Subsection 4.14, *Tribal Cultural Resources*
Southern California Association of Governments (SCAG)	October 23, 2025	• Requests environmental documentation when available • Provides a summary of the Connect SoCal 2024 Plan, vision, goals, and key elements • Provides a summary of the regional growth forecast development pattern and consistency with Connect SoCal 2024 • Recommends the Town review the SCAG 2024 Program EIR for guidance, as appropriate	Subsection 4.10, *Land Use and Planning*

Upon consideration of all comments received by the Town in response to the NOP and EIR Scoping period, this EIR provides a detailed analysis of the Project's potential to cause adverse effects under the following topics:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazardous and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The topics listed above are evaluated in EIR Section 4.0, *Environmental Analysis*.

During the course of conducting research of the Project's potential environmental effects and preparing this EIR, the Town concluded that the Project would clearly result in either (1) no impacts of (2) less-than-significant impacts under five (5) environmental topics, including: Agriculture and Forestry Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire. Potential effects related to these environmental resource topics are summarized in EIR Section 5.0, *Other CEQA Considerations*.

1.4.2 EIR Format and Content

This EIR contains all of the information required to be included in an EIR as specified by the CEQA Statute and Guidelines (California Public Resources Code Section 21000 *et seq*. and California Code of Regulations, Title 14, Chapter 5). Table 1-2, *Location of CEQA Required Resource Topics*, provides a quick reference guide for locating the CEQA-required sections within this EIR.

Table 1-2 Location of CEQA Required Resource Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	§ 15122	Table of Contents
Summary	§ 15123	Section S.0
Project Description	§ 15124	Section 3.0
Environmental Setting	§ 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	§ 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented	§ 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Impacts Which Would be Involved in the Proposed Action	§ 15126.2(d)	Subsection 5.2

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Growth-Inducing Impacts of the Proposed Project	§ 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§ 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Proposed Project	§ 15126.6	Section 6.0
Effects Not Found to be Significant	§ 15128	Subsection 5.4
Organizations and Persons Consulted and References	§ 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	§ 15130	Section 4.0
Energy Conservation	§ 15126.2(b) & Appendix F	Subsection 4.5

In Summary, the content of this EIR is as follows:

- **Section S.0, Executive Summary**, provides an overview of this EIR and CEQA process and provides a brief description of the Project, including its objectives, the location and regional setting of the Project site, and potential alternatives to the Project as required by CEQA. The Executive Summary provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation Monitoring and Reporting Program (MMRP).

- **Section 1.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the Town in its role as Lead Agency, a brief description of the Project, the purpose of this EIR, and an overview of this EIR format.

- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project site's physical conditions and surrounding context used as the baseline for analysis in this EIR.

- **Section 3.0, Project Description** serves as this EIR's Project Description for purposes of CEQA and contains a level of specificity commensurate with the level of detail proposed by the Project, including the summary requirements pursuant to CEQA Guidelines Section 15123. This Section provides a detailed description of the Project, including its location, purpose, main objectives, design features, construction characteristics, and operational characteristics expected over the Project's lifetime. In addition, the discretionary actions required by the Town of Apple Valley and other government agencies to authorize implementation of the Project are discussed.

- **Section 4.0, Environmental Analysis** provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A

determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describes the terms "effects" and "impacts" as being synonymous.

In each subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

The analysis in Section 4.0 is based in part upon technical reports that are included in this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

Where the analysis identifies a significant environmental effect, feasible mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in this EIR. The requirement that EIRs identify mitigation measures realizes CEQA's policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations** includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable

environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.

- **Section 6.0, Project Alternatives** describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.

- **Section 7.0, References** cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.4.3 Incorporation by Reference

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of this EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. All references cited in this EIR are available at the website address provided in Section 7.0, *References*, and/or by contacting the Town of Apple Valley Planning Department, 14955 Dale Evans Parkway, Apple Valley, California 92307, during the Town's regular business hours.

The following documents are incorporated by reference and cited in this EIR as appropriate:

- Town of Apple Valley General Plan, dated August 11, 2009. The Town of Apple Valley General Plan represents the community's vision for the future. The Town establishes in this document a description of the environment in which Apple Valley is located, and of the development history of the Town; describes a hierarchy of land uses for its future; and provides the Goals, Policies and Programs which will guide the Town's residents, business people, Town staff, Committees and Commissions and Town Council as they make decisions about the Town's future.

- Town of Apple Valley Environmental Impact Report (SCH No. 2008091077), Apple Valley General Plan and Annexations 2008-001 & 2008-002, certified August 11, 2009. The Environmental Impact Report provides a program-level review of the potential impacts associated with buildout of the Town's General Plan land uses, and implementation of the General Plan's Policies and Programs.

- Town of Apple Valley Municipal Code (various chapters), dated January 28, 2025. The Town of Apple Valley Municipal Code consists of all ordinances adopted by the Town Council including the Development Code, which is established to protect and promote the public health, safety and welfare of the citizens of Apple Valley.

1.4.4 Technical Reports

This EIR relies on a number of Project-specific technical appendices that are bound separately as *Technical Appendices*. The *Technical Appendices* are available for review at the Town of Apple Valley Planning Department, 14955 Dale Evans Parkway, Apple Valley, California 92307, during the Town's regular business hours or can be requested in electronic form on the Town's website at https://www.applevalley.org/services/planning-division/environmental. The individual technical studies, reports, and supporting documentation that comprise the *Technical Appendices* are as follows:

A: Notice of Preparation (NOP) and NOP Comment Letters
B1: Air Quality Impact Analysis
B2: Health Risk Assessment
C: Biological Resources Assessment
D: Cultural Resources Assessment
E: Energy Impact Analysis
F1: Geotechnical Investigation
F2: Paleontological Resources Technical Memorandum
G: Greenhouse Gas Analysis
H1: Phase I Environmental Site Assessment
H2: Phase I Environmental Site Assessment
H3: Phase I Environmental Site Assessment
I1: Preliminary Hydrology Report
I2: Water Quality Management Plan
I3: Water Supply Assessment
J: Noise Impact Analysis
K1: Vehicle Miles Traveled (VMT) Analysis
K2: Traffic Analysis
K3: Supplemental VMT Analysis

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in this EIR's *Technical Appendices* are cited by a link to the online location where the document/website can be reviewed. References relied upon by this EIR will be available for public review at the Town of Apple Valley Planning Department, 14955 Dale Evans Parkway, Apple Valley, California 92307.

1.5 RESPONSIBLE AND TRUSTEE AGENCIES

California Public Resource Code Section 21104 requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval over the project." A "Trustee Agency" is defined in CEQA Guidelines Section 15386 as a "State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California." The Project would require approval from the following Trustee or Responsible Agencies:

- Lahontan Regional Water Quality Control Board (RWQCB) is identified as a Trustee Agency for the Project that is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality. The Lahontan RWQCB also is responsible for

issuance of a Water Quality Certification pursuant to Section 401 of the federal Clean Water Act (CWA).

- Mojave Desert Air Quality Management District (Mojave Desert AQMD) is identified as a Responsible Agency pertaining to the issuance of construction-related permits.

There are no other known Trustee Agencies or Responsible Agencies identified for the Project. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the proposed Project.

1.6 AREAS OF CONTROVERSY

Environmental topics raised in written comments to the NOP are summarized in Table 1-1, *Summary of NOP Comments*. After consideration of all comments received in response to the NOP and during the Project's scoping meeting, the Lead Agency has not identified any areas of controversy associated with the Project after considering all comments received in response to the NOP.

2.0 ENVIRONMENTAL SETTING

2.1 REGIONAL SETTING AND LOCATION

As depicted in Figure 2-1, *Regional Map*, the approximately 92.73-acre site is located in the Town of Apple Valley, San Bernardino County, California. The Town of Apple Valley is within the Victor Valley Area of San Bernardino County and is situated northeast of the City of Hesperia, east of the City of Victorville, and west and south of unincorporated San Bernardino County. The Project site is located approximately 0.55 miles east of Interstate 15 (I-15) and approximately 4.0 miles north of State Route 18 (SR-18). Regional access to the Project site is provided via I-15 and SR-18.

The Project site is in an urbanized area of southern California commonly referred to as the "High Desert," which is a subset of what is referred to as the "Inland Empire." The Inland Empire is an approximate 28,000 square mile region comprising San Bernardino County, Riverside County, and the eastern tip of Los Angeles County. According to U.S. Census Bureau (USCB) data, the 2023 population of San Bernardino County was 2,195,611 (USCB, 2023). The Southern California Association of Governments (SCAG) forecast models predict that the population of San Bernardino County will grow to approximately 2,623,000 persons by the year 2050 (SCAG, 2024b, Demographics and Growth Forecast Technical Report, Table 12).

2.2 LOCAL SETTING AND LOCATION

As depicted in Figure 2-2, *Vicinity Map* and Figure 2-3, *Aerial Photograph*, at the local scale, the Project is primarily bounded by Johnson Road to the north, Stoddard Wells Road to the south, and vacant land to the east and west. The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0469-162-24, -27, 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01).

2.3 SURROUNDING LAND USES

Existing land uses adjacent to the Project site are illustrated in Figure 2-4, *Surrounding Land Uses*, and are described below in Table 2-1, *Surrounding Land Uses*.

Table 2-1 Surrounding Land Uses

Direction from Project Site	Existing Land Use	General Plan Land Use Designation	Zoning
North	Vacant and undeveloped land	Regional Commercial (C-R) and Estate Residential (R-E)	Regional Commercial (C-R) and Estate Residential (R-E)

Direction from Project Site	Existing Land Use	General Plan Land Use Designation	Zoning
South	Vacant and undeveloped land and a commercial/residential use across Stoddard Wells Road	Estate Residential (R-E)	Estate Residential (R-E)
East	Vacant and undeveloped land	Office Professional (O-P)	Office Professional (O-P)
West	Vacant and undeveloped land	Regional Commercial (C-R)	Regional Commercial (C-R)

2.4 PLANNING CONTEXT

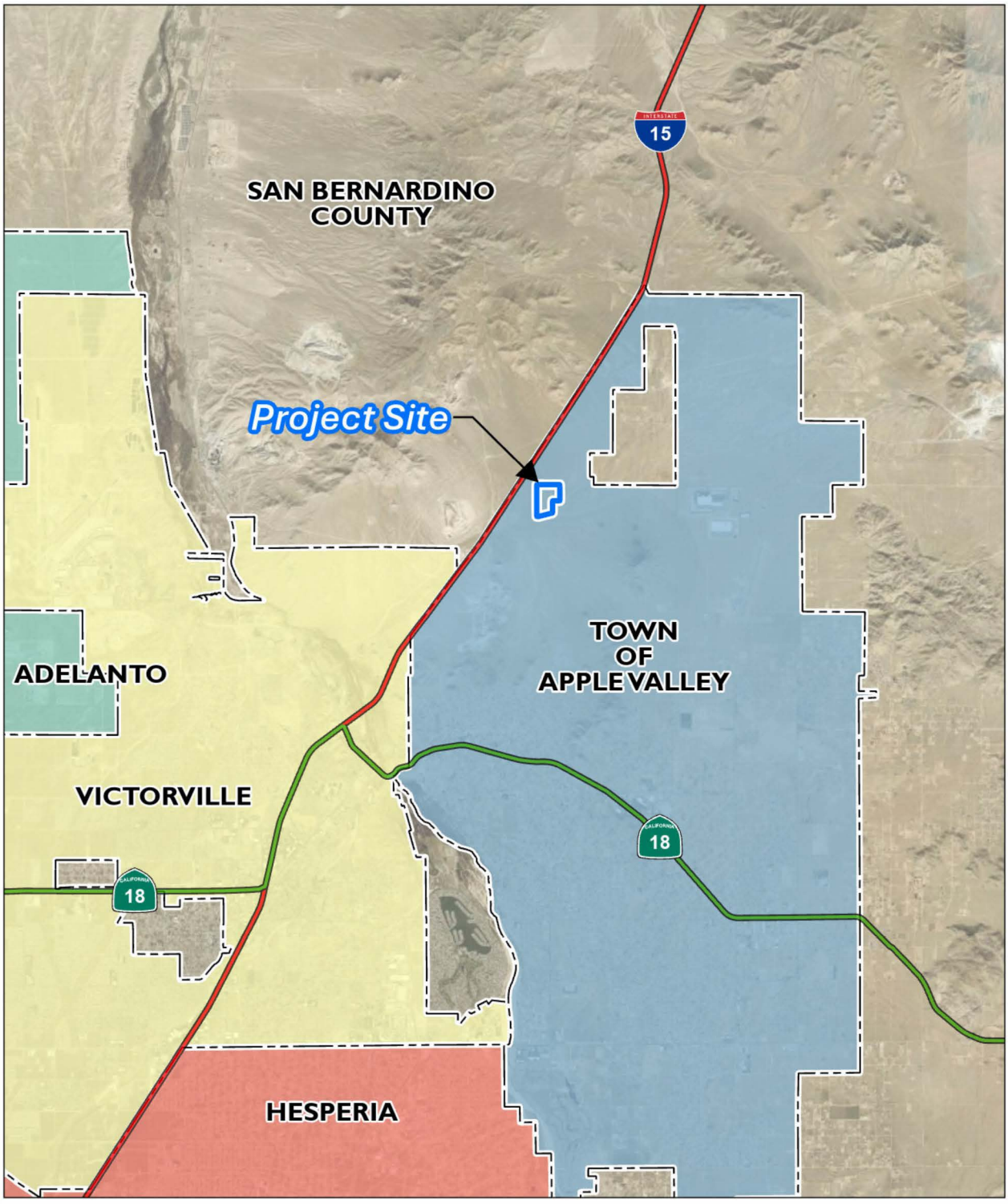
2.4.1 SCAG Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and 191 cities in an area covering more than 38,000 square miles. SCAG develops long-range regional transportation plans including sustainable communities' strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region.

In April 2024, SCAG adopted the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also referred to as "Connect SoCal." The RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development, and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. These goals are meant to provide guidance for considering a proposed project within the context of regional goals and policies. Project consistency with Connect SoCal illustrates consistency with goals set forth for the Project region.

2.4.2 Town of Apple Valley General Plan

The Town of Apple Valley's prevailing planning document is its 2009 General Plan. As depicted on Figure 2-5, *Existing General Plan Land Use Designation*, the Town General Plan Land Use Map (as amended in 2022) designates the Project site as Office Professional (O-P). The O-P land use designation allows for professional offices and is intended to act as a buffer between General Commercial and residential land uses. This designation encourages high quality professional services with only ancillary retail commercial components. There is no minimum size for project sites in this designation, but assemblage of smaller parcels is encouraged.

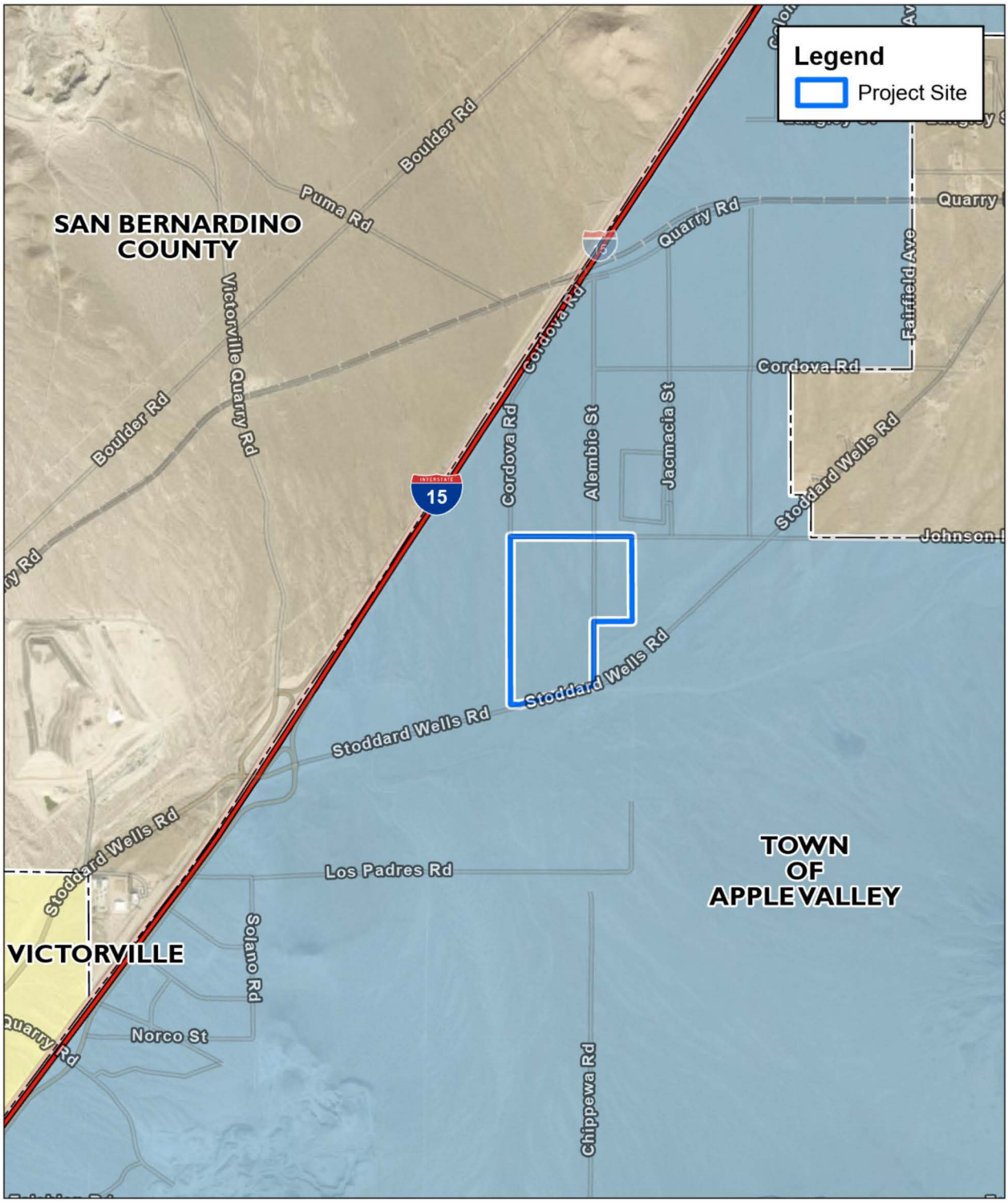


Source(s): Esri, San Bernardino County (2025)

Figure 2-1

0 250 500 1,000 Feet

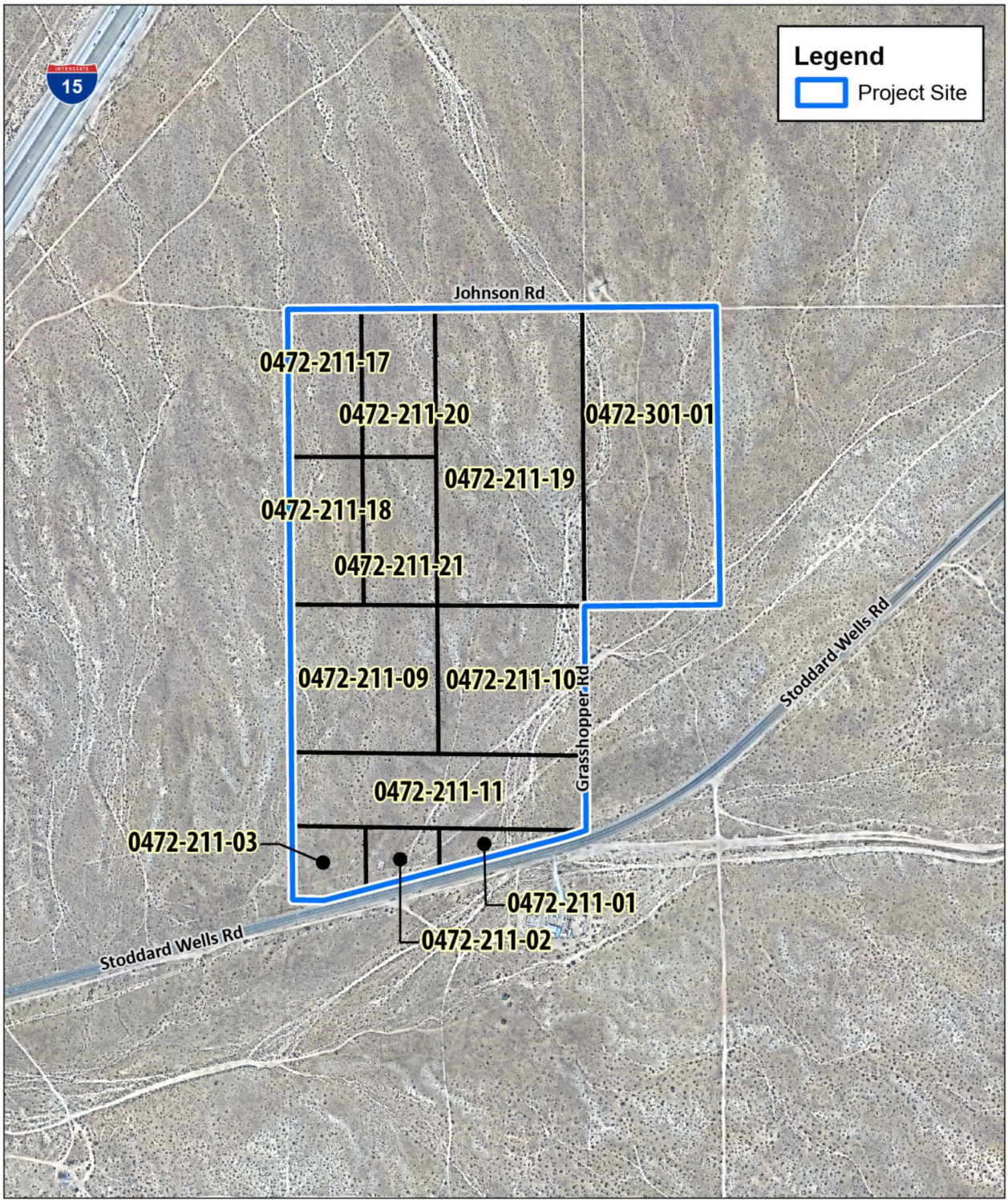
Regional Map



Source(s): Esri, San Bernardino County (2025)

Figure 2-2

Vicinity Map

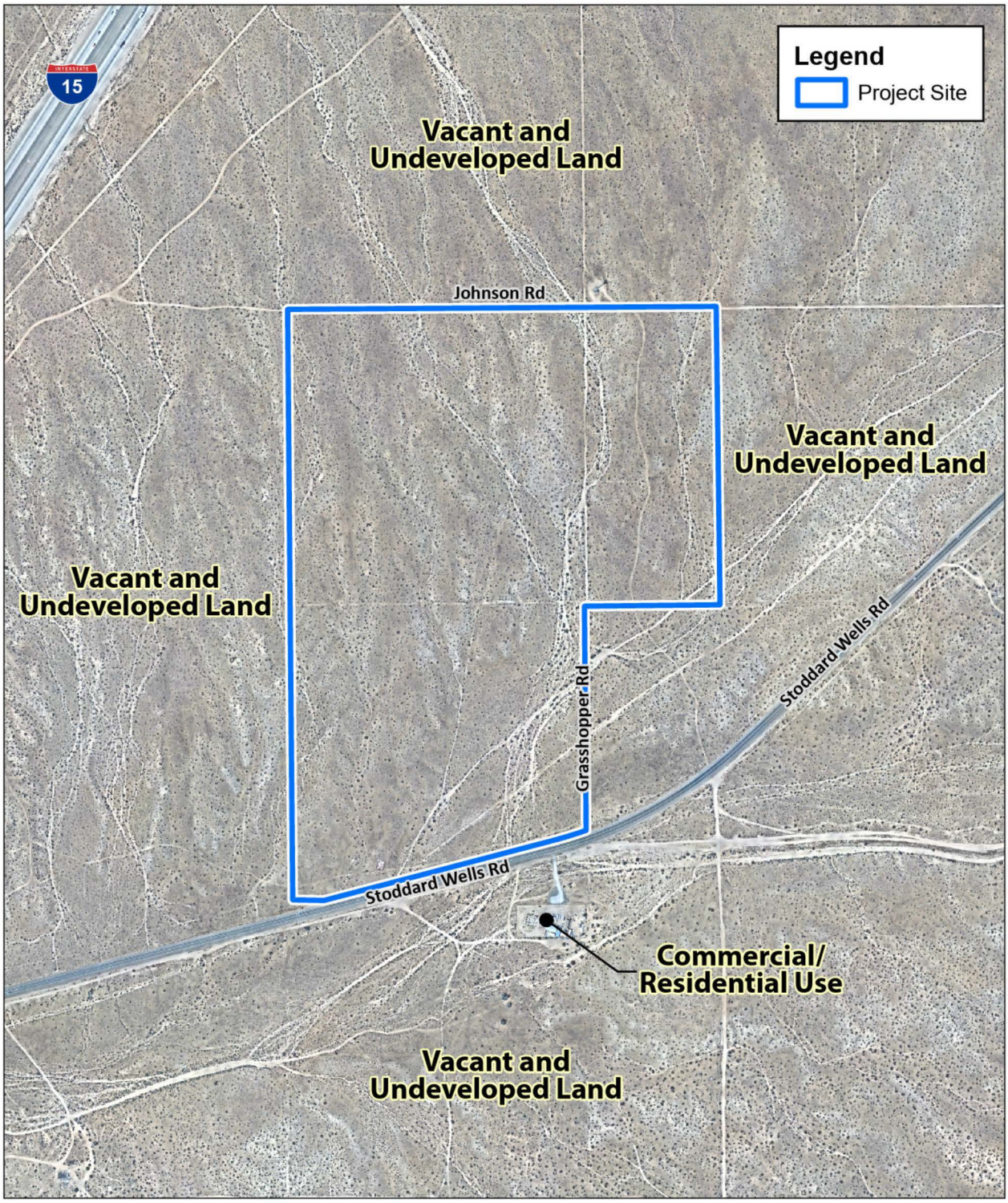


Source(s): Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 2-3

0 175 350 700 Feet

Aerial Photograph

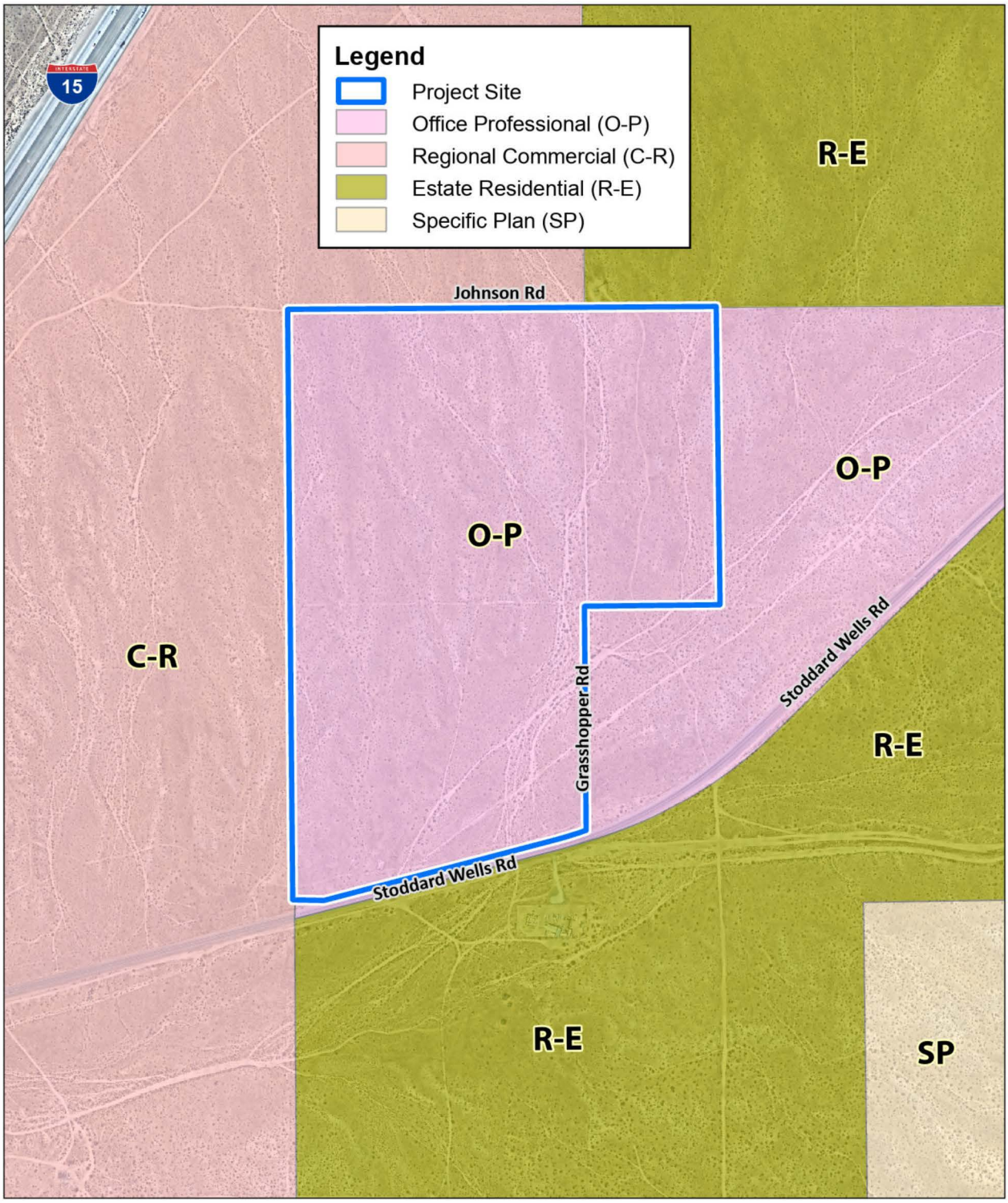


Source(s): Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 2-4

0 175 350 700 Feet

Surrounding Land Uses



Source(s): Town of Apple Valley (November 2022), Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 2-5

0 175 350 700
Feet

Existing General Plan Land Use Designation

Permitted uses in this designation include auto malls, regional malls, business parks, factory stores and outlets, entertainment commercial, hotels and motels, restaurants, institutional and public uses. The minimum size for a Regional Commercial project site is 10 acres. (Town of Apple Valley, 2009)

2.4.3 Zoning

As shown on Figure 2-6, *Existing Zoning*, the existing zoning for the Project site is Office Professional (O-P). According to the Town's Municipal Code Section 9.35.020 – Commercial and Office Districts, the Office Professional (O-P) district is intended as a buffer to general commercial uses and is primarily for the development of professional and administrative offices and ancillary retail uses. Setbacks, landscaping and architectural requirements designed to make such uses sensitive to surrounding land uses, especially residential uses, are required, consistent with the Office Professional (O-P) land use designation of the General Plan. A maximum floor area ratio (FAR) of 1.0 is permitted in the O-P District. (Town of Apple Valley, 2025)

2.5 EXISTING PHYSICAL SITE CONDITIONS

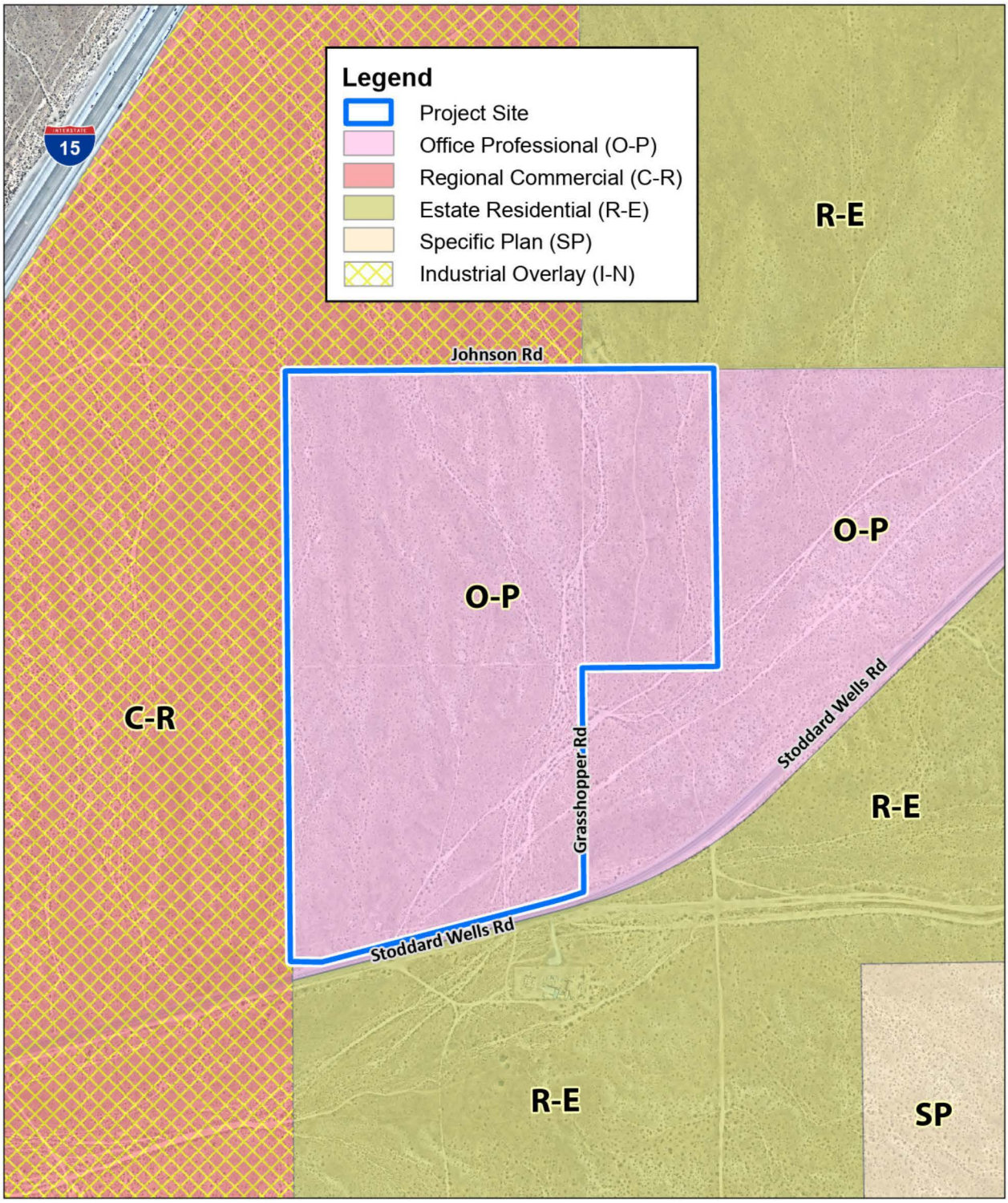
CEQA Guidelines Section 15125(a)(1), states that the physical environmental conditions that exist at the time an EIR's NOP is released for public review will normally be used as the comparative baseline for the EIR analysis. The NOP for this EIR was released for public review on October 2, 2025, and the following pages include a description of the Project site's physical environmental condition ("existing conditions") as of that approximate date. More information regarding the Project site's environmental setting is provided in the specific subsections of EIR Section 4.0, *Environmental Analysis*.

2.5.1 Land Use

The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01). Under existing conditions, the Project site is wholly vacant and undeveloped. The concrete foundation of a removed structure is located on the southerly part of the site, approximately 75 feet north of Stoddard Wells Road. Properties located to the north, east, and west are vacant and undeveloped. There is an existing commercial/residential property located south of the site across Stoddard Wells Road.

2.5.2 Aesthetics and Topographic Features

The terrain within the Project site consists of desert terraces with elevation ranging between approximately 2,921 feet above mean sea level (amsl) to 2,990 feet amsl and slopes gradually downward from north to south. The Project site is approximately 1 mile northwest of Bell Mountain, less than 2 miles southeast of Quartzite Mountain, approximately 5 miles west/northwest of Fairview Mountain, approximately 4 miles southwest of Turtle Mountain, and over 6 miles southwest of Black Mountain. The Project site is south of Turtle Valley, southwest of Sidewinder Valley, and west of Fairview Valley.



Source(s): Town of Apple Valley (November 2022), Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 2-6

0 175 350 700
Feet

Existing Zoning

2.5.3 Air Quality and Climate

The Project site is located in the portion of the Town of Apple Valley in San Bernardino County that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses desert portions of Kern, Los Angeles, Riverside and San Bernardino counties. The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains which dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet), whose passes form the main channels for these air masses. The Mojave Desert is bordered on the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser pass lies between the San Bernardino Mountains and the Little San Bernardino Mountains in the Morongo Valley. The Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley), whose primary channel is the San Gorgonio Pass (2,300 feet) between the San Bernardino and San Jacinto Mountains.

During the summer, the MDAB is generally influenced by a Pacific subtropical high cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist, and unstable air masses from the south. The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inch of precipitation). The MDAB is classified as a dry-hot desert climate, with portions classified as dry-very hot desert, to indicate that at least three months have maximum average temperatures over 100.4° F. (UXR, 2025a)

Refer to EIR Subsections 4.2, *Air Quality*, and 4.7, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

2.5.4 Biology and Vegetation Communities

Two vegetation communities and land cover types were observed within the study area, which includes the Project site (approximately 92.73 acres and a 500 foot buffer for a total of 237.59 acres): approximately 233.17 acres of Creosote Bush Scrub and approximately 4.42 acres of Developed/Disturbed lands. The disturbed Creosote Bush Scrub Plant Community within the study area is dominated by creosote bush (*Larrea tridentata*) and white bursage (*Ambrosia Dumosa*). Although undeveloped, the Project site has been influenced by surrounding infrastructure, including on-site disturbances such as off-highway vehicle (OHV) tracks, illegal dumping, and ruderal weeds. Scattered littleleaf ratany (*Krameria erecta*) occur in low density. The herbaceous layer contains a mix of native and non-native annuals, including redstem stork's bill (*Erodium cicutarium*) and red brome (*Bromus madritensis subsp. rubens*), reflecting prior surface disturbance. Overall, the Project site represents a common, regionally widespread desert scrub community with low ecological sensitivity.

The developed/disturbed portions of the study area represent areas of long-term and ongoing alteration associated with major roads (Stoddard Wells Road and the I-15 freeway corridor), edge effects, dirt trails, an old concrete foundation, and abandoned well casings. The developed/disturbed portions primarily consist of ruderal and non-native species such as Russian thistle (*Salsola tragus*) and various non-native mustards occurring along disturbed margins. These portions of the study area are considered to have low biological value and represent the most heavily impacted areas.

Refer to EIR Subsection 4.3, *Biological Resources*, for a more detailed discussion of the existing biological resources setting.

2.5.5 Cultural Resources and Tribal Cultural Resources

The Project area is within Sidewinder Valley in the western Mojave Desert. The Mojave Desert is bounded on the west by the Sierra Nevada Mountains, on the south by the Transverse and Peninsular ranges, on the southeast and east by the Yuma and Colorado deserts, and on the north by the Great Basin. The western Mojave Desert encompasses several valleys, including Apple Valley, Victor Valley, Antelope Valley, Fremont Valley, and Lucerne Valley, along with the Mojave River and the Barstow area.

Pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18), Native American outreach letters were sent to 18 individuals representing 10 local Native American tribal groups to elicit information on Native American cultural resources that may be in the vicinity of the Project site. Through AB 52/SB 18 consultation, it was determined the Project area could be considered culturally sensitive due to the proximity to previously recorded sites.

Refer to EIR Subsection 4.4, *Cultural Resources* and Subsection 4.14, *Tribal Cultural Resources*, for a more detailed discussion of the existing cultural and tribal cultural resources setting.

2.5.6 Geology

The site is located within the Mojave Desert Geomorphic Province. The Mojave Desert is bounded on the southwest by the San Andreas fault and the Transverse Ranges and on the northeast by the Garlock fault. The Mojave Desert is an ancient feature formed in response to the inception of movement on the San Andreas and Garlock faults. The region is characterized by broad alluviated basins that are burying the previously mountainous topography.

The Project site is located in an area of southern California that is subject to strong ground motions due to seismic events (i.e., earthquakes). The geologic structure of southern California is dominated mainly by northwest-trending faults associated with the San Andreas system. Research of available maps indicates that the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.

Refer to EIR Subsection 4.6, *Geology and Soils*, for a more detailed discussion of the existing geological setting.

2.5.7 Hydrology

According to the Mojave Water Agency (MWA), the Project site lies within the Mojave Region which is a hydrologically diverse area covering over 5,400 square miles in the California High Desert – part of the Mojave Desert, in San Bernardino County. The site lies within the Mojave River Watershed, which drains an approximate area of 3,800 square miles. (MWA, 2020)

The existing site is undeveloped, located north of Stoddard Wells Road and east of Wrangler Road. The Project site slopes from north to south and the desert terrain has numerous significant undulations creating multiple paths for stormwater over the entire site. All runoff is tributary to the Bell Mountain Wash on the south side of Stoddard Wells Road.(Huitt-Zollars, 2025a)

Refer to EIR Subsection 4.9, *Hydrology and Water Quality*, for a more detailed discussion of the existing hydrologic setting.

2.5.8 Noise

The primary sources of noise in the study area include vehicular traffic on highways and major arterials as the Project area is predominantly undeveloped. The nearest existing noise-sensitive residential use is located approximately 388 feet south of the Project site. There are no sources of groundborne vibration on the Project site under existing conditions. Additionally, the Apple Valley Airport (APV) is located approximately 3.3 miles east of the Project Site (UXR, 2025e)

Refer to EIR Subsection 4.11, *Noise*, for a more detailed discussion of the existing noise setting.

2.5.9 Public Services

The Project site receives fire protection services from the Apple Valley Fire Protection District (AVFPD). AVFPD is an independent district, and its western boundary is the Mojave River while its eastern boundary extends as far as the dry lakes toward Lucerne Valley. The nearest fire station to the Project site is Station 332 located at 18857 Highway 18, approximately 4.0 miles south of the Project site. (AVFPD, n.d.)

The Town receives police protection services from the San Bernardino County Sheriff's Department (SBCSD) through a contractual agreement. SBCSD assigns staff to the Apple Valley Police Department (AVPD), which offers police protection services within the approximately 72 square miles that are encompassed by the Town's corporate limits. The Apple Valley Patrol Station is located at 14931 Dale Evans Parkway, approximately 5.15 miles southeast of the Project site. (SBCSD, n.d.)

Under existing conditions, the Project site places no demand on the public school system because the Project site is undeveloped and vacant. The Project site is within the attendance boundaries of Apple Valley Unified School District (AVUSD). Sycamore Rocks Elementary School, Phoenix Academy, and Granite Hills High School are the AVUSD schools serving the Project site. (AVUSD, n.d.)

The Project site places no demand on the public library system or the Town's parks and recreational facilities. The Newton T. Bass Apple Valley Branch library operated by San Bernardino County is located approximately 5.0 miles south of the Project site. Within the Town and associated Sphere of Influence, there are presently seven mini-parks, two neighborhood parks, three community parks and two special-use parks. (Town of Apple Valley, 2009)

Refer to EIR Subsection 4.12, *Public Services*, for a more detailed discussion of the Project site's existing public services setting.

2.5.10 Transportation

The Project site is located north of Stoddard Wells Road, south of Johnson Road and east of I-15. According to the Town's General Plan Truck Routes Map, within the Project study area, Stoddard Wells Road and Johnson Road are designated as Local Truck Routes and I-15 and Quarry Road are designated as Through Truck Routes.

Currently, there are Class I bike paths along Stoddard Wells Road and no pedestrian facilities in close proximity to the Project. Field observations indicate nominal pedestrian and bicycle activity within the study area. Moreover, the study area is currently served by Victor Valley Transit Authority (VVTA), a public transit agency serving various jurisdictions within San Bernardino County.

Refer to EIR Subsection 4.13, *Transportation*, for a more detailed discussion of the Project site's existing transportation setting.

2.5.11 Utilities and Service Systems

The Project site is located in the water supply service area of Liberty Utilities. Liberty Utilities is an investor-owned public utility, thus considered a Public Water System. Liberty Utilities provides water service primarily within the Town of Apple Valley. As of 2020, Liberty Utilities provides approximately 21,000 municipal connections. (Liberty Utilities, 2021)

The Town of Apple Valley owns, operates and maintains the local wastewater collection system. The Town discharges its wastewater to the Victor Valley Wastewater Reclamation Authority (VVWRA) regional wastewater treatment plant located at 20111 Shay Road, Victorville. VVWRA serves a 279 square mile area that includes Apple Valley, Hesperia, Victorville, Spring Valley Lake and Oro Grande. VVWRA treats about 10.7 million gallons of wastewater per day. (VVWRA, n.d.)

Solid waste disposal and recycling services for the proposed Project site would be provided by AVCO Disposal/Burrtec Waste Industries. Non-hazardous solid waste generated in the Town's service area is currently deposited in the Victorville Landfill, which is currently operated by the County of San Bernardino. This landfill is located at 17080 Stoddard Wells Road in the northeastern portion of the City of Victorville. According to the California Department of Resources Recycling and Recovery (CalRecycle), the operating permit for the Victorville landfill allows for a maximum of 3,000 tons a day. (CalRecycle, n.d.)

With respect to dry utilities, Southern California Edison (SCE) provides electricity services to a large majority of southern and central California, including the Project site. SCE serves 180 cities across 50,000 square miles of service area. (SCE, 2025) Additionally, the Project site is located in the natural gas service area of Southwest Gas Corporation, which maintains local underground service lines in the Town of Apple Valley. Telecommunications/Fiber-Optics providers within the Town of Apple Valley include Verizon Communications, Charter Communications, and Charter Spectrum Business Solutions. (Town of Apple Valley, n.d.)
Refer to EIR Subsection 4.15, *Utilities and Service Systems*, for a more detailed discussion of the existing utility and service systems setting.

2.5.12 Rare And Unique Resources

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by the Project. Based on the existing conditions of the Project site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project site does not contain any resources that are rare or unique to the region.

3.0 PROJECT DESCRIPTION

3.1 PROJECT LOCATION AND SETTING

As depicted in Figure 2-1, *Regional Map*, the approximately 92.73-acre site is located in the Town of Apple Valley, San Bernardino County, California. The Town of Apple Valley is within the Victor Valley Area of San Bernardino County and is situated northeast of the City of Hesperia, east of the City of Victorville, and west and south of unincorporated San Bernardino County. The Project site is located approximately 0.55 miles east of Interstate 15 (I-15) and approximately 4.0 miles north of State Route 18 (SR-18). Regional access to the Project site is provided via I-15 and SR-18.

At the local scale, the Project is primarily bounded by Johnson Road to the north, Stoddard Wells Road to the south, and vacant land to the east and west (see Figure 2-2, *Vicinity Map,* and Figure 2-3, *Aerial Photograph*). The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01). Under existing conditions, the Project site is vacant and undeveloped. The concrete foundation of a removed structure is located on the southerly part of the site, approximately 75 feet north of Stoddard Wells Road.

Existing land uses adjacent to the Project site are illustrated in Figure 2-4, *Surrounding Land Uses*, and are described below in Table 2-1, *Surrounding Land Uses*. Vacant and undeveloped land surrounds the Project site. A commercial/residential property is located south of Stoddard Wells Road, south of the Project site. As a conservative approach, the property is treated as a residential property for analysis purposes based on its existing General Plan land use and zoning designations of Estate Residential (R-E).

3.2 STATEMENT OF OBJECTIVES

The underlying purpose and goal of the Apple Valley 84 Project is to develop modern industrial uses in the Town of Apple Valley in close proximity to the State highway system in order to increase employment opportunities and improve the Town's economic competitiveness. The Project would achieve its underlying purpose and goal through the following objectives.

A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.

B. To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.

C. To attract new businesses to the Town of Apple Valley and thereby provide a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

D. To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.

E. To develop a Class A speculative industrial building in the Town of Apple Valley that is designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.

F. To develop an industrial building in close proximity to the I-15 and SR-18 freeways that can be used as part of the southern California goods movement network.

3.2 APPROVED APPLE VALLEY 143 PROJECT BACKGROUND

The Apple Valley 143 Project EIR (SCH No. 2022070019) was certified on November 15, 2023 by the Town of Apple Valley and analyzed the construction and operation of approximately 2,520,000 sf of industrial/warehouse space on approximately 143 acres of vacant land directly adjacent to the west boundary of the Project site. The Apple Valley 143 Project EIR analyzed off-site street and utility improvements including the construction of Outer I-15 Road, construction of a water main within the rights-of-way of Johnson Road, Stoddard Wells Road, Outer I-15 Road, Falchion Road, and Apple Valley Road; and connections for utilities (storm drainage, electricity, natural gas, water, and telecommunications) and other roadway and pedestrian improvements (e.g., road repaving or installation of sidewalks along building frontages). The Project would be served by the off-site infrastructure improvements analyzed in the Apple Valley 143 EIR. Therefore, no offsite utility improvements would be required under the Project. Discussion on how the Project would be adequately served by off-site utility improvements is provided in Section 4.15, *Utilities and Services Systems*, of the Draft EIR.

3.3 PROJECT COMPONENTS AND DISCRETIONARY APPROVALS

The Project proposes demolition of the existing concrete foundation and the construction and operation of one industrial building totaling approximately 1,381,412 square feet (sf), including 30,000 sf of office space. Due to the speculative nature of the Project, cold storage has been assumed to account for potential future tenant needs. For the purposes of the analyses contained in this EIR, the Project mix assumes 10% general light industrial, 15% high-cube cold storage warehouse use, and 75% high-cube fulfillment (non-sort) center warehousing use. The Project requires the following discretionary approvals to allow for the development of one 1,381,412 square foot industrial building: General Plan Amendment (GPA) 2024-001, Zone Change (ZC) 2024-007, Development Code Amendment (DCA) 2025-003, Development Permit – Major Project 2025-013,

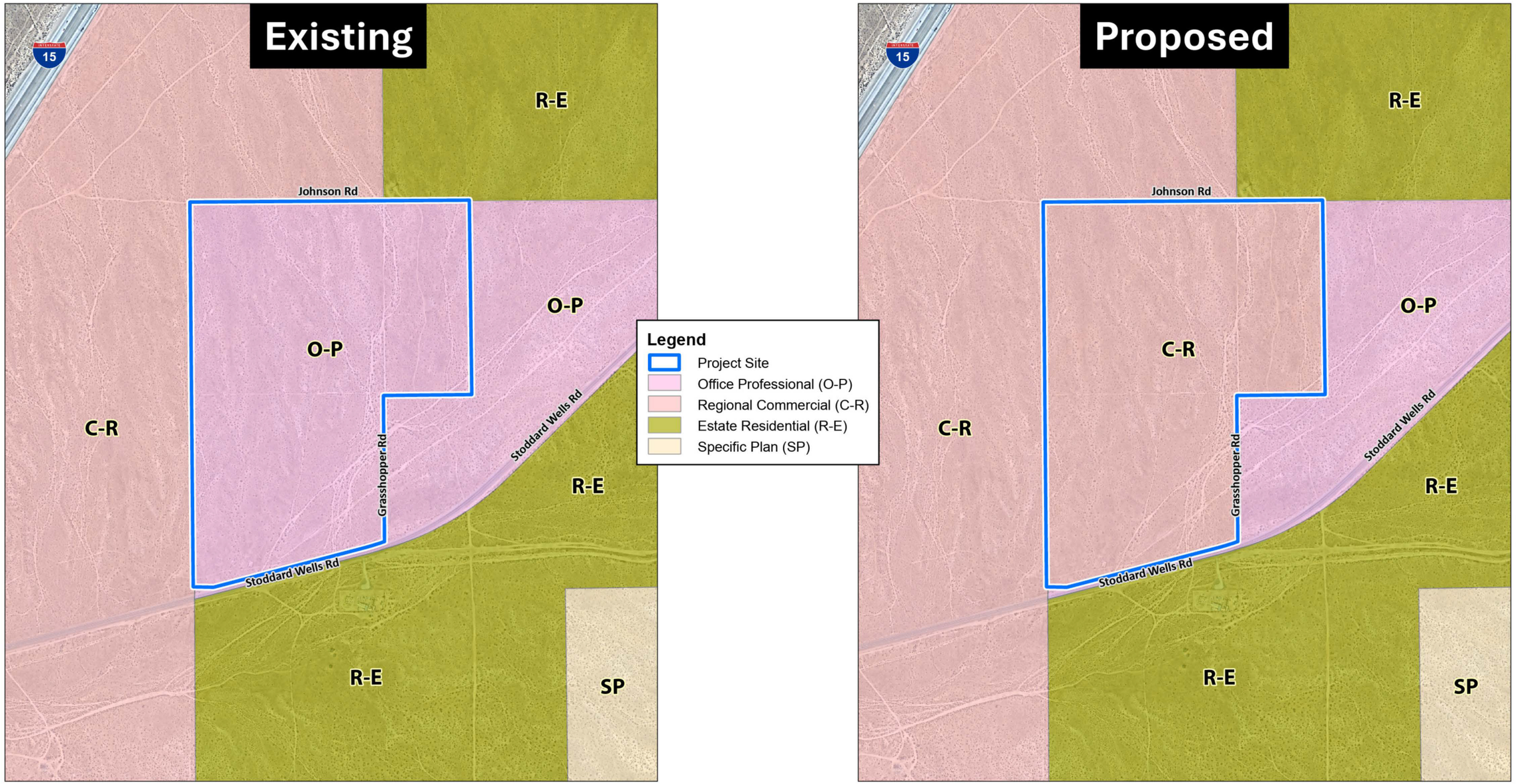
Vesting Tentative Parcel Map No. No. 21034), and a Development Agreement. These principal discretionary actions are required of the Town of Apple Valley to implement the Project and are described in detail on the following pages. Additional discretionary and administrative actions that would be necessary to implement the proposed Project are listed in Table 3-3, *Matrix of Project Approvals/Permits*, presented at the end of this Section.

3.3.1 General Plan Amendment

A General Plan Amendment is required to change the Project site's existing General Plan land use designation from Office Professional (O-P) to Regional Commercial (C-R) General Plan land use designation. The C-R land use category allows retail uses that serve not only the residents and businesses of Apple Valley, but also of the surrounding region. Permitted uses in this designation include auto malls, regional malls, business parks, factory stores and outlets, entertainment commercial, hotels and motels, restaurants, institutional and public uses. The minimum size for a Regional Commercial project site is 10 acres. See Figure 3-1, *Existing and Proposed General Plan Designations*.

3.3.2 Zone Change

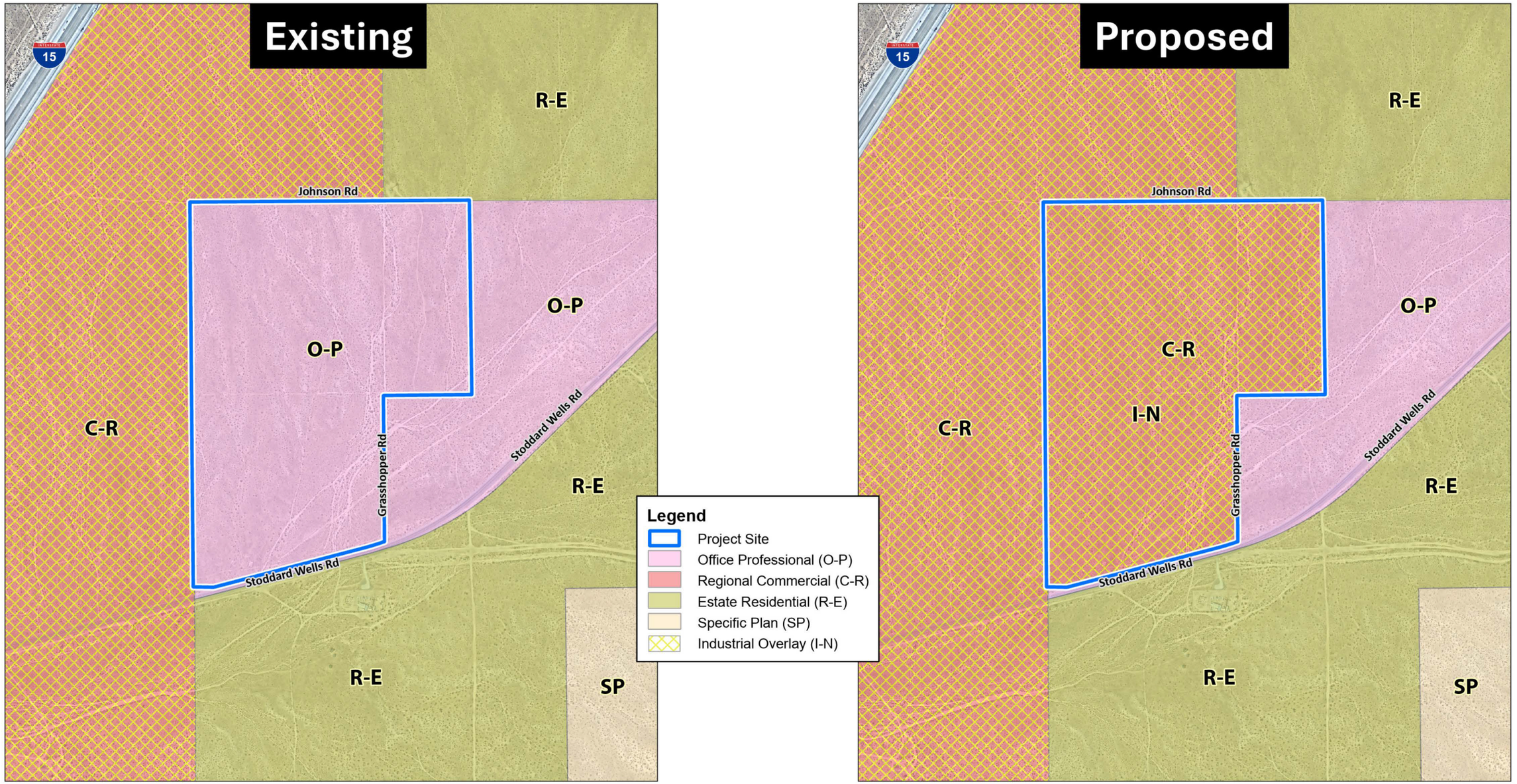
A Zone Change is required to change the Project site's existing zoning designation would be changed from Office Professional (O-P) to Regional Commercial (C-R) with the I-N Industrial Overlay designation. The C-R district is intended for the development of a full range of retail stores, offices and personal and business services on a scale to serve the needs of the Town and the surrounding region, to be located in proximity to interstate and state highways and arterial roadways. This district implements the General Plan Regional Commercial (C-R) land use designation. A maximum floor area ratio of 1.0 is permitted in the C-R District. A total of 978 acres within the C-R District bounded by Interstate 15 (I-15) freeway to the west, Dante Road to the south and Cordova Road to the north, and CR District's boundary to the east currently allow eCommerce fulfillment and distribution centers. See Figure 3-2, *Existing and Proposed Zoning Designations*.



Source(s): Town of Apple Valley (November 2022), Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 3-1

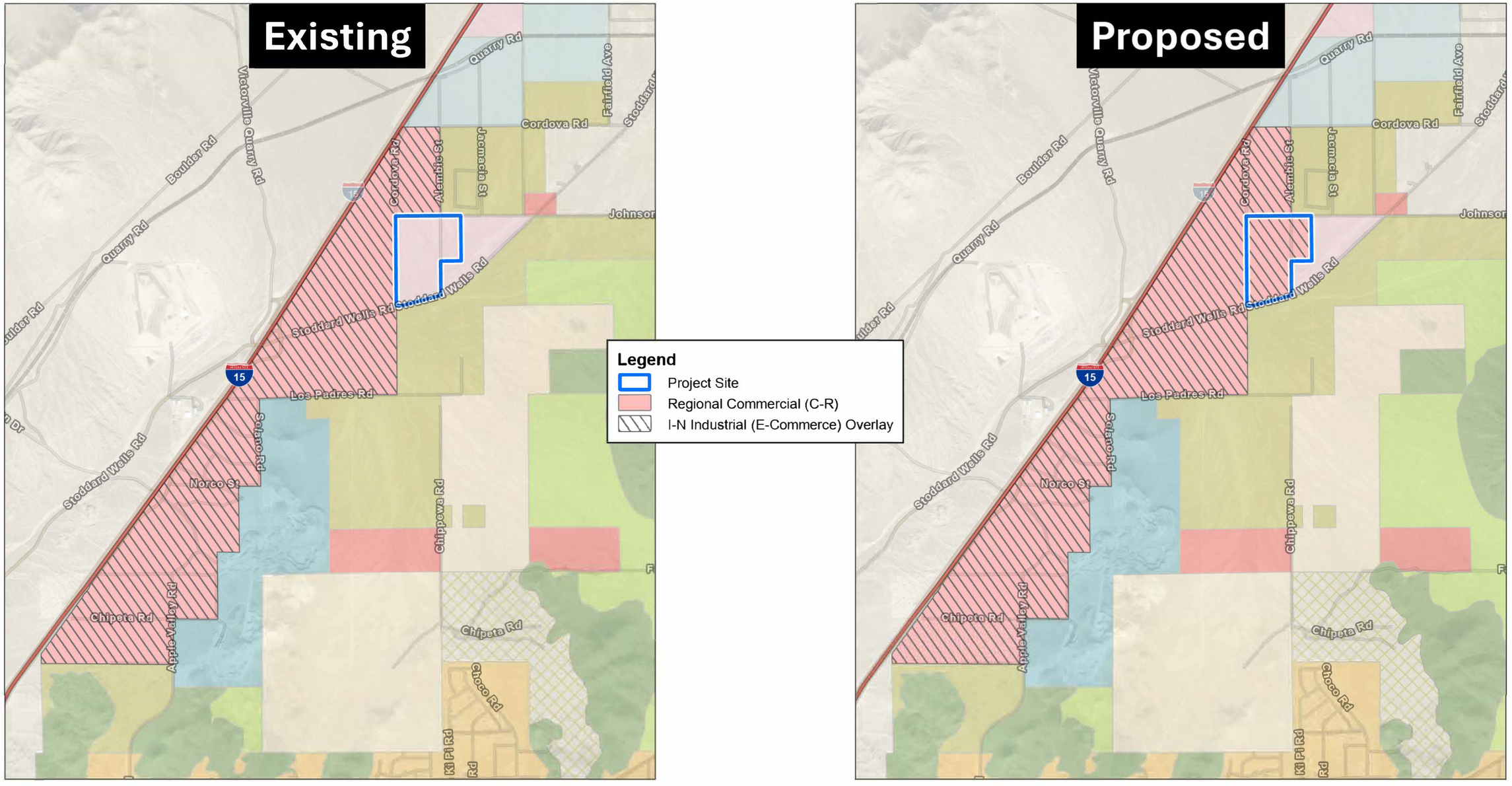
Existing and Proposed General Plan Designations



Source(s): Town of Apple Valley (November 2022), Esri, Nearmap Imagery (August 2024), San Bernardino County (2025)

Figure 3-2

Existing and Proposed Zoning Designations



Source(s): Town of Apple Valley (November 2022), Esri, San Bernardino County (2025)

Figure 3-3

0 175 350 700 Feet

Existing and Proposed E-Commerce Overlay

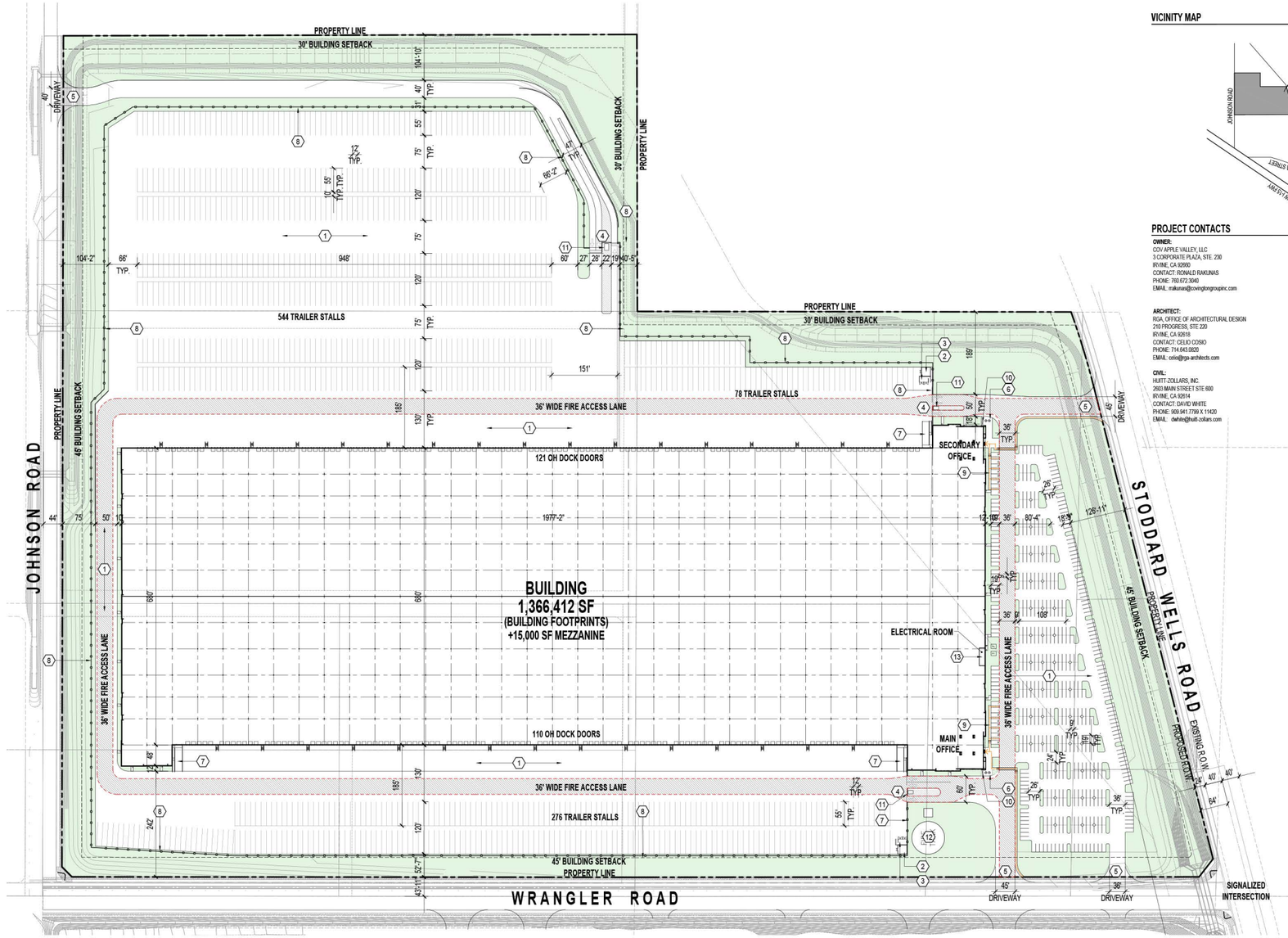
3.3.3 Development Code Amendment

To further accommodate Project use, the Town's current C-R e-commerce fulfillment and distribution center overlay boundaries would be amended to include the Project site. Refer to Figure 3-3, *Existing and Proposed E-Commerce Overlay*. The DCA would amend Municipal Code Title 9 Development Code Chapter 9.35, Table 9.35.030-A Permitted Uses, Footnote 7 to change the streets that serve as the overlay's perimeter boundaries and include the Project site. The recommended amended language is as follows:

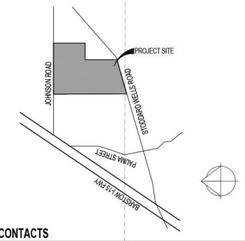
> In the C-R District, new e-Commerce fulfillment and distribution centers shall only be allowed within the ~~978~~1,070.73 acres bounded by Interstate ~~I-~~15 ~~freeway~~ to the west, Dante ~~Road~~ Street to the south, Cordova Road~~and Caplet Street~~ to the north, and by streets and property lines establishing the east boundary as depicted on the Zoning Map exhibit included in Town Ordinance (number to be determined)~~the latest CR District's boundary to the east~~. Any new e-Commerce fulfillment and distribution centers would be subject to Site Development Standards in Section 9.35.040; Industrial Design Standards in Chapter 9.47; and Off-street parking regulations in Chapter 9.72 and Landscaping regulations in Chapter 9.75 for industrial uses/developments. Conflicts and Clarification shall be resolved as specified in Section 9.05.080.

3.3.4 Development Permit – Major Project

As shown on Figure 3-4, *Site Plan*, the Project proposes demolition of the existing concrete foundation and the construction and operation of one industrial building totaling approximately 1,381,412 square feet (sf), including 30,000 sf of office space. Due to the speculative nature of the Project, cold storage has been assumed to account for potential future tenant needs. For the purposes of the analyses contained in this EIR, the Project mix assumes 10% general light industrial, 15% high-cube cold storage warehouse use, and 75% high-cube fulfillment (non-sort) center warehousing use. The Project includes a total of 528 parking stalls, including 10 Americans with Disabilities Act (ADA) accessible stalls,2 ADA accessible van stalls, 22 electric vehicle supply equipment (EVSE) stalls, 2 EVSE ADA accessible stalls, 2 EVSE accessible van stalls, 1 EVSE ambulatory stall, and 79 electric vehicle (EV) capable stalls. Additionally, the Project provides 898 (12' x 55') trailer parking stalls and 231 dock doors on the north and south building elevations. As shown in Figure 3-5, *Fence and Gate Plan*, a 8-foot-high steel fence would be provided along the perimeter of the truck court and truck parking area located to the east and west of the proposed building with 8-foot-high steel gates at the entrances, The primary components of the Project are described below.



VICINITY MAP



PROJECT CONTACTS

OWNER:
COV APPLE VALLEY, LLC
3 CORPORATE PLAZA, STE: 230
IRVINE, CA 92660
CONTACT: RONALD RAKUNAS
PHONE: 760.672.3040
EMAIL: rrakunas@covinglongroupinc.com

ARCHITECT:
RGA, OFFICE OF ARCHITECTURAL DESIGN
210 PROGRESS, STE 220
IRVINE, CA 92618
CONTACT: CELIO COSIO
PHONE: 714.643.0820
EMAIL: celio@rga-architects.com

CIVIL:
HUITT-ZOLLARS, INC.
2603 MAIN STREET STE 600
IRVINE, CA 92614
CONTACT: DAVID WHITE
PHONE: 909.941.7799 X 11420
EMAIL: dwhite@huitt-zollars.com

OWNER REPRESENTATIVE:
T&B PLANNING
3200 EL CAMINO REAL, STE 100
IRVINE, CA 92602
CONTACT: NICOLE MORSE
EMAIL: nmorse@tbplanning.com

LANDSCAPE ARCHITECT:
HUNTER LANDSCAPE
CONTACT: TOM HAYES
PHONE: 714.986.2400
EMAIL: tomh@hunterlandscape.net

PROJECT DATA:

SITE AREA	
ac	92.73
sf	4,039,319
BUILDING AREAS	
Office	15,000 sf
Mezzanine	15,000 sf
Warehouse	1,351,412 sf
TOTAL	**1,381,412 sf**
FAR (1.0 max)	0.34
COVERAGE	33.8%
ZONING	C-R (REGIONAL COMMERCIAL)
CONSTRUCTION TYPE	III-B
FIRE PROTECTION	ESFR SYSTEM
MAXIMUM BUILDING HEIGHT	55 FT.
OCCUPANCY TYPE	B & S-1
PARKING REQUIREMENTS	
Office	
IF > 25% of total bldg area	n/a
Warehouse	
1st 10k sf @ 1/ 500 sf	20 stalls
>10k sf @ 1/ 1000 sf	1,371 stalls
TOTAL	**1,371** stalls
LOADING SPACE	
Requirements:	
Trailer (Manufacturing, Wholesale, Warehousing and Other Industrial Uses)	
Less than 20k sf (1 space)	1 space
Each additional 20k sf (1 additional	67 space
Total Required	68 space
Provided:	231 space
PARKING PROVIDED	
Standard (9'X19')	410 stalls
Accessible Van (12'X19')	2 stalls
Standard Accessible (9'X19')	10 stalls
EVSE Accessible Van (12'X19')	2 stalls
EVSE Accessible (9'X19')	2 stalls
EVSE Ambulatory (9'x19')	1 stalls
EVSE Standard (9'X19')	22 stalls
EV Capable (9'X19')	79 stalls
TOTAL	**528 stalls**
Trailer Parking (12'x55')	**898 stalls**
LANDSCAPE REQUIREMENTS	
Required: 10% of total site area	**403,932 sf**
Provided:	
In s.f.	**844,246 sf**
In percentage	**20.9%**
SETBACKS	
Minimum front setback (feet)	
From local streets	35 ft
From major or secondary streets	45 ft
Minimum rear setback (From the perimeter of the development)	30 ft
Minimum side setback (From the perimeter of the development)	30 ft
WALLS OR FENCE MAXIMUM HEIGHT	
Within Clear site triangle	30 inches
Solid walls or fences within front or	42 inches
Open fences within front or street si	72 inches
All other locations on site	72 inches

SITE PLAN KEYNOTES

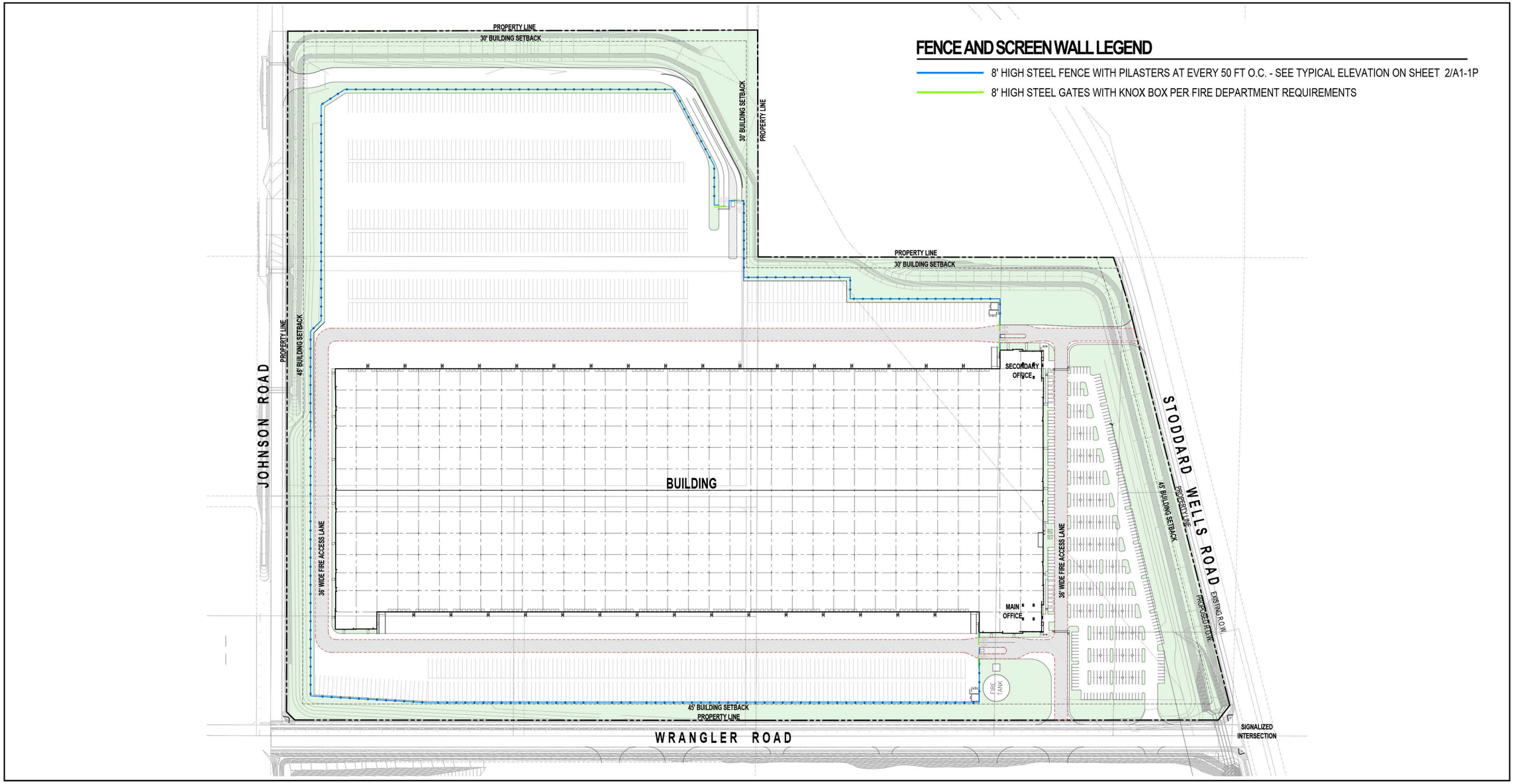
(##)
1. SITE PAVEMENT, SEE CIVIL PLANS.
2. PUMP HOUSE, SEE DETAIL A/A1-1P.
3. TRASH ENCLOSURES TO BE CONSISTENT WITH CITY STANDARDS CHAPTER 9.46.080 OF THE DEVELOPMENT CODE. SEE DETAIL 3/A1-1P.
4. 8' HIGH STEEL GATES WITH KNOX BOX PER FIRE DEPARTMENT STANDARDS, SEE DETAIL 2/A1-1P AND FENCE/WALL PLAN ON SHEET A1-2P.
5. DECORATIVE DRIVEWAY CONCRETE PER LANDSCAPE PLANS.
6. EMPLOYEE OUTDOOR SEATING PER LANDSCAPE PLANS AND DETAIL 7/A1-1P.
7. DRIVE-THRU RAMP WITH PEDESTRIAN ACCESS.
8. 8' HIGH STEEL FENCE WITH PILASTERS AT 50' SPACING, SEE DETAIL 2/A1-1P.
9. ACCESSIBLE PATH OF TRAVEL.
10. 14-CAPACITY BICYCLE RACKS - LONG/SHORT TERM, SEE DETAIL 3/A1-1P.
11. APPROXIMATE LOCATION OF GUARD BOOTH, SEE DETAIL 0/A1-1P.
12. APPROXIMATE LOCATION FOR FIRE TANK.
13. APPROXIMATE LOCATION OF ELECTRICAL EQUIPMENT.
14. LANDSCAPE AREA - SEE LANDSCAPE PLANS.
15. 36 FT WIDE FIRE ACCESS LANE.

Source(s): RGA (10-21-2025)

Figure 3-4

Not to Scale

Site Plan



Source(s): RGA (10-21-2025)

Figure 3-5

Not to Scale

Fence and Gate Plan

B. Architecture Plan

Architectural elevations for the Project are illustrated in Figures 3-6a and 3-6b, *Proposed Architectural Elevations*. The proposed architecture plan includes a building with a maximum height of 52 feet above finished floor elevation. The building would be constructed with concrete tilt-up walls, with special architectural features and colors at the potential office locations of the building, which would feature blue tempered vision glass and concrete back spandrel glass. The proposed building's exterior color palette would be comprised of various shades of white, gray, blue, and silver. Decorative building elements include panel reveals, parapets, mullions, canopies, and finished wood areas.

C. Landscape Plan

As shown in Figure 3-7, *Proposed Landscape Plan*, the Project would provide approximately 844,246 sf of landscaping (20.9 percent of the Project site) including trees, shrubs, accents, and groundcover that surround the proposed building and parking areas. A variety of trees are proposed including 35 15-gallon shoestring acacia trees and 635 24-inch box trees consisting of Blue Palo Verde, Strawberry, Raywood Ash, Afghan Pine, Chinese Pistache, Mexican Palo Verde, Southern Live Oak, and African Sumac. Five (5)-gallon shrubs would be incorporated including Coyote Bush, Shrubby Senna, Parney's Cotoneaster, True Myrtle, English Lavender, Texas Ranger, Sugar Bush, Rosemary, Allen Chickering Sage, and Autumn Sage. Additionally, 5-gallon ocotillo accent and 1-gallon groundcover including Dwarf Cacia, Dwarf Coyote Bush, Trailing Indio Bush, Prostrate Rosemary, Morning Glory, and Gazania are proposed.

D. Water and Sewer Infrastructure Improvements

The Town of Apple Valley has several privately owned water companies that provide water service to residents and businesses in Apple Valley. The two largest water companies are Liberty Utilities and Golden State Water Company. Water service to the Project site would be provided by Liberty Utilities. As shown in Figure 3-8, *Conceptual Grading, Utility, and Drainage Plan*, the Project proposes water connections from the southwestern corners of the building to the existing 16-inch water main on the new proposed public road, Wrangler Road.

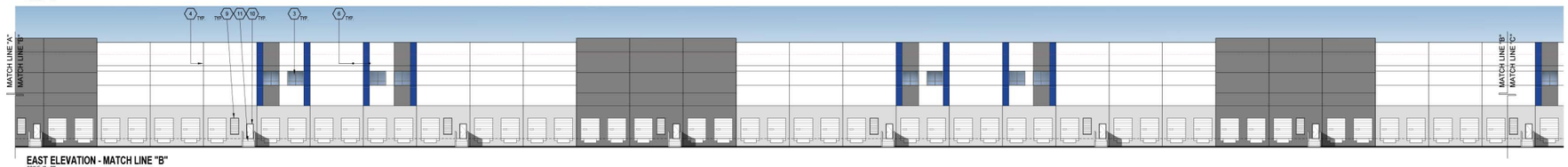
Sewer service to the Project site would be provided by the Town of Apple Valley Public Works Wastewater Division. The Project proposes 6-inch laterals from the southwestern corners of the building to the existing 8-inch sewer main on Wrangler Road.



NORTH ELEVATION (ALONG JOHNSON ROAD)
SCALE: 1" = 20'



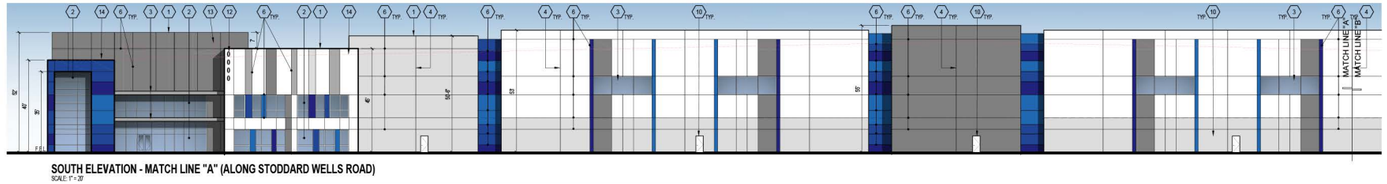
EAST ELEVATION - MATCH LINE "A"
SCALE: 1" = 20'



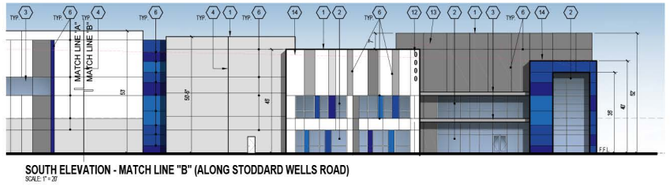
EAST ELEVATION - MATCH LINE "B"
SCALE: 1" = 20'



EAST ELEVATION - MATCH LINE "C"
SCALE: 1" = 20'



SOUTH ELEVATION - MATCH LINE "A" (ALONG STODDARD WELLS ROAD)
SCALE: 1" = 20'



SOUTH ELEVATION - MATCH LINE "B" (ALONG STODDARD WELLS ROAD)
SCALE: 1" = 20'

FINISH / MATERIALS LEGEND

	P-1	SHERWIN WILLIAMS: SW 7005 - I
	P-2	SHERWIN WILLIAMS: SW 7071 -
	P-3	SHERWIN WILLIAMS: SW 7073 -
	P-4	SHERWIN WILLIAMS: SW 7074 -
	P-5	SHERWIN WILLIAMS: SW 6803 -
	P-6	SHERWIN WILLIAMS: SW 6797 -
	P-7	SHERWIN WILLIAMS: SW 6967 -
	GL-1	VISTACOOL PACIFICA REFLECTIVE GLAZING WITH CLEAR ANODIZED ALUM. MULLIONS
		ACM-1 ALUCOBOND SILVER METALLIC

EXTERIOR ELEVATIONS KEYNOTES

(#)

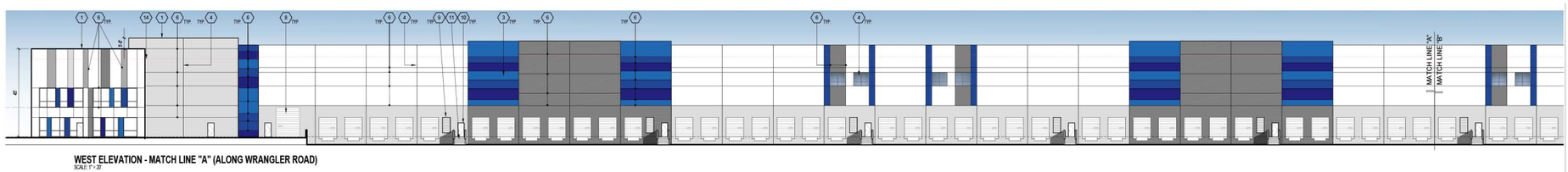
1. PAINTED CONCRETE TILT-UP PARAPET AND RETURNS AT HEIGHT TO FULLY CONCEAL THE ROOF TOP UNITS FROM GROUND-LEVEL AND ADJACENT VIEWPOINTS FROM THE PUBLIC VIEW.
2. STOREFRONT SYSTEM & DOORS WITH ANODIZED ALUMINUM FRAMES/MULLIONS.
3. PAINTED STEEL TUBE CANOPY WITH PANEL COVER ABOVE THE ROOF DOORS.
4. WAREHOUSE CLERESTORY WINDOWS WITH CLEAR ANODIZED ALUMINUM FRAMES.
5. CONCRETE TILT-UP PANEL JOINTS - PAINTED.
6. CONCRETE TILT-UP REVEALS - PAINTED.
7. 9'X10' OVERHEAD DOCK DOORS, TYP.
8. 12'X14' OVERHEAD DRIVE-THRU DOORS, TYP.
9. 4'X8' AIR INTAKE LOUVERS, TYP.
10. EXTERIOR HOLLOW METAL DOORS.
11. CONCRETE STAIRS WITH GUARDRAILS/HANDRAILS.
12. BUILDING ADDRESS NUMBERS PER FIRE DEPARTMENT REQUIREMENTS.
13. APPROXIMATE LOCATION OF ROOF TOP UNITS.
14. PRELIMINARY TOP OF ROOF FINISH.

Source(s): RGA (10-21-2025)

Figure 3-6a

Not to Scale

Proposed Architectural Elevations



WEST ELEVATION - MATCH LINE "A" (ALONG WRANGLER ROAD)
SCALE: 1" = 20'



WEST ELEVATION - MATCH LINE "B" (ALONG WRANGLER ROAD)
SCALE: 1" = 20'



WEST ELEVATION - MATCH LINE "C" (ALONG WRANGLER ROAD)
SCALE: 1" = 20'

FINISH / MATERIALS LEGEND

	P-1	SHERWIN WILLIAMS: SW 7005 - I
	P-2	SHERWIN WILLIAMS: SW 7071 -
	P-3	SHERWIN WILLIAMS: SW 7073 -
	P-4	SHERWIN WILLIAMS: SW 7074 -
	P-5	SHERWIN WILLIAMS: SW 6803 -
	P-6	SHERWIN WILLIAMS: SW 6797 -
	P-7	SHERWIN WILLIAMS: SW 6967 -
	GL-1	VISTACOOL PACIFICA REFLECTIVE GLAZING WITH CLEAR ANODIZED ALUM. MULLIONS
		ACM-1 ALUCOBOND SILVER METALLIC

EXTERIOR ELEVATIONS KEYNOTES

1. PAINTED CONCRETE TILT-UP PARAPET AND RETURNS AT HEIGHT TO FULLY CONCEAL THE ROOF TOP UNITS FROM GROUND-LEVEL AND ADJACENT VIEWPOINTS FROM THE PUBLIC VIEW.
2. STOREFRONT SYSTEM & DOORS WITH ANODIZED ALUMINUM FRAMES/MULLIONS.
3. PAINTED STEEL TUBE CANOPY WITH PANEL COVER ABOVE THE ROOF DOORS.
4. WAREHOUSE CLERESTORY WINDOWS WITH CLEAR ANODIZED ALUMINUM FRAMES.
5. CONCRETE TILT-UP PANEL JOINTS - PAINTED.
6. CONCRETE TILT-UP REVEALS - PAINTED.
7. 9'X10' OVERHEAD DOCK DOORS, TYP.
8. 12'X14' OVERHEAD DRIVE-THRU DOORS, TYP.
9. 4'X8' AIR INTAKE LOUVERS, TYP.
10. EXTERIOR HOLLOW METAL DOORS.
11. CONCRETE STAIRS WITH GUARDRAILS/HANDRAILS.
12. BUILDING ADDRESS NUMBERS PER FIRE DEPARTMENT REQUIREMENTS.
13. APPROXIMATE LOCATION OF ROOF TOP UNITS.
14. PRELIMINARY TOP OF ROOF FINISH.

Source(s): RGA (10-21-2025)

Figure 3-6b

Not to Scale

Proposed Architectural Elevations



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Acacia stenphylium Shoestring Acacia	15 Gal	35	M	Standard
	Cercidium 'Desert Museum' Blue Palo Verde	24" Box	13	L	Multi
	Arbutus unedo Strawberry Tree	24" Box	71	L	Multi
	Fraxinus a. 'Raywood' Raywood Ash	24" Box	91	M	Standard
	Pinus eldarica Afghan Pine	24" Box	168	L	Standard
	Pistacia chinensis Chinese Pistache	24" Box	41	M	Standard
	Parkinsonia aculata Mexican Palo Verde	24" Box	101	L	Standard
	Quercus virginiana Southern Live Oak	24" Box	76	M	Multi
	Rhus lancea African Sumac	24" Box	74	L	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE		WUCOLS	SPACING
	Baccharis p. 'Centenial' Coyote Bush	5 Gal		L	4' OC 2.5' from hardscape
	Cassia wislizeni Shrubby Senna	5 Gal		L	4' OC 2.5' from hardscape
	Cotoneaster lacteus Parney's Cotoneaster	5 Gal		L	4' OC 2.5' from hardscape
	Myrtus communis True Myrtle	5 Gal		L	5' OC 3' from hardscape
	Lavendula angustifolia English lavender	5 Gal		L	3' OC 2' from hardscape
	Leucophyllum frutescens Texas Ranger	5 Gal		L	4' OC 2.5' from hardscape
	Rhus ovata Sugar Bush	5 Gal		L	6' OC 3.5' from hardscape
	Rosmarinus o. 'Tuscan Blue' Rosemary	5 Gal		L	3' OC 2' from hardscape
	Salvia c. 'Allen Chickering' Allen Chickering Sage	5 Gal		L	4' OC 2.5' from hardscape
	Salvia greggii Autumn Sage	5 Gal		L	3' OC 2' from hardscape

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE		WUCOLS	REMARKS
	Fouquieria splendens Ocotillo	5 Gal		L	

Total

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE		WUCOLS	SPACING
	Acacia redolens 'Low Boy' Dwarf Acacia	1 Gal		L	8' OC 4.5' from hardscape
	Baccharis p. 'Pigeon Point' Dwarf Coyote Bush	1 Gal		L	6' OC 3.5' from hardscape
	Dalea greggii Trailing Indio Bush	1 Gal		L	8' OC 4.5' from hardscape
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal		L	4' OC 2.5' from hardscape
	Convolvulus mauritanicus Morning Glory	1 Gal		L	3' OC 2' from hardscape
	Gazania spp. Gazania	1 Gal		L	15" OC 20"' from hardscape

Total 6244

VINES

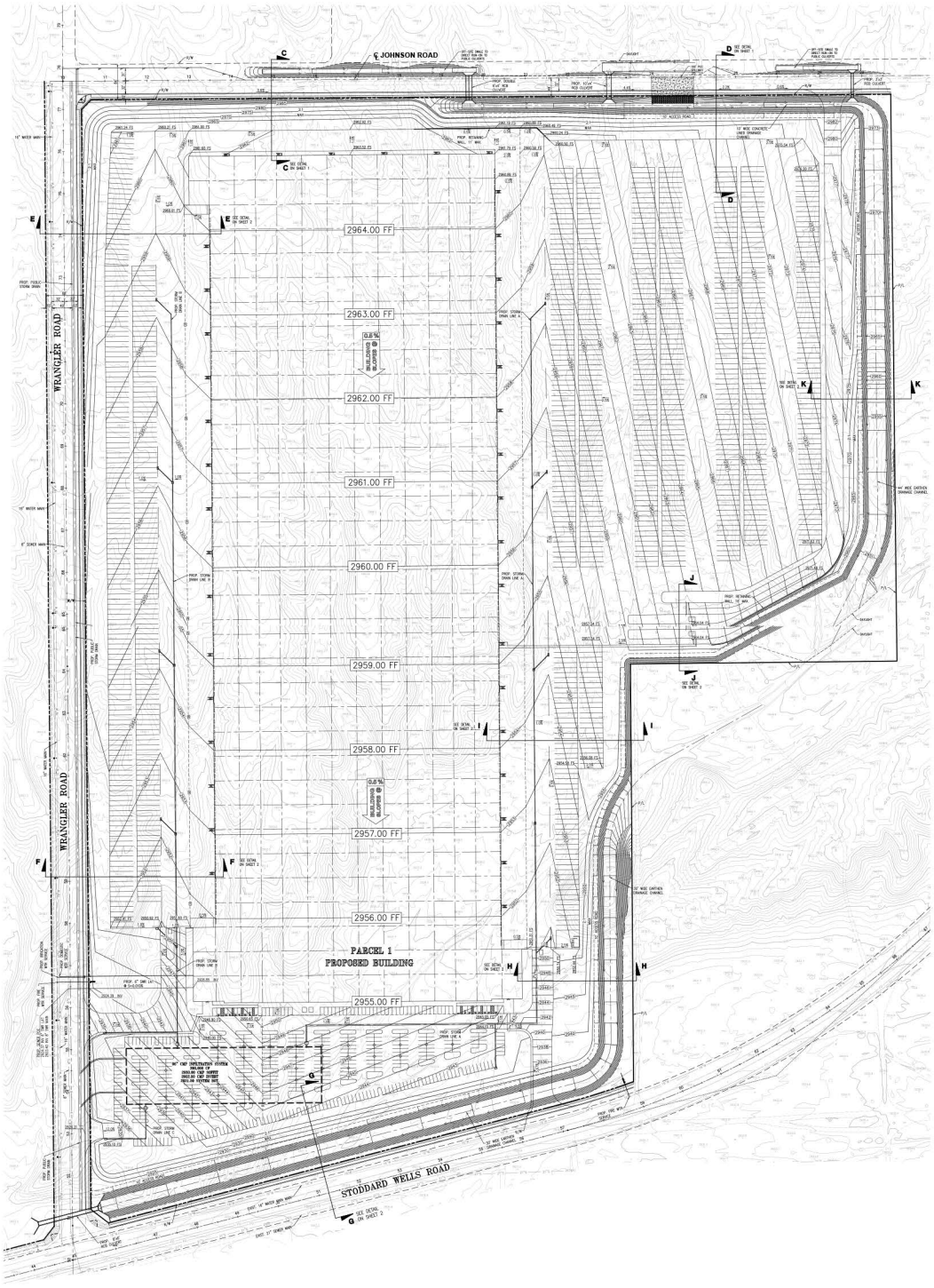
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Campsis radians Common Trumpet Creeper	1 Gal	10	L	

Source(s): Hunter Landscape (10-17-2025)

Figure 3-7

Not to Scale

Proposed Landscape Plan



Source(s): Huitt-Zollars (07-14-2025)

Figure 3-8

Not to Scale

Conceptual Grading, Utility, and Drainage Plan

E. Stormwater Drainage Infrastructure Improvements

The Project's drainage system would consist of one (1) drainage management area. The Project would be designed to closely replicate the existing drainage patterns to minimize downstream impacts. Runoff would be collected by multiple catch basins located throughout the Project site and directed to an on-site underground infiltration system located in the southern section of the property. The underground infiltration system would be sized to accommodate the Design Capture Volume and provide peak storm detention (100-year storm event). Prior to entering the infiltration system, stormwater would pass through hydrodynamic separator units for pre-treatment, ensuring removal of debris and pollutants.

Once the system reaches its maximum storage capacity, excess runoff would overflow through two proposed 36-inch on-site storm drains and discharge into a new 60-inch public storm drain along Wrangler Road. From there, the overflow would be conveyed downstream to the Bell Mountain Wash, Mojave River, then to Silver Lake, and ultimately to Soda Lake.

F. Electricity, Natural Gas, and Telecommunication Services

Electrical power for the Town is provided by Southern California Edison (SCE) and natural gas service is provided by the Southwest Gas Holdings, Inc. (Southwest Gas). Telecommunications services would be provided by Charter Communications and Spectrum.

The Project would involve utility connections to provide electric power and telecommunications services to the Project site. No natural gas would be used for the Project.

G. Roadway Improvements

The Project would widen Wrangler Road and Stoddard Wells Road to their ultimate sections and construct Johnson Road along the Project frontage. The Project would construct a total of four (4) driveways, one on the northeast along Johnson Road, two on the southwest along Wrangler Road, and one on the southeast along Stoddard Wells Road. The Project would also install a traffic signal at the intersection of Stoddard Wells Road and Wrangler Road.

H. Off-Site Utility Improvements

No off-site utility improvements are proposed as part of the Project. As discussed previously, the Project would be served by the off-site utilities that were analyzed as part of the Apple Valley 143 EIR. The Project would connect to water and sewer mains on the new proposed public road, Wrangler Road. There are no other off-site utility improvements required for this Project.

3.3.5 Vesting Tentative Parcel Map

As shown on Figure 3-9, *Vesting Tentative Parcel* Map, the Project would include a Vesting Tentative Parcel Map (VTPM) No. 21034 to merge 12 parcels (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01) into one new legal parcel to facilitate the implementation of the proposed Site Plan, as described above.

3.3.6 Development Agreement

The Project includes a Development Agreement between the Town and the Project Applicant pursuant to Apple Valley Municipal Code Section 9.04, to vest development rights. The Development Agreement does not contemplate any additional physical improvements, other than those already identified in the Project description, analysis, and proposed mitigation for the Project.

3.4 SCOPE OF ENVIRONMENTAL ANALYSIS

3.4.1 Project Construction Characteristics

A. Proposed Physical Disturbances

As depicted on Figure 3-8, *Conceptual Grading, Utility, and Drainage Plan*, grading and physical disturbance would occur over the entire Project site. Specifically, grading activities on site would require approximately 738,987 cubic yards (CY) of cut and approximately 744,043 CY of fill, requiring approximately 5,056 CY of soil import.

VESTING TENTATIVE PARCEL MAP NO. 21034

IN THE TOWN OF APPLE VALLEY, STATE OF CALIFORNIA

HUITT–ZOLLARS

JULY 2025

OWNER/DEVELOPER
APPLE 84, LLC
3 CORPORATE PLAZA, SUITE 230
NEWPORT BEACH, CA 92660
OFFICE: 949–514–0274
CONTACT: BRANDON GALLUP

ENGINEER
HUITT–ZOLLARS
3990 CONCOURS, SUITE 330
ONTARIO, CALIFORNIA 91764
PHONE: (909) 941–7799
CONTACT: DAVID WHITE

REFERENCES

(R1) PARCEL MAP NO. 1663, P.M.B. 15/26

(R2) PARCEL MAP NO. 31, P.M.B. 1/17

(R3) PARCEL MAP NO. 2580, P.M.B. 22/95

(R4) PARCEL MAP NO. 1772, P.M.B. 14/89

MONUMENT NOTES

● FOUND MONUMENT AS NOTED

SEARCHED FOUND NOTHING AT ALL PROPERTY CORNERS UNLESS SHOWN OTHERWISE.

SCALE IN FEET
0 150 300 600
SCALE: 1" = 150'

UTILITY PROVIDERS

ELECTRICITY
SOUTHERN CALIFORNIA EDISON
12353 HESPERIA RD
VICTORVILLE, CA 92395
(909) 684–8123

WATER
LIBERTY UTILITIES
21760 OTTAWA ROAD
APPLE VALLEY, CA 92307
(760) 247–6484

GAS
SOUTHERN CALIFORNIA GAS CO.
17071 GAS LINE ROAD
VICTORVILLE, CA 92394
(800) 427–2000

SOUTHWEST GAS CO.
13471 MARIPOSA ROAD
VICTORVILLE, CA 92395
(877) 860–6020

TELEPHONE
CHARTER COMMUNICATIONS
7337 CENTRAL AVENUE
RIVERSIDE, CA 92504
(951) 354–5942

CABLE
SPECTRUM
19157 BEAR VALLEY RD B
APPLE VALLEY, CA 92308
(888) 406–7063

SEWER
TOWN OF APPLE VALLEY
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY
VICTORVILLE, CA 92394
(760) 246–8638

BASIS OF BEARINGS:
THE BEARINGS OF THE FIELD SURVEY REFERENCED HEREON ARE BASED ON THE BEARING BETWEEN CORS "P589" AND CORS "P582" BEING NORTH 88°14'06" WEST PER PUBLISHED VALUES BY SOPAC.

FLOOD ZONE:
THE PROPERTY SHOWN HEREON IS LOCATED WITHIN FLOOD ZONE D. FLOOD ZONE D IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ON FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM (FLOOD INSURANCE RATE MAP) MAP NO. 06071C5830H, EFFECTIVE DATE AUGUST 28, 2008.

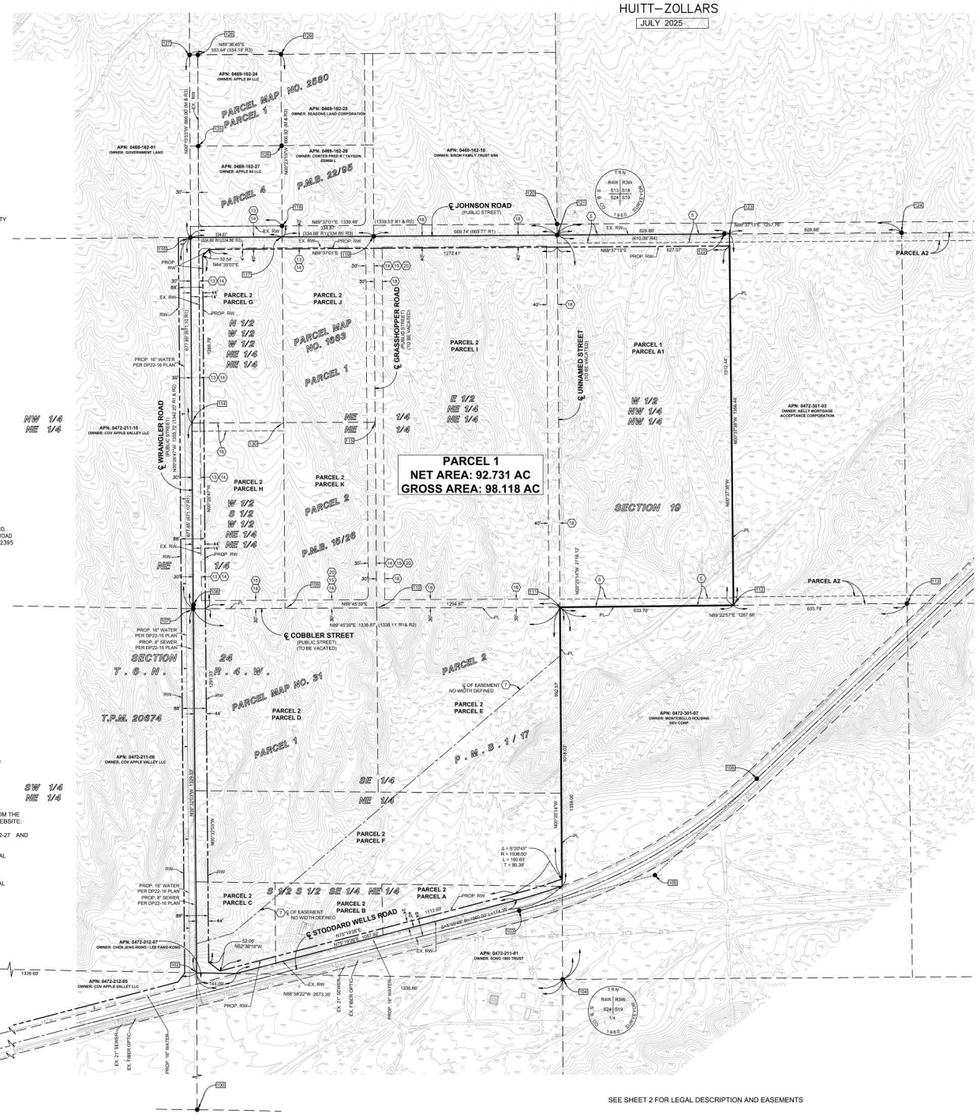
ZONING INFORMATION SHOWN WAS OBTAINED FROM THE CITY OF APPLE VALLEY PLANNING DEPARTMENT WEBSITE:

THE FOLLOWING AFFECTS APN NO. 0469-162-27 AND 0469-162-24

ZONING INFORMATION: (CR) REGIONAL COMMERCIAL

THE FOLLOWING AFFECTS ALL OTHER APN'S

ZONING INFORMATION: (O-P) OFFICE PROFESSIONAL


PARCEL MAP NO. 2580
PARCEL 1
PARCEL 4
PARCEL MAP NO. 1663
PARCEL 1
PARCEL 2
PARCEL 31
PARCEL MAP NO. 31
PARCEL 1
PARCEL 2
P.M.B. 15/26
P.M.B. 22/95
P.M.B. 1/17
P.M.B. 14/89
SECTION 19
T. 6 N.
R. 4 W.
SECTION 24
T. 6 N.
R. 5 W.
APN: 0469-162-24
OWNER: APPLE 84 LLC
APN: 0469-162-23
OWNER: SEARING LAND CORPORATION
APN: 0469-162-28
OWNER: CHEVRON 9113 TEXACO (TENANT)
APN: 0469-162-27
OWNER: APPLE 84 LLC
APN: 0469-162-01
OWNER: GOVERNMENT LAND
APN: 0469-162-10
OWNER: SHOW FAMILY TRUST 9/99
APN: 0472-201-07
OWNER: MONTECELLO HOUSING (SFR CORP
APN: 0472-211-06
OWNER: CGV APPLE VALLEY LLC
APN: 0472-212-05
OWNER: CGV APPLE VALLEY LLC
APN: 0472-211-07
OWNER: CHEN-JUNG SUNG / LEE FANG-HUNG
APN: 0472-211-01
OWNER: SONG 1983 TRUST
APN: 0472-301-03
OWNER: KELLY MORTGAGE ACCEPTANCE CORPORATION
APN: 0472-211-15
OWNER: CGV APPLE VALLEY LLC
PARCEL A1
PARCEL A2
PARCEL 1
NET AREA: 92.731 AC
GROSS AREA: 98.118 AC
PARCEL 2
PARCEL A
PARCEL 2
PARCEL B
PARCEL 2
PARCEL C
PARCEL 2
PARCEL D
PARCEL 2
PARCEL E
PARCEL 2
PARCEL F
PARCEL 2
PARCEL G
PARCEL 2
PARCEL H
PARCEL 2
PARCEL I
PARCEL 2
PARCEL K
PARCEL 2
PARCEL J
℄ JOHNSON ROAD
(PUBLIC STREET)
℄ GRASSHOPPER ROAD
(TO BE VACATED)
℄ WRANGLER ROAD
(PUBLIC STREET)
℄ UNNAMED STREET
(TO BE VACATED)
℄ COBBLER STREET
(PUBLIC STREET)
(TO BE VACATED)
℄ STODDARD WELLS ROAD
(PUBLIC STREET)
(TO BE VACATED)
℄ OF EASEMENT
NO WIDTH DEFINED
H 1/2
W 1/2
W 1/2
NE 1/4
NE 1/4
E 1/2
NE 1/4
NE 1/4
W 1/2
NW 1/4
NW 1/4
S 1/2
S 1/2
SE 1/4
NE 1/4
NW 1/4
SW 1/4
NE 1/4
SE 1/4
NE 1/4
S 1/2 S 1/2 SE 1/4 NE 1/4
NE 1/4
1/4
1/4
NE
NW
SW
NE
PROP. 16" WATER PER DP22-16 PLAN
PROP. 8" SEWER PER DP22-16 PLAN
EX. 21" SEWER
EX. FIBER OPTIC
PROP. 16" WATER
EX. 21" SEWER
EX. FIBER OPTIC
PROP. 16" WATER
EX. 21" SEWER
EX. FIBER OPTIC
PROP. 16" WATER
PROP. 8" SEWER
PROP. 16" WATER
PROP. 8" SEWER
PROP. 16" WATER
PROP. 8" SEWER

B. Construction Activities Schedule and Equipment Fleet

For purposes of analysis in this EIR, construction is assumed to commence in 2026 and finish in 2028. The construction schedule utilized in the analysis represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per the CEQA Guidelines. The anticipated duration of each phase of construction is identified in Table 3-1, *Estimated Construction Schedule*, and the anticipated construction equipment requirements are identified in Table 3-2, *Estimated Construction Equipment Fleet*.

Table 3-1 Estimated Construction Schedule

Phase	Start Date	End Date	Days
Demolition	12/1/2026	12/7/2026	5
Site Preparation	12/8/2026	1/13/2027	27
Grading	1/14/2027	3/17/2027	45
Building Construction	3/18/2027	9/13/2028	390
Paving	9/14/2028	11/22/2028	50
Architectural Coating	9/14/2028	11/22/2028	50

Table 3-2 Estimated Construction Equipment Fleet

Phase	Equipment	Amount	Hours Per Day
Demolition	Excavators	1	8
Site Preparation	Rubber Tired Dozers	2	8
	Crawler Tractors	3	8
Grading	Excavators	1	8
	Graders	2	8
	Rubber Tired Dozers	2	8
	Scrapers	6	8
	Crawler Tractors	3	8
Building Construction	Cranes	1	8
	Forklifts	5	8
	Generator Sets	2	8
	Tractors/Loaders/Backhoes	5	8
	Welders	2	8
Paving	Pavers	3	8
	Paving Equipment	3	8
	Rollers	3	8
Architectural Coating	Air Compressors	2	8

3.4.2 Project Operational Characteristics

A. Proposed Site Activities

Currently, there are no identified tenants for the proposed building. Since the tenants are unknown, hours of operation and employee count would vary, however, for purposes of the analysis in this EIR the building is proposed to operate 24/7. Office workers would likely have typical shifts of Monday through Friday, 8:00AM to 5:00PM, while warehouse staff would work in the day, evening, and night shifts. Specific hours of operation would be identified during the tenant improvement process.

B. Future Employment

Based on the estimated employment rates specified in Table II-B of the Employment Density Study Summary Report prepared by SCAG, warehouse uses within San Bernardino County generate approximately one employee per 1,195 sf of building space. As such, the Project may generate approximately 1,156 employees (1,381,412 sf ÷ 1,195 sf/employee ≈ 1,156 employees). (SCAG, 2001a, Table II-B)

C. Traffic

During Project operation, employees, visitors, and vehicles hauling goods would travel to and from the Project site daily. The Project is anticipated to generate a total of 2,798 two-way vehicle trip-ends per day with 212 AM peak hour trips and 234 PM peak hour trips. The Project is anticipated to generate a total of 558 truck trip ends per day with 27 AM peak hour trips and 16 PM peak hour trips.

Pursuant to State law, on-road diesel-fueled trucks are required to comply with various air quality and greenhouse gas emission standards, including but not limited to the type of fuel used, engine model year stipulations, aerodynamic features, and idling time restrictions. Compliance with State law is mandatory and inspections of on-road diesel trucks subject to applicable State laws are conducted by the California Air Resources Board (CARB).

3.5 SUMMARY OF REQUESTED ACTIONS

The Town of Apple Valley has primary approval responsibility for the proposed Project. As such, the Town of Apple Valley serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Sections 15050 and 15051. The role of the Lead Agency was previously detailed in EIR Section 1.0, *Introduction*. As part of the approval process for the proposed Project, the Town Council will hold a public hearing to consider the Project's General Plan Amendment, Zone Change, Development Code Amendment, Development Permit – Major Project, Vesting Tentative Parcel Map, and Development Agreement. The Town Council will consider certification of this EIR, and also will approve, approve with changes, or deny proposed actions.

3.6 RELATED ENVIRONMENTAL REVIEW AND CONSULTATION

Should the Town of Apple Valley approve the Project and certify the Final EIR, additional discretionary and/or ministerial actions would be necessary to implement the proposed Project. Table 3-3, *Matrix of Project Approvals/Permits*, lists the agencies that are expected to use this EIR and provides a summary of the subsequent actions associated with the Project. This EIR covers all federal, State, and local government and quasi-governmental approvals which may be needed to construct and implement the Project, whether or not they are explicitly listed in Table 3-3 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

Table 3-3 Matrix of Project Approvals/Permits

Public Agency	Approvals and Decisions
Town of Apple Valley, Discretionary Approvals	
Town of Apple Valley Town Council	• Certify this EIR along with appropriate CEQA Findings. • Approval of the GPA 2024-001, ZC 2024-007, DCA 2025-003, Development Permit – Major Project 2025-013, VTPM 21034, and Development Agreement.
Town of Apple Valley, Subsequent Ministerial Approvals	
Town of Apple Valley Departments and Divisions	• Approval of precise site plan(s) and landscaping/irrigation plan(s), as may be appropriate. • Issuance of Grading Permits. • Issuance of Building Permits. • Approval of Road Improvement Plans. • Issuance of Encroachment Permits. • Approval of Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). • Approval of sewer infrastructure improvements and connections
Other Agencies, Subsequent Approvals and Permits	
Lahontan Regional Water Quality Control Board (RWQCB)	• Issuance of a Construction Activity General Construction Permit. • Compliance with National Pollutant Discharge Elimination System (NPDES) Permit. Waste Discharge Requirements.
San Bernardino County Flood Control District (SBCFCD)	• Approval of the Project's proposed drainage improvements.
Town of Apple Valley Fire Protection District	• Approval of fire hydrant locations and fire protection features for the proposed building.

Public Agency	Approvals and Decisions
Mojave Desert Air Quality Management District (Mojave Desert AQMD)	• Issuance of construction-related permits.
Liberty Utilities	• Approval of proposed water infrastructure improvements and connections.

4.0 ENVIRONMENTAL ANALYSIS

4.0.1 SUMMARY OF EIR SCOPE

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from the planning, construction, and/or operation of the Project.

In compliance with the procedural requirements of CEQA, the Town of Apple Valley filed a NOP with the State Clearinghouse of the California Governor's Office of Land Use and Climate Innovation (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties on October 2, 2025 for a 30-day public review period. The NOP was distributed for public review to solicit responses to inform the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR. In addition, a publicly-noticed EIR Scoping Meeting was held on October 8, 2025. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of potential environmental concerns to be addressed in this EIR.

Taking all known information and public comments into consideration, 15 primary environmental subject areas are evaluated in this Section 4.0, as listed below. Each Subsection of Section 4.0 evaluates several specific subject matters related to the general topic of the Subsection. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the subject matters addressed therein. Environmental issues and their corresponding Subsections are:

4.1 Aesthetics
4.2 Air Quality
4.3 Biological Resources
4.4 Cultural Resources
4.5 Energy
4.6 Geology and Soils
4.7 Greenhouse Gas Emissions
4.8 Hazards and Hazardous Materials
4.9 Hydrology and Water Quality
4.10 Land Use and Planning
4.11 Noise
4.12 Public Services
4.13 Transportation
4.14 Tribal Cultural Resources
4.15 Utilities and Service Systems

After consideration of all comments received by the Town of Apple Valley on the scope of this EIR and documented in the Town's records, the Town determined that the Project had no potential to result in significant impacts under five primary environmental subject areas: Agriculture and Forestry Resources; Mineral Resources; Population and Housing; Recreation; and Wildfire. These five subjects are addressed in Section 5.0, Other CEQA Considerations.

4.0.2 ORGANIZATION OF ENVIRONMENTAL ANALYSIS

Subsections 4.1 through 4.15 of this EIR evaluate the 15 environmental subjects warranting detailed analysis as determined by the Town of Apple Valley in consideration of preliminary research findings, public comments, and technical analyses. The format of the discussions is standardized as much as possible in each section for ease of review. Each section is organized under the following headings:

- Existing Conditions
- Regulatory Framework
- Methodology
- Basis for Determining Significance
- Impact Analysis
- Cumulative Impact Analysis
- Significance of Impacts Before Mitigation
- Mitigation
- Significance of Impacts After Mitigation
- References

In addition, Section S.0, *Executive Summary*, summarizes all impacts by environmental issue. The thresholds of significance used in this EIR are based on the thresholds of significance identified in Appendix G to the CEQA Guidelines, as of January 1, 2025. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, and whether the impact would be significant or less than significant.

Serving as the CEQA Lead Agency for this EIR, the Town of Apple Valley is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the Town of Apple Valley, taking into consideration the Town of Apple Valley General Plan; the Town of Apple Valley Municipal Code and adopted Town policies; the judgment of the technical experts that prepared this EIR's technical appendices; performance standards adopted, implemented, and monitored by regulatory agencies; and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively-considerable, short-term, long-term, onsite, and/or offsite impacts. A summarized "impact statement" is provided in each Subsection following the analysis. Each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and

unavoidable, the Town of Apple Valley would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.

4.0.3 TERMINOLOGY USED IN THIS EIR

The level of significance is identified for each impact in this EIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines:

- **No Impact.** The Project would not adversely affect the environment.
- **Less than Significant Impact.** The Project would not cause any substantial, adverse change in the environment.
- **Significant Impact.** A substantial or potentially substantial adverse change in the physical environment would occur and would exceed the threshold(s) of significance presented in this EIR, requiring the consideration of mitigation measures.

As described above, each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations, etc.) that the Project is required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. The following terms are used to describe the level of significance following the application of recommended mitigation measures:

- **Less than Significant with Mitigation Incorporated.** A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less than significant level through the application of feasible mitigation measure(s).
- **Significant and Unavoidable Impact.** A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measure(s) that have a proportional nexus to the Project's impact are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

4.0.4 SCOPE OF CUMULATIVE EFFECTS ANALYSIS

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively

considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in this EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:

> *'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*
>
> a) *The individual effects may be changes resulting from a single project or a number of separate projects.*
>
> b) *The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: "1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency ['the list of projects approach'], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact ['the summary of projections approach']."

The cumulative impact analysis in this EIR uses both Method 1 and Method 2. Method 2 uses projections in the long-range planning documents–such as the Town of Apple Valley General Plan and SCAG RTP/SCS. The Town determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, as applicable.

Cumulative impact analyses for each topical section are also based on the most appropriate geographic boundary for the respective impact. For example, cumulative air quality and greenhouse gas emission impacts are based on the MDAB, within the jurisdiction of the MDAQMD. The MDAB encompasses desert portions of Kern, Los Angeles, Riverside and San Bernardino counties. The cumulative study area for evaluation is identified and defined in each Subsection of Section 4.0 and varies depending on the subject area. Please refer to the cumulative impact analysis provided in each Subsection of Section 4.0 for an issue-specific discussion of the cumulative study area.

During the time of the NOP public review period and through consultation with planning staff from the Town of Apple Valley, the list of related projects was prepared for the Project's Traffic Analysis

(*Technical Appendix K1*). The Traffic Analysis, required by the Town, also forms the basis of analysis for air quality, GHG emissions, energy, and noise impacts of the Project in this EIR. The list of projects include 18 other known past, present, and reasonably foreseeable projects described in Table 4.0-1, *Cumulative Development Land Use Summary* and depicted on Figure 4.0-1, *Cumulative Development Location Map*, in addition to the summary of projections.

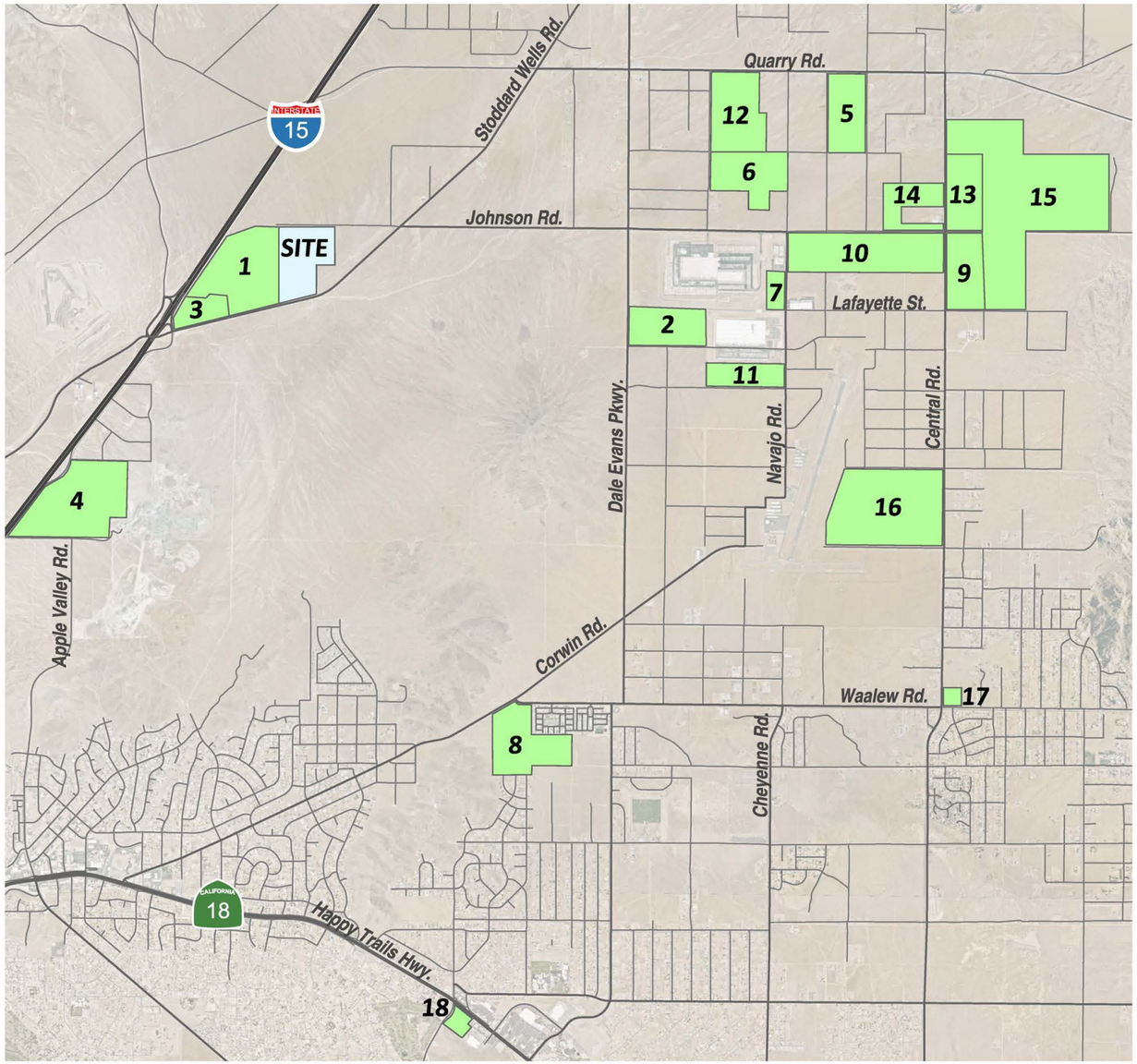
Table 4.0-1 Cumulative Development Land Use Summary

#	Project Name	Land Use	Quantity Units[1]
1	Apple Valley 143	High-Cube Fulfillment Center	2,518,500 SF
2	Lafayette Street Logistics Facility (Redwood Industrial)	High-Cube Fulfillment Center High-Cube Cold Storage	1,026,412 SF 181,132 SF
3	Love's Travel Center	Travel Center Recreational Vehicle Stop	25 VFP 80 Spaces
4	Inland Empire Logistics Center	High-Cube Fulfillment Center	2,600,000 SF
5	Quarry Pawnee Complex	High-Cube Fulfillment Center	1,460,000 SF
6	Cordova Complex	High-Cube Fulfillment Center	1,560,000 SF
7	Green Trucking Solutions Cold Storage	High-Cube Cold Storage	354,000 SF
8	TTM No. 20306	Single Family Detached Residential	160 DU
9	1M Warehouse	High-Cube Fulfillment Center	1,080,000 SF
10	Watson High Desert Logistics – East	High-Cube Fulfillment (Non-Sort)	2,800,000 SF
11	Watson High Desert Logistics - West	High-Cube Fulfillment (Non-Sort)	900,000 SF
12	Cordova Road Logistics Facility (Redwood West Cordova)	High-Cube Fulfillment Center High-Cube Cold Storage	1,144,330 SF 201,940 SF
13	Central Business Center (AV 3PL Site 1)	Warehousing	2,134,000 SF
14	AV 3PL Site 2	Warehousing	2,134,000 SF
15	High Desert Logistics Center	Warehousing	5,821,709 SF
16	Lake Creek Logistics Center	General Light Industrial High-Cube Cold Storage High-Cube Fulfillment Center	348,074 SF 348,074 SF 2,784,588 SF
17	Commercial Center (APN 0437-193-26)	Gas Station with Convenience Market Retail	12 VFP 19,343 SF
18	Buffalo Trading Post Plaza	Supermarket Tire Store Fast Food with Drive Thru Coffee Shop with Drive Thru Car Wash	20,599 SF 5,700 SF 2,305 SF 950 SF 1 Tunnel

#	Project Name	Land Use	Quantity Units[1]
		Gas Station	12 VFP
		Restaurant	7,650 SF
		Strip Retail Plaza	35,000 SF

[1]DU = Dwelling Units; SF = Square Feet; VFP = Vehicle Fueling Positions
Source: (UXR, 2025f, Table 4-4)

#	Project Name	Land Use	Quantity Units[1]
1	Apple Valley 143	High-Cube Fulfillment Center	2,518,500 SF
2	Lafayette Street Logistics Facility (Redwood Industrial)	High-Cube Fulfillment Center High-Cube Cold Storage	1,026,412 SF 181,132 SF
3	Love's Travel Center	Travel Center Recreational Vehicle Stop	25 VFP 80 Spaces
4	Inland Empire Logistics Center	High-Cube Fulfillment Center	2,600,000 SF
5	Quarry Pawnee Complex	High-Cube Fulfillment Center	1,460,000 SF
6	Cordova Complex	High-Cube Fulfillment Center	1,560,000 SF
7	Green Trucking Solutions Cold Storage	High-Cube Cold Storage	354,000 SF
8	TTM No. 20306	Single Family Detached Residential	160 DU
9	1M Warehouse	High-Cube Fulfillment Center	1,080,000 SF
10	Watson High Desert Logistics – East	High-Cube Fulfillment (Non-Sort)	2,800,000 SF
11	Watson High Desert Logistics - West	High-Cube Fulfillment (Non-Sort)	900,000 SF
12	Cordova Road Logistics Facility (Redwood West Cordova)	High-Cube Fulfillment Center High-Cube Cold Storage	1,144,330 SF 201,940 SF
13	Central Business Center (AV 3PL Site 1)	Warehousing	2,134,000 SF
14	AV 3PL Site 2	Warehousing	2,134,000 SF
15	High Desert Logistics Center	Warehousing	5,821,709 SF
16	Lake Creek Logistics Center	General Light Industrial High-Cube Cold Storage High-Cube Fulfillment Center	348,074 SF 348,074 SF 2,784,588 SF
17	Commercial Center (APN 0437-193-26)	Gas Station with Convenience Market Retail	12 VFP 19,343 SF
18	Buffalo Trading Post Plaza	Supermarket Tire Store Fast Food with Drive Thru Coffee Shop with Drive Thru Car Wash Gas Station Restaurant Strip Retail Plaza	20,599 SF 5,700 SF 2,305 SF 950 SF 1 Tunnel 12 VFP 7,650 SF 35,000 SF



Source(s): Urban Crossroads (09-10-2025)

Figure 4.0-1

Not to Scale

Cumulative Development Location Map

4.1 AESTHETICS

The following analysis is based on information obtained from site photos; Google Earth Pro; Town of Apple Valley General Plan (Town of Apple Valley, 2009); Town of Apple Valley Municipal Code (Town of Apple Valley, 2025); and Project plans.

Refer to Sections 4.1.10 and Section 7.0 for a complete list of reference sources.

4.1.1 Environmental Setting

A. Regional Setting

The approximately 92.73-acre Project site is located in the northwestern part of the Town of Apple Valley, which is within the Victor Valley region of San Bernardino County.

The Town of Apple Valley is located primarily on alluvial slopes of the Mojave River floodplain, at the southern edge of the Mojave Desert. Elevations in the Town range from approximately 2,800 feet above sea level near the Mojave River, to approximately 3,200 feet above sea level at the northeast corner of Town. The topography gradually inclines toward the Juniper Flats foothills of the San Bernardino Mountains to the south, as well as to the scattered knolls and mountains to the north and east of the Town. Turtle and Black Mountains are located to the north of the Town, Fairview Mountain to the northeast and the Granite Mountains to the southeast. From these elevated topographical features, panoramic vistas exist across the Town of Apple Valley. (Town of Apple Valley, 2009)

B. Project Site and Surrounding Areas

1. Project Site

The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01). Under existing conditions, the Project site is vacant and undeveloped. The concrete foundation of a removed structure is located on the southerly part of the site, approximately 75 feet north of Stoddard Wells Road.

Ground surface cover is primarily dominated by creosote scrub, with California buckwheat (*Eriogonum fasciculatum*) located within the central portion of the proposed Project site, as well as silver cholla (*Cylindropuntia echinocarpa*), and branched pencil cholla (*Cylindropuntia ramosissima*). Occasional western Joshua trees are also present throughout the proposed Project site. The Project site has been subjected to disturbance as a result of illegal dumping and trespassing. These unpermitted activities have led to areas of exposed bare soils (where trails have formed) and several debris piles and debris scattered across the landscape within the Project site.

2. Existing Views of the Project Site

Existing conditions of the Project site are depicted in Figure 4.1-1 and Figure 4.1-2, and are described in detail below.

- View 1 (Figure 4.1-1): View 1 depicts the views looking southeast from the intersection of Johnson Road and Wrangler Road at the northwest corner of the Project Site. Existing vegetation associated with the Project site can be seen along with distant views of Bell Mountain.

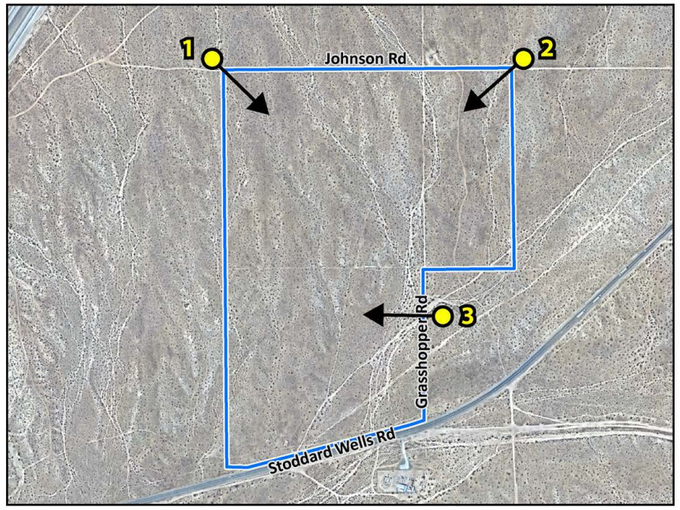
- View 2 (Figure 4.1-1): View 2 depicts the views looking southwest from the intersection of Johnson Road the Project's eastern boundary at the northeast corner of the Project Site. Existing vegetation associated with the Project site can be seen along with distant views of Bell Mountain.

- View 3 (Figure 4.1-1): View 3 depicts the views looking west along the eastern boundary of the Project site. Existing vegetation associated with the Project site can be seen along with distant views of Quartzite Mountain.

- View 4 (Figure 4.1-2): View 4 depicts the views looking southwest along the eastern boundary of the Project site. Existing vegetation associated with the Project site can be seen along with distant views of Quartzite Mountain. Distant views of the commercial/residential property located south of Stoddard Wells Road, south of the Project site, can be seen in the background.

- View 5 (Figure 4.1-2): View 5 depicts the views looking northeast at the Project's southern boundary on Stoddard Wells Road. Existing vegetation associated with the Project site can be seen along with distant views of Turtle Mountain.

- View 6 (Figure 4.1-2): View 6 depicts the views looking north along the southern boundary of the Project site. The existing concrete foundation of a removed structure and vegetation associated with the Project site can be seen along with distant views of Quartzite Mountain.



Source(s): Esri, Nearmap Imagery (August 2024)



Site Photo 1: Looking southeast from northwest corner of the Project Site



Site Photo 2: Looking southwest from the northeast corner of the Project Site

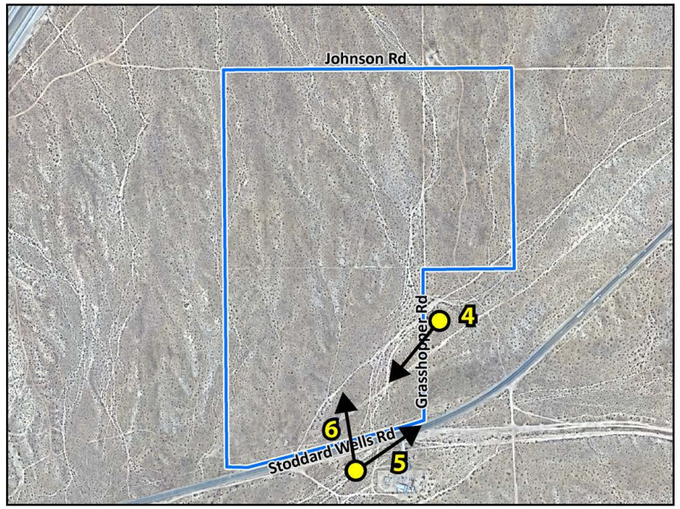


Site Photo 3: Looking west along the eastern boundary of the Project site

Figure 4.1-1

Not to Scale

View of the Project Site (1 of 2)



Source(s): Esri, Nearmap Imagery (August 2024)



Site Photo 4: Looking southwest along the eastern boundary of the Project Site



Site Photo 5: Looking northeast at the southern boundary on Stoddard Wells Road



Site Photo 6: Looking north along the southern boundary of the Project Site

Figure 4.1-2

Not to Scale

View of the Project Site (2 of 2)

3. Surrounding Land Uses

Other than existing roadways (Johnson Road to the north, Grasshopper Road to the east, and Stoddard Wells Road to the south), properties surrounding the Project site are currently vacant, undeveloped land. Existing land uses in the immediate vicinity of the Project site are illustrated in Figure 2-4, *Surrounding Land Uses*, and are described in Table 2-1, *Surrounding Land Uses*. There is an existing commercial/residential use located approximately 388 feet south of the Project site.

C. Scenic Vistas and Scenic Resources

The Town of Apple Valley identifies the Mojave River, surrounding knolls, hillsides, mountains, and the natural desert environment as scenic resources. Surrounding mountains and ridgelines are the most prominent features of the landscape.

Scenic vistas are typically broad views of scenic resources such as landforms and waterways that are visible from publicly accessible viewpoints. The Town's General Plan provides a definition for a scenic corridor, which is land area outside of the highway right-of-way within the line of sight which can be realistically subjected to protective land use controls.

Natural visual resources that provide the planning area with special character include uninterrupted expanses of "wide skies" and panoramic vistas of distant mountains. Characteristic views of the Mojave River floodplain bluffs and terraces, areas of riparian forest flora, Turtle Mountain, Fairview Mountain, Sidewinder Mountain, the Black Mountains, the San Bernardino and San Gabriel Mountain ranges and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment also occur. The low-lying landscape surrounding the Town allows unobstructed, distant views in all directions. According to the Town's General Plan, although the visual character of most parts of the Town has been impacted to some extent by residential, commercial, and industrial development, many acres of undeveloped desert lands remain that provide unobstructed views of the scenic vistas. (Town of Apple Valley, 2009)

Relative to the Project site, undisturbed areas of the natural desert environment and valley surround the Project site. The Project site is approximately one mile northwest of Bell Mountain, less than two miles southeast of Quartzite Mountain, approximately five miles west/northwest of Fairview Mountain, approximately four miles southwest of Turtle Mountain, and over six miles southwest of Black Mountain. The Project site is south of Turtle Valley, southwest of Sidewinder Valley, and west of Fairview Valley.

Several washes and natural water courses traverse the Town and are identified in the Town's General Plan. These include the Mojave River and the Oro Grande Wash. Water sources near the Project site include the Bell Mountain Wash, and the Oro Grande Wash, tributaries of the Mojave River, located approximately 450 feet to the south and approximately 3.5-miles to the southwest, respectively. The Mojave River proper, is located approximately four miles southwest of the Project site. Other water sources include the California Aqueduct over 13 miles to the southwest, and Spring Valley Lake, an

anthropogenic lake created for a country club approximately six miles to the south. (Town of Apple Valley, 2009)

D. Scenic Highways

There are no officially designated scenic roads or highways within the Town. According to the California Department of Transportation (Caltrans), there is one officially designated state scenic highway in the County and 11 eligible scenic highways. Route 38, the County's only designated scenic highway, is located approximately 27 miles southeast of the Project site in the San Bernardino National Forest. There are no eligible scenic highways located within Town limits. Route 247 is the nearest eligible scenic highway, located approximately 17 miles east of the Project site, near the Sidewinder Mountains. None of the County's officially designated or eligible scenic highways are visible from the Project site, nor is the Project site visible from the highways. (Caltrans, 2018)

E. Light and Glare

Artificial light is associated with the evening and nighttime hours, and sources may include streetlights, illuminated signage, and vehicle headlights. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use. As the Project site does not contain any highly polished surfaces and is vacant and undeveloped, the Project site does not currently support any existing sources of light or glare. Existing sources of light and glare in the Project area include vehicular headlights along Stoddard Wells Road and Interstate 15 (I-15).

4.1.2 Regulatory Framework

A. State

1. California State Scenic Highways

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program, established in 1963 through Senate Bill 1467, Streets and Highways Code, Sections 260 through 263 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance,

and/or jurisdictional lines determine the corridor boundaries. Existing law provides Caltrans with full possession and control of all State highways, while this legislation places the Scenic Highway Program under the stewardship of Caltrans. The legislation further declares the intent of the State to assign responsibility for the regulation of land use and development along scenic highways to the appropriate State and local governmental agencies. Scenic highways are classified as either Officially Designated or Eligible for designation and Caltrans maintains the lists of these highways.

B. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley identifies policies that relate to aesthetic resources within the Town. The specific policies outlined in the Town's General Plan that are related to aesthetics and that apply to the proposed Project are listed in the General Plan Consistency Analysis table presented in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

The Town provides landscaping guidelines and regulations through Chapter 9.47, Industrial Development Standards, (Section 9.47.050 Landscaping and 9.47.080 Architecture) and Chapter 9.75, Water Conservation/Landscaping Regulations, (Section 9.75.050 Water Conserving Landscape Design Standards) of the Municipal Code. The purpose of these chapters is to provide standards and guidelines that will promote the general welfare of the Town's residents by creating a responsible outdoor environment compatible with existing development. The landscape regulations aim to achieve a diversity of drought-tolerant landscaping appropriate to the high-desert environment and that creates aesthetically pleasing views and vistas along public streets. The architecture regulations aim to reflect the Town's desert setting and long-term traditional value.

Additionally, the Town of Apple Valley has established sign regulations in Chapter 9.74, Signs and Advertising Displays, of the Municipal Code. Section 9.74.110, General Design Criteria and Standards, allows for high quality, efficient signage within the Town. The Town's Municipal Code Chapter 8.20 – Construction Site Maintenance and Trash Containment, establishes minimum standards for construction site maintenance including the collection, storage containment and removal of construction site trash, rubbish or debris. (Town of Apple Valley, 2025)

4.1.3 Methodology

The Project site and surrounding areas were reviewed to determine the site's existing conditions and aesthetic features. Additionally, the Town's General Plan and Municipal Code were evaluated to determine the potential impacts of the proposed Project regarding light, glare, and aesthetics.

4.1.4 Basis for Determining Significance

According to Section I of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to aesthetics if the Project or any Project-related component would:

a. *Have a substantial adverse effect on a scenic vista;*

b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*

c. *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality;*

d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

4.1.5 Impact Analysis

Threshold a: Would the Project have a substantial adverse effect on a scenic vista?

Scenic vistas are generally described in two ways: (1) panoramic views (visual access to a large geographic area, for which the field of view can be wide and extend into the distance); and (2) focal views (visual access to a particular object, scene, or feature of interest). Development projects have the potential to impact scenic vistas in two ways: 1) physically alter a designated scenic resource (e.g., disturb or develop upon a ridgeline, hillside, peak or shoreline) and 2) block or substantially obscure the public views of a scenic vista (e.g., designated scenic views from public roads, trails, parks, landmarks, etc.).

The Apple Valley General Plan identifies the Mojave River, surrounding knolls, hillsides, mountains, and the natural desert environment as local scenic resources. As shown in General Plan Exhibit III-3, the Project site is not located within an area identified for scenic preservation (Town of Apple Valley, 2009). There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista because existing scenic resources are over 2 miles away from the Project site and the surrounding knolls, hillsides, mountains, and the natural desert environment would remain visible from public right-of-way. Accordingly, the potential for development of the Project site to result in a substantial adverse effect on a scenic vista is considered less than significant.

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

There are no officially designated scenic roads or highways within the Town. There is one officially designated state scenic highway in the County and 11 eligible scenic highways (Caltrans, 2018). Route 38, the County's only designated scenic highway, is located approximately 27 miles southeast of the Project site in the San Bernardino National Forest. There are no eligible scenic highways located within Town limits. Route 247 is the nearest eligible scenic highway, located approximately 17 miles east of the Project site, near the Sidewinder Mountains. None of the County's officially

designated or eligible scenic highways are visible from the Project site, nor is the Project site visible from the highways. (Caltrans, 2018) Therefore, no impacts associated with scenic resources within a state scenic highway would occur.

Threshold c:	**In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

The Project site is located in an area that meets the U.S. Census Bureau's definition of an "urbanized area" and is planned for urban uses by the Town General Plan; therefore, the following discussion analyzes the Project's potential to conflict with applicable zoning and other regulations governing scenic quality. (Census, 2022)

A. Construction

During construction, the Project would result in a temporary change to the visual character of the Project site from a predominantly undeveloped site to an active construction site with construction equipment, staging areas, construction machinery, and temporary fencing. Following the completion of the construction activities, all construction equipment would be removed from the Project site. The Town's Municipal Code Chapter 8.20 – Construction Site Maintenance and Trash Containment, establishes minimum standards for construction site maintenance including the collection, storage containment and removal of construction site trash, rubbish or debris. The temporary presence of construction equipment within a property under construction is common and Project construction activities would be required to comply with Municipal Code Chapter 8.20 which would routinely keep the Project site clean of any trash, rubbish, or debris. Project-related changes to local visual character and quality during Project construction would be less than significant due to construction site maintenance in accordance with the Town's Municipal Code Chapter 8.20 and removal of construction equipment after completion. Therefore, Project construction activities would not conflict with applicable zoning and other regulations governing scenic quality.

B. Operation

Project-applicable goals and policies and a discussion of the Project's potential to conflict with applicable General Plan policies with the purpose of avoiding or mitigating an environmental effect related to aesthetics are discussed in Table 4.1-1, *General Plan Consistency Analysis*. As shown, the Project would not conflict with General Plan policies governing scenic quality.

Table 4.1-1 General Plan Consistency Analysis

General Plan Policy	Project Consistency
Land Use Element	
Goal 2: A well planned, orderly development pattern that enhances community values, and assures development of adequate infrastructure.	
Policy 2.B: All new development and redevelopment proposals shall be required to install all required infrastructure, including roadways and utilities, and shall have complied with requirements for public services prior to occupancy of the project.	**No Conflict.** As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project includes the installation of all infrastructure necessary to support the proposed land use. Roadways improvements would be constructed along the Project's frontage to facilities vehicular travel. The Project would connect to existing utility infrastructures along Project roadways. The Town's review of Project Plans would ensure compliance with all Town's or affected purveyor requirements.
Policy 2.C: The Town shall require quality design in all development and redevelopment proposals and shall encourage the enhancement of existing development.	**No Conflict.** As shown in Table 4.1-2, *Zoning Development Standards Consistency Analysis*, the Project has been designed consistent with the Town's Development Code pertaining to architecture, landscaping, lighting, walls and fences, and signage.
Goal 3: Minimal impact to existing neighborhoods.	
Policy 3.A: The Town will support measures that buffer both new and established residences from commercial, industrial and agricultural uses.	**No Conflict.** The Project site is located in an area anticipated for urban uses. The nearest residence is located approximately 388 feet south of the Project site. The Project would include fencing and landscaping along the perimeter of the site, acting as a buffer between onsite uses and the surrounding environment.
Goal 7: Industrial development which supports a broad-based economy, and encourages the jobs-housing balance.	
Policy 7.A: Industrial development shall be permitted only in areas with provisions for adequate circulation, utilities, infrastructure and public services.	**No Conflict.** The Project site is located in an area anticipated for urban uses. As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project would include connections to existing utility infrastructure along Project roadways. As discussed in Section 4.15, *Utilities and Service Systems,* of the Draft EIR, there is adequate capacity in the existing infrastructure systems to serve the Project. Moreover, as discussed in Section 4.12, *Public Services*, of the Draft EIR, there is adequate capacity from fire protection and police protection services to serve the Project. Additionally, the Project would construct roadway improvements necessary to serve the proposed uses and would improve

General Plan Policy	Project Consistency
	emergency access to the Project site and surrounding areas.
Open Space & Conservation Element	
Goal 2: The Town shall encourage the preservation of significant native trees, native vegetation, landforms and wildlife habitat.	
Policy 2.C: The Town will encourage the planting and preservation of native species of trees and plants to enhance the environment.	**No Conflict.** As shown in Figure 3-7, *Proposed Landscape Plan*, the Project landscape plan incorporates drought tolerant species, as well as California native species of trees and plants, including the Blue Palo Verde, Sugar Bush, Allen Chickering Sage, and Dwarf Coyote Bush.
Geotechnical Element	
Goal: The protection and safety of human life, land, and property from the effects of seismic and geotechnical hazards shall be increased.	
Policy 1.C: The Town shall require that future development avoid disturbing unique rock outcroppings within the Town boundary and Sphere of Influence.	**No Conflict.** There are no rock outcroppings located within or adjacent to the Project site. The Project would not disturb unique rock outcroppings.

The Project's design, including the site layout, architecture, and landscaping is discussed and illustrated in detail in EIR Section 3.0, *Project Description*. As shown in Table 4.1-2, *Zoning Development Standards Consistency Analysis*, the Project would be consistent with the development standards under the Town's Municipal Code which includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduce the potential for conflicting visual elements. Compliance with the Town's General Plan and Development Code would preclude significant impacts in this regard. Therefore, impacts would be less than significant.

Table 4.1-2 Zoning Development Standards Consistency Analysis

Applicable Development Standard	Project Consistency
Chapter 9.35.040 Site Development Standards	
Minimum lot area: 10,000 Square Feet	**No conflict.** The Project site is approximately 4,039,319 square feet in size; therefore, the Project would not conflict with the minimum lot area requirement.
Minimum front setback (feet) a. From local streets: 35 b. From major or secondary streets: 45	**No conflict.** The Project's frontage is located on Stoddard Wells Road, which is designated as a major divided arterial in the Town's General Plan. As shown in Figure 3-4, *Site Plan*, there is an approximate 126.9-foot-wide landscape frontage with additional setback from the proposed parking lot in front of the building. Therefore, the Project

Applicable Development Standard	Project Consistency
	would provide more than 45 feet of building front setback.
Minimum rear setback (feet): 30	**No conflict.** As shown in Figure 3-4, *Site Plan*, there is an approximate 135 feet of rear building set back along Johnson Road. Therefore, the Project would provide more than 30 feet of building rear setback.
Minimum side setback (feet): 30	**No conflict.** As shown in Figure 3-4, *Site Plan*, there is an approximate 52.6 feet wide landscape area along Wrangler Road and approximately 104 feet wide landscape area along the eastern boundary. Therefore, the Project would provide more than 30 feet of building side setback.
Height limitations (feet) a. Within 100 feet of a residential use or district: 25 b. All other locations:100	**No conflict.** As shown in Figures 3-6a and 3-6b, *Proposed Architectural Elevations*, and as discussed in Section 3.0, *Project Description*, the proposed building would have maximum height of 52 feet above finished floor elevation. Therefore, the Project would not conflict the maximum building height requirement.
Walls or Fences Maximum Height a. Within Clear site triangle: 30 inches b. Solid walls or fences within front or street side setback: 42 inches c. Open fences within front or street side setback: 72 inches d. All other locations on site: 72 inches	**No conflict.** As shown in Figure 3-4, *Site Plan,* and as discussed in Section 3.0, *Project Description*, the Project would provide the minimum building and landscaping setback.
Minimum total landscape area: 10%	**No conflict.** As shown in Figure 3-7, *Proposed Landscape Plan*, the Project would provide approximately 844,246 sf of landscaping (20.9 percent of the Project site). Therefore, the Project would not conflict with the minimum total landscape area requirement.
Maximum floor area ratio (F.A.R.): 1.0	**No conflict.** As shown in Figure 3-4, *Site Plan*, the proposed building would have a FAR of 0.34. Therefore, the Project would not conflict with the maximum FAR requirement.

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

Implementation of the Project would introduce new sources of lighting on building and along streets, parking areas, and pedestrian walkways. The Project would be required to comply with Title 9, Development Code, of the Town's Municipal Code, which contains general performance standards related to light and glare.

Nighttime concrete pouring activities would occur periodically as a part of Project building construction activities. The building construction phase would occur over approximately 390 days (Table 3-1, *Estimated Construction Schedule*). Nighttime concrete pouring activities are often used to support reduced concrete mixer truck transit times and lower air temperatures than during the daytime hours and are generally limited to the actual building pad area. Nighttime lighting would be focused directly on work activity areas as required by the Town's Municipal Code Chapter 9.74.090 – Lighting which requires lighting to be used only for the functional requirements of safety, security, and identification. Unnecessary lighting is prohibited in the interest of energy efficiency and preservation of the night sky views.

Conformance with existing regulations would minimize the potential for substantial adverse light and glare impacts. Per the Town's Municipal Code Chapter 9.37.090, Lighting, Project lighting would be used only for the functional requirements of safety, security, and identification. Unnecessary lighting would be prohibited in the interest of energy. All glare would be directed onto the Project site and away from adjacent properties. All lighting used in parking lots for security purposes or safety-related uses would be scheduled so light rays emitted by the fixture are projected below the imaginary horizontal plane passing through the lowest point of the fixture and in such a manner that the light is directed away from streets and adjoining properties. Additionally, the Project includes various architectural elements that are intended to effectively avoid monotony and repetition in building elevations and further minimize glare. Based on the preceding, the potential for the Project to create a new source of substantial light or glare is considered less than significant.

4.1.6 Cumulative Impact Analysis

The cumulative impact area when considering potential cumulative aesthetics and light/glare issues includes areas that are currently, or are anticipated to be, subject to design guidelines and performance standards of the Town General Plan and Municipal Code.

New development proposed by the Project would alter the existing visual attributes of the Project site. However, urbanization of the Project site is anticipated under the General Plan. As discussed within this Subsection, implementation of the Project would not result in potentially significant impacts to any scenic vistas, scenic resources, or scenic highways. Nor would the Project degrade the existing visual character of the site, its surroundings, or result in potentially significant light and glare impacts. As with the Project, all cumulative development would be required to demonstrate compliance with the applicable provisions of the Town Municipal Code, ensuring that aesthetic and light/glare impacts would be less than significant. The Project's potential contribution to cumulative impacts with respect to aesthetic and light/glare impacts is not considerable, and the cumulative effects of the Project are determined to be less than significant.

4.1.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The Project site is not located within an area identified for scenic preservation. There are no scenic vistas within the Project site, nor would the Project adversely affect a designated scenic vista.

Threshold b: No Impact. The Project site is not located within the viewshed of a designated State scenic highway and does not contain scenic resources. No impact would occur.

Threshold c: Less than Significant Impact. The Project would not conflict with applicable zoning or other regulations governing scenic quality. Compliance with the Town's General Plan and Development Code would preclude significant impacts in this regard.

Threshold d: Less than Significant Impact. Compliance with the Town's Municipal Code requirements would ensure Project light and glare impacts would be less than significant.

4.1.8 Mitigation

No mitigation is required.

4.1.9 Significance of Impacts After Mitigation

Impacts would be less than significant and no mitigation is required.

4.1.10 References

Town of Apple Valley, 2009. Town of Apple Valley General Plan. Accessed on December 9, 2025. Available: https://www.applevalley.org/services/planning-division/2009-general-plan Town of Apple Valley, 2025. *Town of Apple Valley Municipal Code*. Version: January 28, 2025. Accessed on February 10, 2025. Available: https://library.municode.com/ca/apple_valley/codes/code_of_ordinances

California Department of Transportation (Caltrans), 2018. *California Scenic Highway System Map*. Accessed on September 4, 2025. Available: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

Census Bureau, Department of Commerce (Census), 2022. *2020 Census Urban Area Criteria*. Implemented on March 24, 2022. Accessed on September 4, 2025. Available: https://www.federalregister.gov/documents/2022/03/24/2022-06180/urban-area-criteria-for-the-2020-census-final-criteria

Google Earth, 2024. Accessed on September 4, 2010. Available: https://earth.google.com/

4.2 AIR QUALITY

The following analysis is based in part on information obtained from the following technical reports:

- Urban Crossroads (UXR), 2025a. *Apple Valley 84 Air Quality Impact Analysis*. November 3, 2025. (Technical Appendix B1)
- Urban Crossroads (UXR), 2025b. *Apple Valley 84 Construction and Operational Health Risk Assessment*. November 3, 2025. (Technical Appendix B2)
- Urban Crossroads (UXR), 2025g. *Apple Valley 84 Vehicle Miles Traveled Analysis*. December 9, 2025. (Technical Appendix K2)

Refer to Sections 4.2.10 and 7.0, *References*, for a complete list of reference sources.

4.2.1 Environmental Setting

A. Mojave Desert Air Basin

The Project site is located in the portion of the Town of Apple Valley in San Bernardino County that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses desert portions of Kern, Los Angeles, Riverside and San Bernardino counties. The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains which dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet), whose passes form the main channels for these air masses. The Mojave Desert is bordered on the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser pass lies between the San Bernardino Mountains and the Little San Bernardino Mountains in the Morongo Valley. The Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley), whose primary channel is the San Gorgonio Pass (2,300 feet) between the San Bernardino and San Jacinto Mountains.

B. Climate and Meteorology

Air quality in the Project area is not only affected by various emissions sources (mobile, industry, etc.) but is also affected by atmospheric conditions such as wind speed, wind direction, temperature, and rainfall.

Prevailing winds in the MDAB are out of the west and southwest. These prevailing winds are due to the proximity of the MDAB to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in Southern California by differential heating are channeled through the MDAB.

During the summer, the MDAB is generally influenced by a Pacific subtropical high cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist, and unstable air masses from the south. The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inch of precipitation). The MDAB is classified as a dry-hot desert climate, with portions classified as dry-very hot desert, to indicate that at least three months have maximum average temperatures over 100.4° F.

Snow is common above 5,000 feet in elevation, resulting in moderate snowpack and limited spring runoff. Below 5,000 feet, any precipitation normally occurs as rainfall. Pacific storm fronts normally move into the area from the west, driven by prevailing winds from the west and southwest. During late summer, moist high-pressure systems from the Pacific collide with rising heated air from desert areas, resulting in brief, high-intensity thunderstorms that can cause high winds and localized flash flooding.

C. Criteria Pollutants and Associated Health Effects

The federal government and State of California have established maximum permissible concentrations for common air pollutants that may pose a risk to human health or would otherwise degrade air quality and adversely affect the environment. These regulated air pollutants are referred to as "criteria pollutants." An overview of the common criteria air pollutants in the MDAB, their sources, and associated effects to human health are summarized below.

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone (O_3), motor vehicles operating at slow speeds are the primary source of CO in the MDAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. CO is generated by any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating. Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen supply to the heart. Inhaled CO has no direct toxic effect on the lungs but exerts its effect on tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Hence, conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. Individuals most at risk include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic hypoxemia (oxygen deficiency) as seen at high altitudes.

- **Sulfur Dioxide (SO_2)** is a colorless, extremely irritating gas or liquid. SO_2 enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfates (SO4). Collectively, these pollutants are referred to as sulfur oxides (SO_X). SO_2 is generated by coal or oil burning power plants and industries, refineries, and diesel engines. A few minutes of exposure to low levels of SO_2 can result in airway constriction in some asthmatics, all of whom are sensitive to its effects. In asthmatics, increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties, are observed after acute exposure to SO_2. In contrast, healthy individuals do not exhibit similar acute responses even after exposure to higher concentrations of SO_2. Animal studies suggest that despite SO_2 being a respiratory irritant, it does not cause substantial lung injury at ambient concentrations. However, very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient SO_2 levels. In these studies, efforts to separate the effects of SO_2 from those of fine particles have not been successful. It is not clear whether the two pollutants act synergistically, or one pollutant alone is the predominant factor.

- **Nitrogen Oxides (NO_X)** consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant, and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring stations. NO_X is generated by any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO_2 in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sub-groups. In animals, exposure to levels of NO_2 considerably higher than ambient concentrations result in increased susceptibility to infections, possibly due to the observed changes in cells involved in

maintaining immune functions. The severity of lung tissue damage associated with high levels of O_3 exposure increases when animals are exposed to a combination of O_3 and NO_2.

- **Ozone (O_3)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_X), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Ozone is formed when reactive organic gases (ROG) and nitrogen oxides react in the presence of sunlight. ROG sources include any source that burns fuels, (e.g., gasoline, natural gas, wood, oil) solvents, petroleum processing and storage and pesticides. Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for O_3 effects. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O_3 levels are associated with increased school absences. In recent years, a correlation between elevated ambient O_3 levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple outdoor sports and live in communities with high O_3 levels. Ozone exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O_3 may be more toxic than exposure to O_3 alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes.

- **Particulate Matter less than 10 microns (PM_{10})** is an air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. PM_{10} also causes reduced visibility. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to enter the lungs where they may be deposited, resulting in the adverse health effects discussed below for $PM_{2.5}$.

- **Particulate Matter less than 2.5 microns ($PM_{2.5}$)** is a similar air pollutant to PM_{10} consisting of tiny solid or liquid particles which are 2.5 microns or smaller (which is often referred to as fine particles). The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. Elevated ambient concentrations of fine particulate matter (PM_{10} and $PM_{2.5}$) have been correlated with an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between

long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be more susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.

- **Lead (Pb)** is a heavy metal that is highly persistent in the environment and is considered a criteria pollutant. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline. The major sources of lead emissions are ore and metals processing, particularly lead smelters, and piston-engine aircraft operating on leaded aviation gasoline. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. Sources of lead include metal smelters, resource recovery, leaded gasoline, and the deterioration of lead paint. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of lead on the respiratory system. lead can be stored in the bone from early age environmental exposure, and elevated blood lead levels can occur due to breakdown of bone tissue during pregnancy, hyperthyroidism (increased secretion of hormones from the thyroid gland) and osteoporosis (breakdown of bony tissue). Fetuses and breast-fed babies can be exposed to higher levels of lead because of previous environmental lead exposure of their mothers.

The MDAQMD's primary focus is to achieve the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) for criteria pollutants. However, it also has a broader mandate to control emissions of air contaminants and safeguard public health. As a result, MDAQMD regulates additional pollutants beyond criteria pollutants, including reactive organic gases (ROGs), VOCs, and odors. Additional pollutants, their typical sources, and health effects are identified below.

- **Volatile Organic Compounds** contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and

the solvents used in paints. Exceptions to the VOC designation include CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant.

- **Reactive Organic Gasses** are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant.. The terms VOC and ROG are used interchangeably.

- **Odor** means the perception experienced by a person when one or more chemical substances in the air come into contact with the human olfactory nerves. Odors can come from many sources including animals, human activities, industry, natures, and vehicles. Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system. Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress.

D. Existing Air Quality

Existing air quality is measured at established MDAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. NAAQS and CAAQS currently in effect are shown in Table 4.2-1, *Ambient Air Quality Standards*.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the State and federal standards. The most recent State and federal standards were updated by the California Air Resources Board (CARB) on July 16, 2024 and are presented in Table 4.2-1. The air quality in a region is considered to be in attainment by the State if the measured ambient air pollutant levels for O_3, CO (except 8-hour Lake Tahoe), SO_2 (1 and 24 hour), NO_2, PM_{10}, and $PM_{2.5}$ are not exceeded. All other monitored contaminant levels (such as lead, visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride) are not equaled or exceeded. Attainment status for a pollutant means that the Air District meets the standards set by the United States Environmental Protection Agency (EPA) or the California Environmental Protection Agency (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. In order to improve air quality in nonattainment areas, a State Implementation Plan (SIP) is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality. Once nonattainment areas meet

the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area.

Table 4.2-1 Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards		National Standards		
		Concentration	Method	Primary	Secondary	Method
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	---	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		---		
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	---	---	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)		35 ppm (40 mg/m^3)	---	Non-Dispersive Infrared Photometry
	8 Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry	9 ppm (10 mg/m^3)	---	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		---	---	
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemilumi-nescence	100 ppb (188 µg/m^3)	---	Gas Phase Chemilumi-nescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	

Pollutant	Averaging Time	California Standards		National Standards		
		Concentration	Method	Primary	Secondary	Method
Sulfur Dioxide (SO_2)	1 Hour	0.25 ppm (665 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	---	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	---		---	0.5 ppm 1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)	---	
	Annual Arithmetic Mean			0.030 ppm (for certain areas)	---	
Lead (Pb)	30 Day Average	1.5 µg/m^3	Atomic Absorption	---	---	High Volume Sampler and Atomic Absorption
	Calendar Quarter	---		1.5 µg/m^3 (for certain areas)	Same as Primary Standard	
	Rolling 3-Month Average	---		0.15 µg/m^3		
Visibility Reducing Particles	8 Hour	See Table 2-2 of the AQIA	Beta Attenuation And Transmittance Through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: (UXR, 2025a, Table 2-2)

E. Regional Air Quality

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for seven of the most common air pollutants: CO, Pb, O_3, PM_{10}, $PM_{2.5}$, NO_2, and SO_2 which are known as criteria pollutants. The MDAQMD monitors levels of various criteria pollutants at 35 permanent monitoring stations and 2 single-pollutant source Pb air monitoring sites throughout the air district. On January 25, 2024, CARB adopted the proposed 2023 amendments to the State and national area designations. The attainment status for criteria pollutants within the MDAB is summarized in Table

4.2-2, *Attainment Status of Criteria Pollutants in the MDAB*. Appendix 2.1 of the Project's Air Quality Impact Analysis (*Technical Appendix B1* of the Draft EIR) provides geographic representation of the state and federal attainment status for applicable criteria pollutants within the MDAB.

Table 4.2-2 Attainment Status of Criteria Pollutants in the MDAB

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-Hour Standard	Nonattainment	---
O_3 – 8-Hour Standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Nonattainment
$PM_{2.5}$	Attainment	Unclassifiable/Attainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Attainment	Unclassifiable/Attainment
Pb	Attainment	Unclassifiable/Attainment

"—" The national 1-hour O_3 standard was revoked effective June 15, 2005.
Source: (UXR, 2025a, Table 2-4)

F. Local Air Quality

Relative to the Project site, the nearest long-term air quality monitoring site for O_3, CO (for the 2021 year), NO_2, PM_{10}, and $PM_{2.5}$ was obtained from the MDAQMD Victorville-Park Avenue, located approximately 7.28 miles southeast of the Project site in Victorville. It should be noted that the data for CO was not available at MDAQMD Victorville-Park Avenue nor the nearest alternative monitoring stations.

The most recent three (3) years of data available is shown on Table 4.2-3, *Project Area Air Quality Monitoring Summary 2021-2023*, and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Project site. Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ was obtained using the CARB iADAM: Air Quality and Data Statistics and the Air Quality and Meteorological Information System (AQMIS). Data for SO_2 has been omitted as attainment is regularly met and few monitoring stations measure SO_2 concentrations.

Table 4.2-3 Project Area Air Quality Monitoring Summary 2021-2023

Pollutant	Standard	Year		
		2021	2022	2023
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.112	0.100	0.097
Maximum Federal 8-Hour Concentration (ppm)		0.098	0.090	0.088
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	8	3	2
Number of Days Exceeding Federal 8-Hour Standard	> 0.070 ppm	35	49	32
Number of Days Exceeding State 8-Hour Standard	> 0.075 ppm	18	23	13

Pollutant	Standard	Year		
		2021	2022	2023
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.515	N/A	N/A
Maximum Federal 8-Hour Concentration	> 20 ppm	0.4	0.5	0.8
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.057	0.054	0.060
Maximum State 1-Hour Concentration	> 0.180 ppm	0.056	0.053	0.060
Annual Federal Standard Design Value		13	13	11
Annual State Standard Design Value		12	12	12
Number of Days Exceeding Federal 1-Hour Standard	> 0.100 ppm	0	0	0
Number of Days Exceeding State 1-Hour Standard	> 0.180 ppm	0	0	0
PM_{10}				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 150 µg/m^3	591.6	372.1	160.4
Annual Federal Arithmetic Mean (µg/m^3)		33.9	33.6	28.4
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m^3	1	2	1
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 35 µg/m^3	87.1	24.6	25.6
Maximum State 24-Hour Concentration (µg/m^3)		87.1	24.6	25.6
Annual Federal Arithmetic Mean (µg/m^3)	> 12 µg/m^3	10.2	8.9	7.9
Annual State Arithmetic Mean (µg/m^3)	> 12 µg/m^3	10.3	9.0	7.9
Number of Samples Exceeding Federal 24-Hour Standard	> 35 µg/m^3	1	0	0

ppm = Parts Per Million
µg/m^3 – microgram per cubic meter
-- = data not available
Source: (UXR, 2025a, Table 2-5)

G. Regional Air Quality Improvements

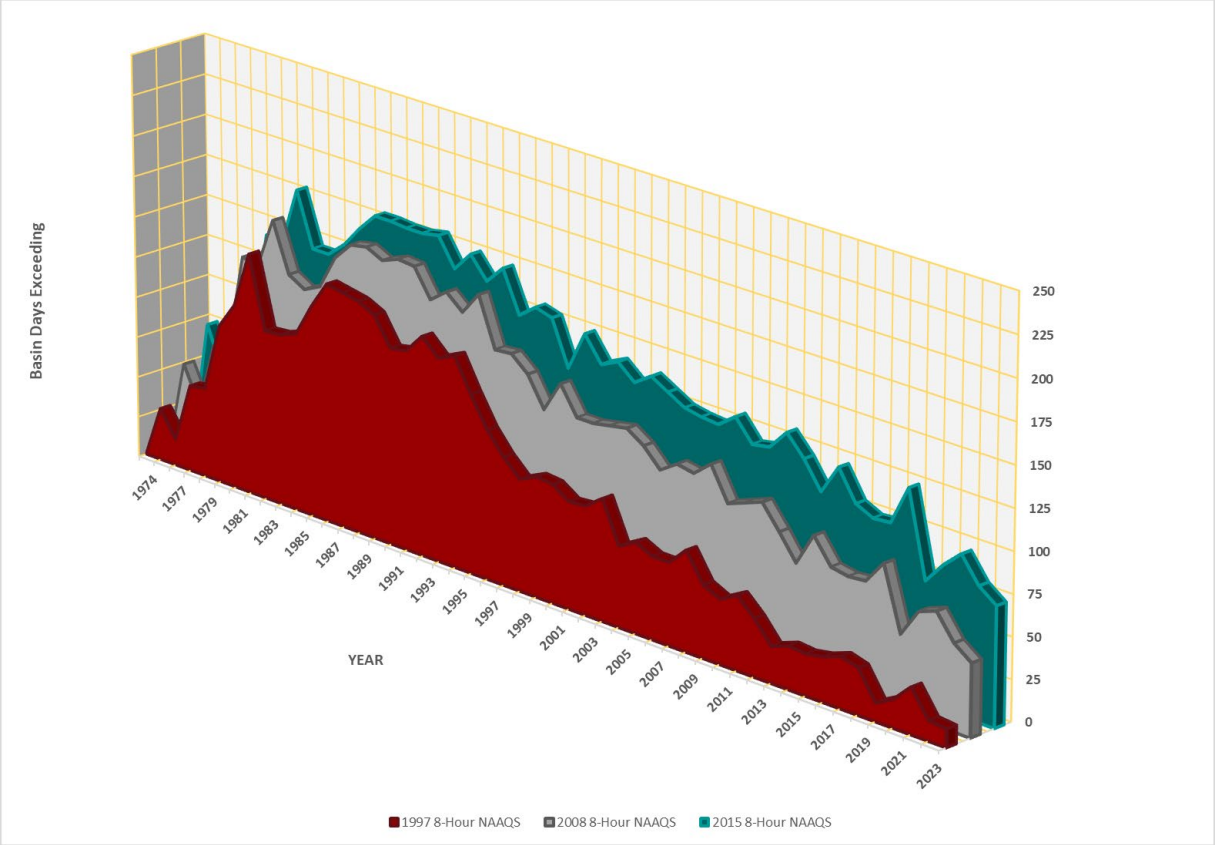
MDAQMD rule development has resulted in improvement in air quality for the MDAB. Nearly all control programs developed through the early 2000s relied on (i) the development and application of cleaner technology; (ii) add-on emission controls, and (iii) uniform CEQA review throughout the MDAB. Industrial emission sources have been significantly reduced by this approach and vehicular emissions have been reduced by technologies implemented at the state level by CARB.

The single threshold of significance used to assess Project direct and cumulative impacts has in fact "worked" as evidenced by the track record of the air quality in the MDAB improving over the course of the past decades.

Emissions of O_3, NO_X, and VOCs have been decreasing in the MDAB since 1975. These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the MDAB continue to increase, NO_X and VOC levels are decreasing

because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to use of cleaner fuels and renewable energy. O_3 contour maps show that the number of days exceeding the 8-hour NAAQS has generally decreased between 1975 and 2023. For 2023, there was an overall increase in exceedance days compared with the 1973 period. However, as shown on Exhibit 4.2-1, O_3 levels have increased in the past three years due to higher temperatures and stagnant weather conditions. Notwithstanding, O_3 levels in the MDAB have generally decreased over the last 30 years.

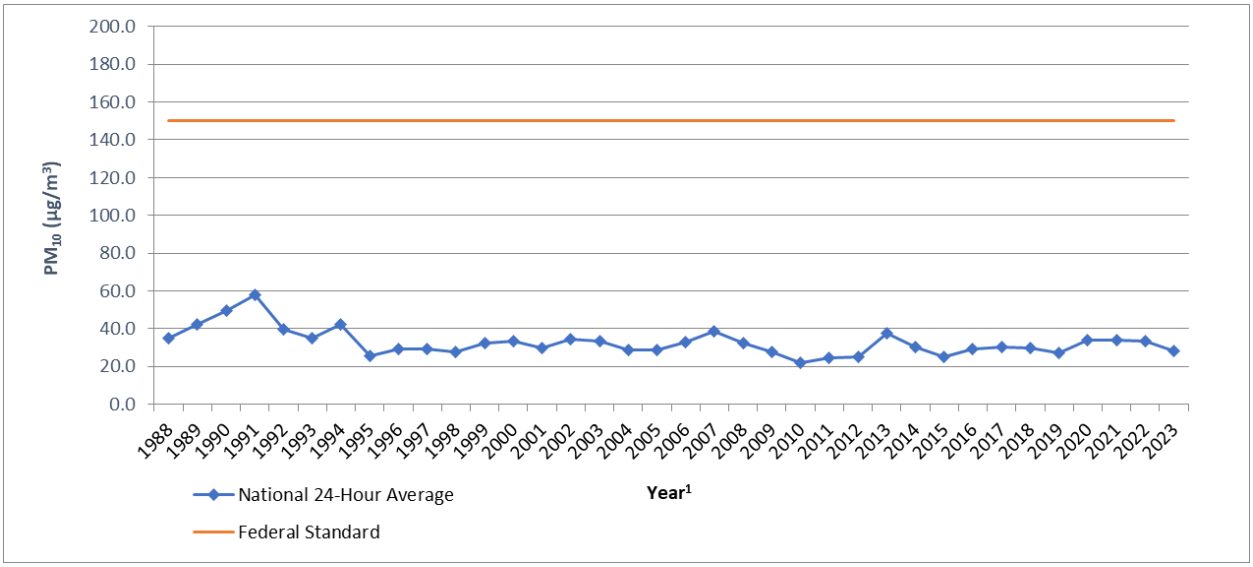
Exhibit 4.2-1: MDAB O_3 Trend



[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (UXR, 2025a, Table 2-6)

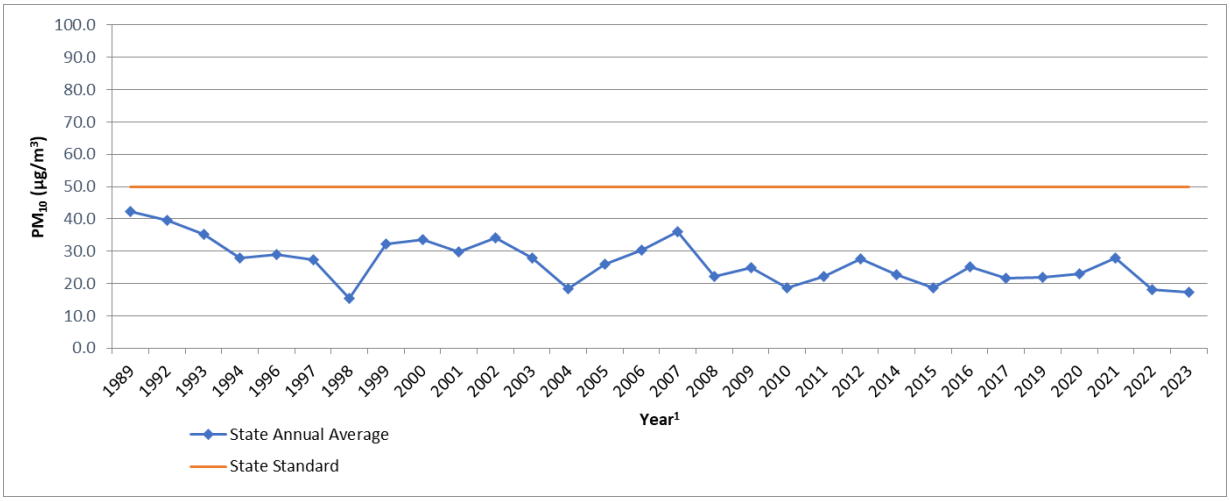
The most recent PM_{10} statistics show a slight improvement as illustrated in Exhibits 4.2-2 and 4.2-3. During the period for which data is available, the 24-hour national annual average concentration for PM_{10} decreased by approximately 18%, from 34.7 microgram per cubic meter (µg/m^3) in 1988 to 28.4 µg/m^3 in 2023. The 24-hour state annual average concentration for PM_{10}, have decreased by approximately 59%, from 42.4 µg/m^3 in 1989 to 17.3 µg/m^3 in 2023.

Exhibit 4.2-2: MDAB Average 24-Hour Concentration PM_{10} Trend (Based on Federal Standard)



[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (UXR, 2025a, Table 2-7)

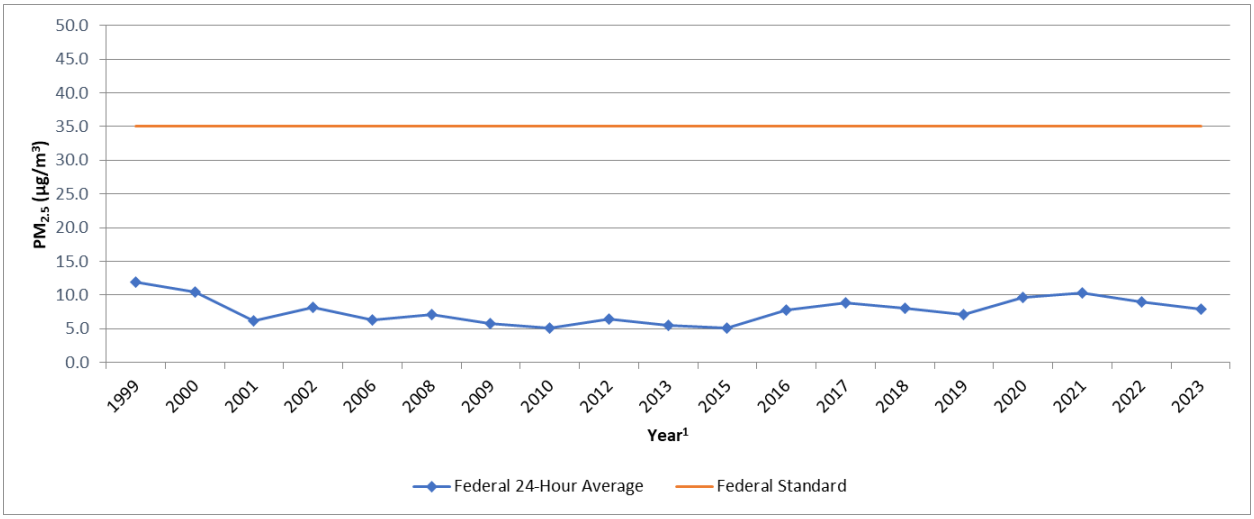
Exhibit 4.2-3: MDAB Average 24-Hour Concentration PM_{10} Trend (Based on State Standard)



[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (UXR, 2025a, Table 2-8)

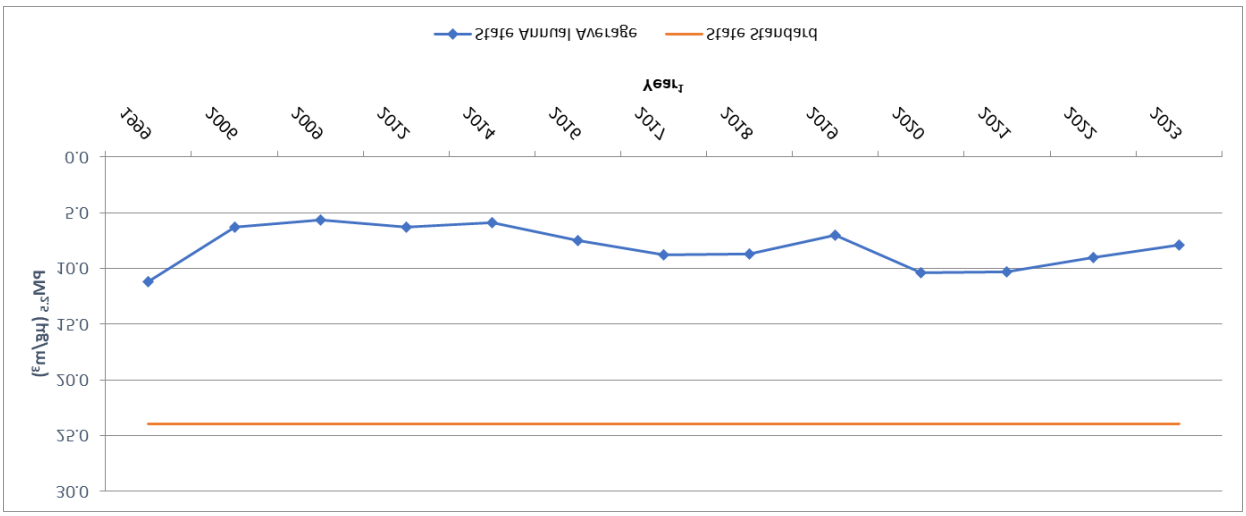
Exhibits 4.2-4 and 4.2-5 show the most recent 24-hour average $PM_{2.5}$ concentrations in the MDAB from 1999 through 2023. Overall, the national and state annual average concentrations have decreased by almost 34% and 29% respectively.

Exhibit 4.2-4: MDAB Average 24-Hour Concentration $PM_{2.5}$ Trend (Based on Federal Standard)



[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (UXR, 2025a, Table 2-9)

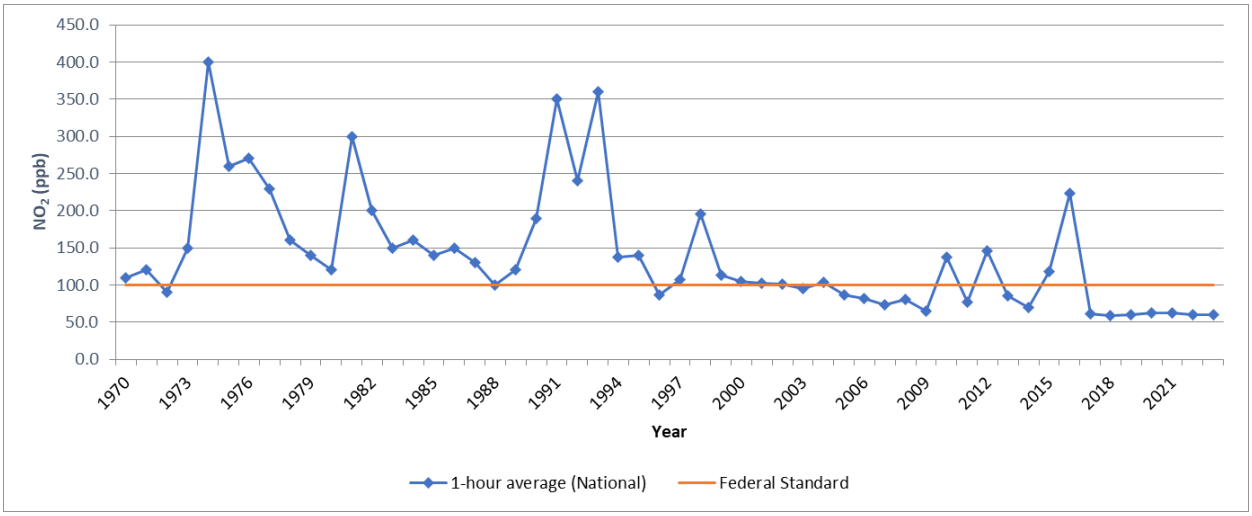
Exhibit 4.2-5: MDAB Average 24-Hour Concentration $PM_{2.5}$ Trend (Based on State Standard)



[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (UXR, 2025a, Table 2-10)

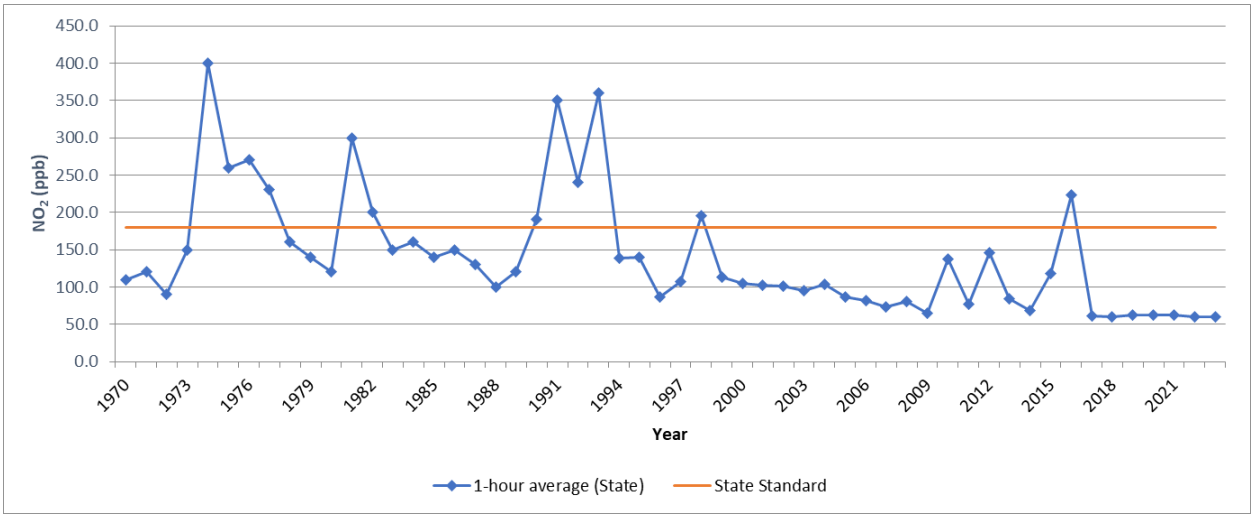
The most recent NO_2 data for the MDAB is shown in Exhibits 4.2-5 and 4.2-6. Over the last 50 years, NO_2 values have decreased significantly; the peak 1-hour national and state averages for 2023 is approximately 45% lower than what it was during 1970. NO_2 is formed from NO_X emissions, which also contribute to O_3. As a result, the majority of the future emission control measures would be implemented as part of the overall O_3 control strategy. Many of these control measures would target mobile sources, which account for more than three-quarters of California's NO_X emissions.

Exhibit 4.2-6: MDAB 1-Hour Average Concentration NO_2 Trend (Based on Federal Standard)



Source: (UXR, 2025a, Table 2-11)

Exhibit 4.2-7: MDAB 1-Hour Average Concentration NO_2 Trend (Based on State Standard)



Source: (UXR, 2025a, Table 2-12)

H. Toxic Air Contaminants (TAC) Trends

In 1984, as a result of public concern for exposure to airborne carcinogens, CARB adopted regulations to reduce the amount of TAC emissions resulting from mobile and area sources, such as cars, trucks, stationary sources, and consumer products. According to the *Ambient and Emission Trends of Toxic Air Contaminants in California* journal article, which was prepared for CARB, results show that between 1990-2012, ambient concentration and emission trends for the seven TACs responsible for most of the known cancer risk associated with airborne exposure in California have declined significantly (between 1990 and 2012). The seven TACs studied include those that are derived from mobile sources: diesel particulate matter (DPM), benzene (C_6H_6), and 1,3-butadiene

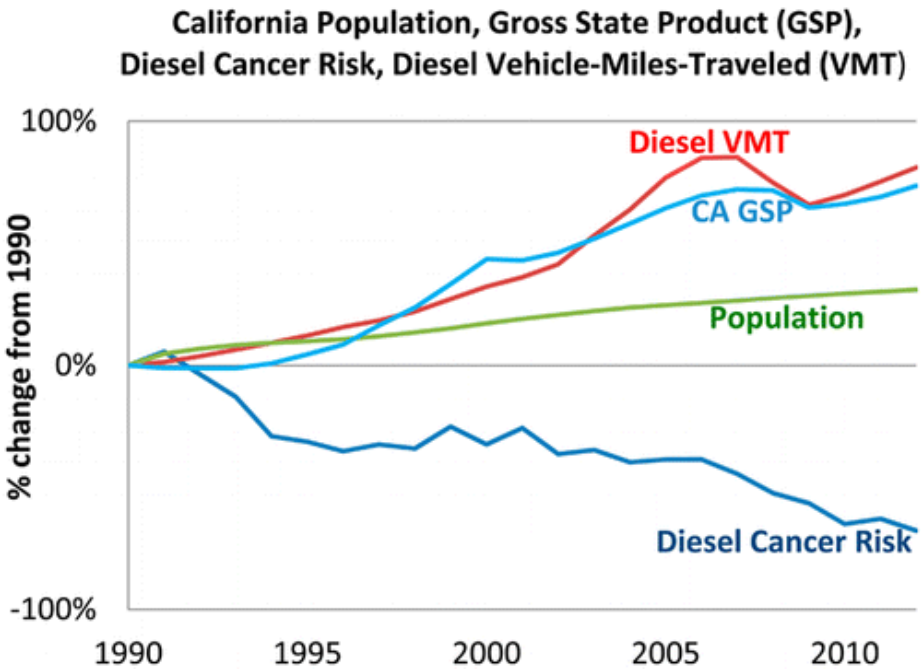
(C_4H_6); those that are derived from stationary sources: perchloroethylene (C_2Cl_4) and hexavalent chromium (Cr(VI)); and those derived from photochemical reactions of emitted VOCs: formaldehyde (CH_2O) and acetaldehyde (C_2H_4O). The decline in ambient concentration and emission trends of these TACs are a result of various regulations CARB has implemented to address cancer risk.

1. Mobile Source TACs

CARB introduced two programs that aimed at reducing mobile emissions for light and medium duty vehicles through vehicle emissions controls and cleaner fuel. In California, light-duty vehicles sold after 1996 are equipped with California's second-generation On-Board Diagnostic (OBD-II) system. The OBD-II system monitors virtually every component that can affect the emission performance of the vehicle to ensure that the vehicle remains as clean as possible over its entire life and assists repair technicians in diagnosing and fixing problems with the computerized engine controls. If a problem is detected, the OBD-II system illuminates a warning lamp on the vehicle instrument panel to alert the driver. This warning lamp typically contains the phrase "Check Engine" or "Service Engine Soon." The system would also store important information about the detected malfunction so that a repair technician can accurately find and fix the problem. CARB has recently developed similar OBD requirements for heavy-duty vehicles over 14,000 pounds (lbs). CARB's phase II Reformulated Gasoline Regulation (RFG-2), adopted in 1996, also led to a reduction of mobile source emissions. Through such regulations, benzene levels declined 88% from 1990-2012. 1,3-Butadiene concentrations also declined 85% from 1990-2012 as a result of the use of reformulated gasoline and motor vehicle regulations.

In 2000, CARB's Diesel Risk Reduction Plan (DRRP) recommended the replacement and retrofit of diesel-fueled engines and the use of ultra-low-sulfur (<15 ppm) diesel fuel. As a result of these measures, DPM concentrations have declined 68% since 2000, even though the state's population increased 31% and the amount of diesel vehicles miles traveled increased 81%, as shown on Exhibit 4.2.8. With the implementation of these diesel-related control regulations, CARB expects a DPM decline of 71% for 2000-2020.

Exhibit 4.2-8: DPM and Diesel Vehicle Miles Trend



Source: (UXR, 2025a, Exhibit 2-A)

2. Diesel Regulations

CARB and the Ports of Los Angeles and Long Beach (POLA and POLB) have adopted several iterations of regulations for diesel trucks that are aimed at reducing DPM. More specifically, CARB Drayage Truck Regulation, CARB statewide On-road Truck and Bus Regulation, and the Ports of Los Angeles and Long Beach Clean Truck Program (CTP) require accelerated implementation of "clean trucks" into the statewide truck fleet. In other words, older more polluting trucks would be replaced with newer, cleaner trucks as a function of these regulatory requirements. Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, would dramatically be reduced due to the aforementioned regulatory requirements. Diesel emissions identified in this analysis would therefore overstate future DPM emissions since not all the regulatory requirements are reflected in the modeling.

4.2.2 Regulatory Framework

A. Federal

1. Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish NAAQS to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O_3, CO, NO_x, SO_2, PM_{10}, $PM_{2.5}$, and Pb.

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop SIPs, applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

The sections of the federal CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air pollution problems of O_3 (smog), CO, and PM_{10}. Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet Federal air quality standards designed to protect public health. Mobile source emissions are regulated in accordance with the CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_X on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas.

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An "area source" is any stationary source that is not a major source.

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk.

2. National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Program

National Emission Standards for Hazardous Air Pollutants (NESHAP) are stationary source standards for hazardous air pollutants. Hazardous air pollutants (HAPs) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The EPA develops national enforcement initiatives that focus on significant environmental risks and noncompliance patterns. For Fiscal Years 2014 to 2016, the Cutting Hazardous Air Pollutants National Initiatives Strategy focuses on categories of sources that emit HAPs.

Sources subject to NESHAPs are required to perform an initial performance test to demonstrate compliance. To demonstrate continuous compliance, sources are generally required to monitor control device operating parameters which are established during the initial performance test. Sources may also be required to install and operate continuous emission monitors to demonstrate compliance. Consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy, NESHAP sources that meet the Clean Air Act definition of "major source" generally receive a full compliance evaluation by the state or regional office at least once every two years.

B. State

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the CAAQS, by the earliest practical date. CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

2. Air Toxic Hot Spots Act

The Air Toxic "Hot Spots" Information and Assessment Act of 1987, commonly known as AB 2588, (Health & Safety Code §§ 44300, et seq.) requires facilities emitting specified quantities of pollutants to conduct risk assessments describing the health impacts to neighboring communities created by their emissions of numerous specified hazardous compounds. If the district determines the health impact to be significant, neighbors must be notified. In addition, state law requires the facility to develop and implement a plan to reduce the health impacts to below significance, generally within five years. Additional control requirements for hazardous emissions from specific industries are established by the state and enforced by districts.

3. Air Quality Management Planning

CARB and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment.

Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies.

4. California Air Resources Board Rules

CARB enforces rules related to air pollutant emissions in the State of California. Rules with applicability to the Project include, but are not limited to, those listed below.

- CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks.

- CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

5. Truck & Bus Regulation

The Truck and Bus Regulation is necessary to meet federal attainment standards. This regulation requires heavy-duty diesel vehicles that operate in California to reduce toxic air contaminants (TACs) emissions from their exhaust. Diesel exhaust is responsible for 70% of the cancer risk from airborne toxics. Therefore, by January 1, 2023, nearly all trucks and buses will be required to have 2010 or newer model year engines to reduce particulate matter and NOx emissions. To help ensure that the benefits of this regulation are achieved, starting in 2020, only vehicles compliant with this regulation will be registered by the California Department of Motor Vehicles (DMV).

As heavy-duty on-road vehicles are such a significant source of pollutants, the Truck and Bus Regulation is one of the most far-reaching and important tools to reduce smog-forming and toxic emissions and protect public health in disadvantaged communities. It is a key element in CARB's Diesel Risk reduction plan and the State Implementation Plan, both of which are designed to provide clean air for Californians by helping to meet state and federal health-protective standards. Starting January 1, 2020, Senate Bill 1 only allows vehicles compliant with this regulation to be registered by the California DMV.

6. Advanced Clean Truck Regulation

In June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day.

Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future.

7. Senate Bill 535 – Disadvantaged Communities

Senate Bill 535 ("SB 535"; De León, Chapter 830, 2012) recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality. Disadvantaged communities in California are specifically targeted for investment of proceeds from the State's cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California's most burdened communities while at the same time reducing pollution that causes climate change. Authorized by the California Global Warming Solutions Act of 2006 (AB 32), the State's cap-and-trade program is one of several strategies that California uses to reduce greenhouse gas emissions that cause climate change. The funds must be used for programs that further reduce emissions of greenhouse gases. SB 535 requires that 25 percent of the proceeds from the Greenhouse Gas Reduction Fund go to projects that provide a benefit to disadvantaged communities. The CalEPA is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen).

8. Senate Bill 1000 – Environmental Justice in Local Land Use Planning

In an effort to address the inequitable distribution of pollution and associated health effects in low-income communities and communities of color, the Legislature passed and Governor Brown signed Senate Bill 1000 (SB 1000) in 2016, requiring local governments to identify environmental justice communities (called "disadvantaged communities") in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments' planning and decision-making processes, reduce harmful pollutants and the associated health risks in environmental justice communities, and promote equitable access to health-inducing benefits, such as healthy food options, housing, public facilities, and recreation. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community's exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities.

9. Assembly Bill 617

Assembly Bill 617 (AB 617) was enacted into law in 2017 and relates to criteria air pollutants and toxic air contaminants from sources other than vehicles. In response to AB 617, CARB established the Community Air Protection Program (CAPP or Program). The Program's focus is to reduce exposure in communities most impacted by air pollution. Communities around the State are working together to develop and implement new strategies to measure air pollution and reduce health impacts. This first-of-its-kind statewide effort includes community air monitoring and community emissions reduction programs. In addition, the Legislature appropriated funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies in these communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. This new effort provides an opportunity to continue to enhance air quality planning efforts and better integrate community, regional, and State level programs to provide clean air.

C. Regional

1. Mojave Desert Air Quality Management District

The MDAQMD is geographically the second largest of the State's 35 air districts. As the air pollution control agency for San Bernardino County's High Desert and Riverside County's Palo Verde Valley, the District has primary responsibility for regulating stationary sources of air pollution located within its jurisdictional boundaries. The MDAQMD enforces rules related to air pollutant emissions in the MDAB. Rules with applicability to the Project include, but are not limited to, those listed below.

MDAQMD Rule 203: Permit to Operate

A person shall not operate or use any equipment, the use of which may cause the issuance of air contaminants or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit from the Air Pollution Control Officer or except as provided in Rule 202. The equipment shall not be operated contrary to the conditions specified in the permit to operate.

MDAQMD Rule 219: Equipment Not Requiring a Permit

The purpose of this rule is to describe equipment that does not require a permit pursuant to Rules 201 and 203 and to describe equipment which does not need to be listed on a Federal Operating Permit (FOP) issued pursuant to Regulation XII.

MDAQMD Rule 401: Visible Emissions

The purpose of this rule is to provide limits for the Visible Emissions from sources within the MDAQMD.

MDAQMD Rule 402: Nuisance

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

MDAQMD Rule 403: Fugitive Dust Control

The purpose of this rule is to reduce the amount of PM_{10} entrained in the ambient air from anthropogenic Fugitive Dust sources within the MDAQMD by requiring actions to prevent, reduce, or mitigate fugitive dust. The following measures shall be incorporated into Project plans and specifications as implementation of Rule 403.

- Use periodic watering for short-term stabilization of Disturbed Surface Area to minimize visible fugitive dust emissions. For purposes of this Rule, use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes shall be considered sufficient to maintain compliance.
- Take actions sufficient to prevent project-related trackout onto paved surfaces.

MDAQMD Rule 1113: Architectural Coatings

The purpose of this rule is to limit the quantity of VOCs in architectural coatings. The following measures shall be incorporated into Project plans and specifications as implementation of MDAQMD Rule 1113.

- Only "Low-VOC" paints consistent with MDAQMD Rule 1113 shall be used.

D. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley General Plan identifies policies that relate to air quality within the Town. The specific policies outlined in the Town's General Plan that are related to air quality and that apply to the Project are listed in a General Plan Consistency Analysis table in EIR Section 4.10, *Land Use and Planning* (refer to Table 4.10-2, *General Plan Consistency Analysis*).

4.2.3 Methodology

The California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including MDAQMD, released California Emissions Estimator Model (CalEEMod) 2022 in May 2022. CalEEMod periodically releases updates, as such the latest version available at the time of this report has been utilized in this analysis. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions from direct and indirect sources; and quantify applicable air quality

and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions. Refer Appendices 3.1 through 3.6 of the Project's Air Quality Impact Analysis (*Technical Appendix B1* of this EIR) for Criteria Air Pollutant CalEEMod Output Files.

A. Project-Related Construction Emissions

1. Construction Activities

Construction activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Construction related emissions are expected from the following construction activities: Demolition, Site Preparation, Grading, Building Construction, Paving, and Architectural Coating.

Demolition Activities

The site is currently developed with existing uses/structures which total approximately, 1,040 square feet. Demolished material associated with demolition will be hauled off-site.

Grading Activities

Dust is typically a major concern during grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions." Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity. Based on Project-specific grading plans, site development is anticipated to require approximately 738,987 cubic yards of cut and 744,043 cubic yards of fill, resulting in a net import of approximately 5,056 cubic yards of soil materials.

Off-Site Utility and Infrastructure Improvements

In addition, to support the Project development, there may be paving for off-site improvements associated with roadway construction and utility installation for the Project. It is expected that the off-site construction activities would not take place at one location for the entire duration of construction. Impacts associated with these activities are not expected to exceed the emissions identified for Project-related construction activities since the off-site construction areas would have physical constraints on the amount of daily activity that could occur. The physical constraints would limit the amount of construction equipment that could be used, and any off-site and utility infrastructure construction would not use equipment totals that would exceed the equipment totals in Table 3-2, *Estimated Construction Equipment Fleet*, in Section 3.0, *Project Description*, of this Draft EIR.

On-Road Trips

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul trucks commuting to and from the site. Worker and hauling trips are based on CalEEMod defaults. It should be noted that for vendor trips specifically, CalEEMod only assigns vendor trips to the Building Construction phase. In practice, vendor trips are expected to occur throughout various phases of construction, not just during Building Construction. To more accurately reflect this, the vendor trips initially allocated to the Building Construction phase were redistributed across other non-overlapping construction activities. This reallocation was done proportionally, based on the duration of each phase, ensuring that vendor trips are appropriately spread across all applicable construction phases that do not occur simultaneously.

2. Construction Duration

For purposes of evaluating the Project's construction-related air quality impacts, construction of the Project is expected to commence in December 2026 and would last through November 2028. The construction schedule utilized in the analysis represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA Guidelines.

3. Construction Equipment

A summary of construction equipment by phase is provided at Table 3-2, *Project Construction Equipment*, in Section 3.0, *Project Description*, of this Draft EIR. Consistent with industry standards and typical construction practices for other large-scale development, each piece of equipment listed in Table 3-2 will operate up to a total of eight (8) hours per day, or more than two-thirds of the period during which construction activities are allowed pursuant to the Town code.

B. Project Operational Emissions

Operation activities associated with the Project would result in emissions of VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Operational emissions would be expected from Area Source Emissions, Energy Emissions, Mobile Source Emissions, Energy Source Emission, Stationary Source Emissions, On-site Cargo Handling Equipment Emissions, and Transport Refrigeration Unit (TRU) Emissions. For additional information regarding the calculation of Project operational emissions, please refer to Section 3.5 of the Project's Air Quality Impact Analysis (*Technical Appendix B1* of the Draft EIR).

1. Area Source Emissions

Area source emissions associated with the Project would occur as a result of architectural coatings, consumer products, and landscape maintenance equipment, as follows:

Architectural Coatings

Over a period of time, the building that is part of this Project would require maintenance and would therefore produce emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings. The emissions associated with architectural coatings were calculated using CalEEMod.

Consumer Products

Consumer products include, but are not limited to, detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on defaults provided within CalEEMod.

Landscape Maintenance Equipment

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. It should be noted that on October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by January 1, 2024. However, for purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod and do not incorporate the emissions reductions that would be realized from implementation of AB 1346.

2. Energy Source Emissions

Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (Regional Clean Air Incentives Market [RECLAIM]) for generation within the MDAB, criteria pollutant emissions from offsite generation of electricity are excluded from the evaluation of significance. The site is not expected to utilize natural gas for the building envelope and therefore would not generate any emissions from direct energy consumption.

3. Mobile Source Emissions

The Project related operational air quality emissions derived primarily from vehicle trips generated by the Project. Trip characteristics available from the Project's Traffic Analysis (*Technical Appendix K2* of the Draft EIR) were utilized in this analysis. Trip lengths for passenger vehicles were obtained from the San Bernardino Traffic Analysis Model (SBTAM) and trip lengths for trucks were obtained from the StreetLight™ Data available in the Project's Vehicle Miles Traveled Analysis (*Technical Appendix K2* of the Draft EIR).

To determine emissions from passenger vehicles for the proposed industrial uses, the analysis incorporated a trip length of 15.40 miles for 2 Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1 & LDT2), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicles taken from the San Bernardino Traffic Analysis Model (SBTAM) data available in the Project's Vehicle Miles Traveled Analysis (*Technical Appendix K2* of the Draft EIR) with an assumption of 100% primary trips.

To determine emissions from trucks for the proposed industrial uses, the analysis incorporated a trip length of 62.10 miles for 2-axle (LHDT1, LHDT2), 3-axle (MHDT) trucks and 4+-axle (HHDT) trucks taken from the StreetLight™ data available in the Project's Vehicle Miles Traveled Analysis (*Technical Appendix K2* of the Draft EIR) with an assumption of 100% primary trips. This trip length assumption is higher than the CalEEMod defaults for trucks.

Additionally, vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of brake and tire wear particulates. The emissions estimate for travel on paved roads was calculated using CalEEMod.

4. Stationary Source Emissions

The Project was conservatively assumed to include installation of a 300 HP diesel-powered fire pump and a 700 HP diesel-powered emergency generator at each building. The fire pump and emergency generator were each estimated to operate for up to 1 hour per day, 1 day per week for up to 50 hours per year for maintenance and testing purposes. Emissions associated with the stationary diesel-powered fire pump and emergency generator were calculated using CalEEMod.

5. On-Site Cargo Handling Equipment Source Emissions

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this Project, on-site modeled operational equipment includes up to five 175 hp, natural gas-powered cargo handling equipment – port tractor operating 4 hours a day for 365 days of the year.

6. Transport Refrigeration Unit (TRU) Emissions

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have Transport Refrigeration Units (TRUs). For modeling purposes, 166 two-way truck trips with TRUs were modeled (e.g., all truck trips that would be associated with high-cube cold storage uses, as summarized in the Project's Traffic Analysis (*Technical Appendix K2* of the Draft EIR). TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on the EMissions FACtor (EMFAC) Offroad Emissions model, developed by the CARB. EMFAC does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions

used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operation.

C. Potential Emissions in Other Air Districts

The Project's truck and TRU trip related emissions that could occur outside of the air district in which the Project is located (MDAQMD) are presented for informational purposes. More specifically, travel within the Eastern Kern Air Pollution Control District (EKAPCD), San Joaquin Valley Air Pollution Control District (SJVAPCD), Antelope Valley Air Quality Management District (AVAQMD) and South Coast Air Quality Management District (SCAQMD) were evaluated. Table 4.2-4, *Activity by Air District*, a summary of the percentage breakdown of truck travel by air district based on the Streetlight™ data. The Project's modeled average truck trip length is 62.1 miles, as discussed above. To accurately reflect regional travel behavior, this total distance was distributed among the applicable air districts based on StreetLight Data's Truck Volume Metrics for medium-duty (MDT; 2- and 3-axle) and heavy-duty (HDT; 4+-axle) trucks within the Project area. Analysis of these data indicates that approximately 72 percent of Project-related truck trips are expected to cross into the SCAQMD, with an average trip length of 21 miles occurring within that jurisdiction. The remaining 36.85 miles were conservatively divided evenly among the EKAPCD, SJVAPCD, and AVAQMD. The balance of approximately 4.35 miles represents truck travel within the MDAQMD, accounting for local circulation and connections within the district boundary. These allocations were used to apportion Project-generated truck emissions among the affected air districts, ensuring a comprehensive and regionally representative assessment of potential air quality impact.

Table 4.2-4 Activity by Air District

Air District	Truck Activity
EKAPCD	14%
SJVAPCD	6%
AVAQMD	1%
SCAQMD	72%

Source: (UXR, 2025a, Table 3-11)

D. Health Risk Assessment Methodology

The MDAQMD identifies that if a Project is expected to generate/attract heavy-duty diesel trucks, which emit diesel particulate matter (DPM), preparation of a mobile-source Health Risk Assessment (HRA) is recommended. The Project's HRA, which is included as *Technical Appendix B2*, has been prepared in accordance with the relevant documentation available including Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and is composed of all relevant and appropriate procedures presented by

the EPA, Cal EPA, and MDAQMD. Cancer risk is expressed in terms of expected incremental incidence per million population.

The Lakes AERMOD View (Version 12.0.0) was used to calculate annual average particulate concentrations associated with site operations. Modeled sensitive receptors were placed at residential and non-residential locations. Receptors may be placed at applicable structure locations for residential and worker property and not necessarily the boundaries of the properties containing these uses because the human receptors (residents and workers) spend a majority of their time at the residence or in the workplace's building, and not on the property line. It should be noted that the primary purpose of receptor placement is focused on long-term exposure. Notwithstanding, as a conservative measure, receptors were placed at either the outdoor living area or the building façade, whichever is closer to the Project site. Discrete receptors were placed in all directions nearest to the Project site and Project truck routes in order to account for the predominant wind directions in the Project vicinity. For purposes of the HRA, receptors include both residential and non-residential (school children and worker) land uses in the vicinity of the Project site. These receptors are included in the HRA since residents, workers, and school children may be exposed at these locations over a long-term duration of 30, 25, and 9 years, respectively. This methodology is consistent with MDAQMD and Office of Environmental Health Hazard Assessment (OEHHA) recommended guidance. Any impacts to residents or workers located further away from the Project site than the modeled residential and workers in a given direction would have a lesser impact than what has already been disclosed in the HRA at the Maximally Exposed Individual Receptor (MEIR), Maximally Exposed Individual School Child (MEISC), and Maximally Exposed Individual Worker (MEIW) because concentrations dissipate with distance.

For additional information regarding the calculation of Project DPM emissions, please refer to Section 2 of the Project's HRA (*Technical Appendix B2*).

E. Sensitive Receptors

Receptors in the Project study area are described below and shown in Figure 4.2-1, *Sensitive Receptors Locations*. All distances are measured from the Project site's boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site. The selection of receptor locations is based on Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by California Department of Transportation (Caltrans) and the Federal Transit Administration (FTA). Distance is measured in a straight line from the Project boundary to each receptor location.

R1: Location R1 represents the existing residence at 19934 Doberman Street, approximately 3,670 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R1 is placed at the building façade.

R2: Location R2 represents the existing residence at 19414 Stoddard Wells Road, approximately 2,952 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R2 is placed at the building façade.

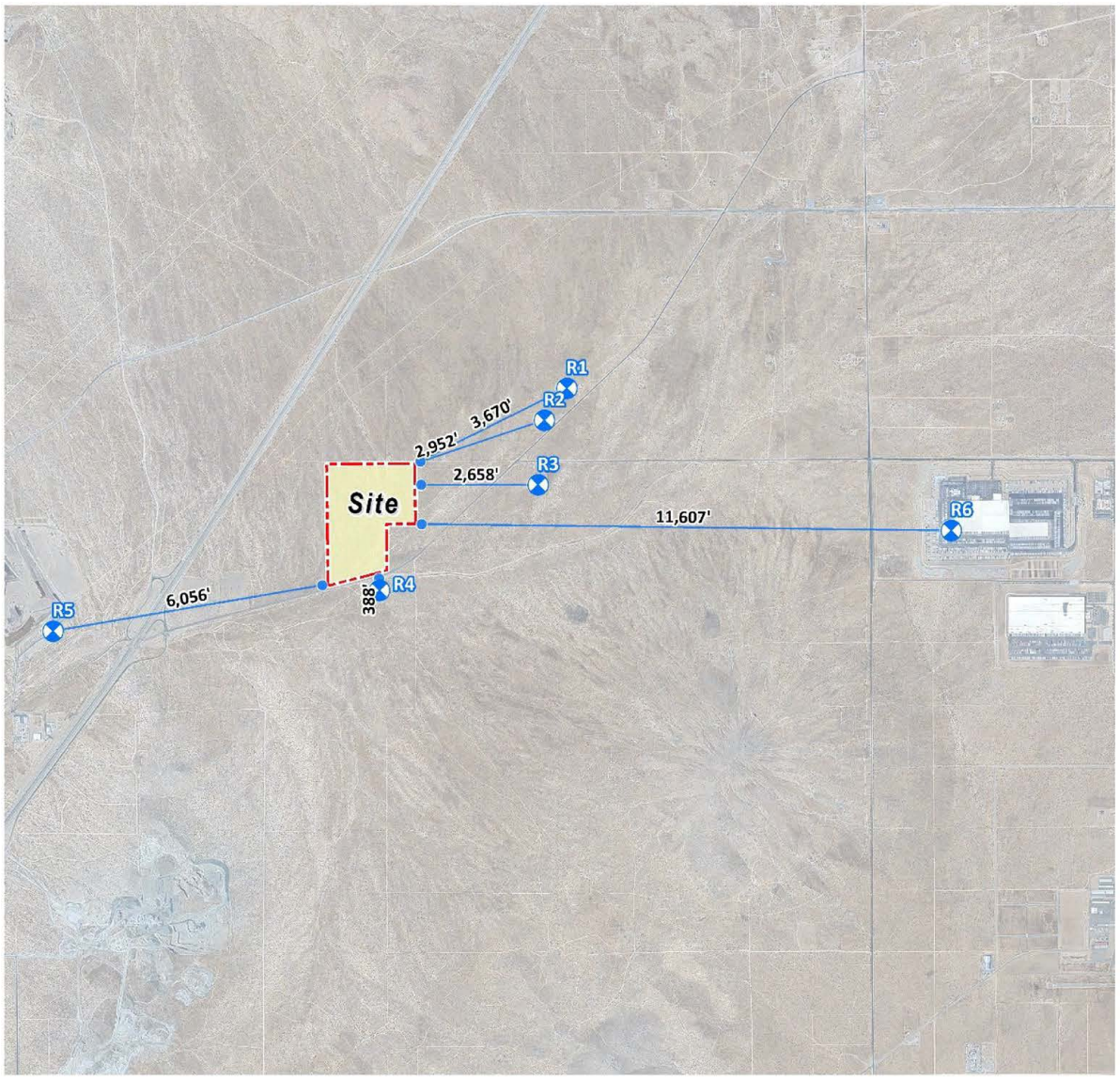
R3: Location R3 represents the existing residence at 19823 Johnson Road, approximately 2,658 feet east of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R3 is placed at the building façade.

R4: Location R4 represents the existing residence at 19277 Stoddard Wells Road, approximately 388 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R4 is placed at the building façade.

R5: Location R5 represents the Landfill Site located at 18600 Stoddard Wells Road, approximately 6,056 feet west of the Project site.

R6: Location R6 represents the Walmart Distribution Center at 21101 Johnson Road, located approximately 11,607 feet east of the Project site.

As shown in Figure 4.2-1, the nearest receptor is Receptor R4, an existing residence at 19277 Stoddard Wells Road, approximately 388 feet south of the Project site.



Source(s): Urban Crossroads (10-08-2025)

Figure 4.2-1

Not to Scale

Sensitive Receptors Locations

4.2.4 Basis for Determining Significance

According to Section III of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to air quality if the Project or any Project-related component would:

a. *Conflict with or obstruct implementation of the applicable air quality plan;*

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

c. *Expose sensitive receptors to substantial pollutant concentrations;*

d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

The MDAQMD has developed regional significance thresholds for regulated pollutants, as summarized in Table 4.2-5, *Maximum Daily Regional Emissions Thresholds*. The MDAQMD's Guidelines indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 4.2-5 Maximum Daily Regional Emissions Thresholds

Pollutant	Regional Thresholds (lbs/day)
CO	548 lbs/day
NO_X	137 lbs/day
VOC	137 lbs/day
SO_X	137 lbs/day
PM_{10}	82 lbs/day
$PM_{2.5}$	65 lbs/day

Source: (UXR, 2025a, Table 3-1)

With respect to health risks, the MDAQMD has established an incidence rate of ten (10) persons per million as the maximum acceptable incremental cancer risk due to DPM exposure from a project such as the proposed Project. This threshold serves to determine whether or not a given project has a potentially significant development-specific and cumulatively considerable impact. The MDAQMD also has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index of less than one (1.0) means that adverse health effects are not expected. Non-carcinogenic exposures of less than 1.0 are considered less-than-significant. Both the cancer risk and non-carcinogenic risk thresholds are applied to the nearest sensitive receptors.

4.2.5 Impact Analysis

Threshold a:	**Would the Project conflict with or obstruct implementation of the applicable air quality plan?**

The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance the indicators discussed below:

1. Consistency Criteria No. 1

Local Land Use Plan and/or Population Projections

The Town of Apple Valley General Plan designates the Project site for Office/Professional (O-P) and the Project site is zoned Office Professional (O-P). The Project Applicant proposes a general plan and zoning amendment to change the designation to Regional Commercial (C-R) and Regional Commercial (C-R) with I-N Industrial Overlay, respectively. Additionally, the Project would require a Development Code Amendment to expand the existing C-R e-commerce fulfillment and distribution center overlay boundaries to include the Project site.

Although the Project is not consistent with the current General Plan and zoning designations and would require a General Plan Amendment, Zone Change, and Development Code Amendment; the Project would not result in an operational-related air quality impact (see analysis under Threshold b, below). As a result, the Project would not conflict with the goals and objectives of the AQMP. Furthermore, the Project, as evaluated herein, would not exceed the operational regional or localized air quality significance thresholds and would meet consistency criterion No. 1. (UXR, 2025a)

2. Consistency Criteria No. 2

All MDAQMD Rules and Regulations

The Project would be required to comply with all applicable MDAQMD Rules and Regulations, including, but not limited to Rules 401 (Visible Emissions), 402 (Nuisance), 403 (Fugitive Dust), and 1113 (Architectural Coatings). The Project Applicant would be required to coordinate with MDAQMD and obtain construction and operation-related permits for compliance with the above-mentioned regulations. Because the Project would not conflict with any MDAQMD rules or regulations, the Project would meet consistency criterion No. 2. (UXR, 2025a)

3. Consistency Criteria No. 3

Demonstrating that the Project Will Not Increase the Frequency or Severity of a Violation in the Federal or State Ambient Air Quality Standards

As discussed in detail under the analysis of Threshold b below, Project operational-source emissions for ROG/VOC, NOx, CO, SOx, PM_{10}, and $PM_{2.5}$ would not exceed applicable MDAQMD significance thresholds. However, construction-source emissions would exceed applicable MDAQMD regional thresholds for ROGs/VOCs emissions. As such, the Project would have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality related to Project construction.

4. Conclusion

The Project's proposed land use and zoning designations for the Project site would not conflict with the goals and objectives of the AQMP, as explained under Consistency Criteria No. 1, above. However, the Project would exceed the applicable regional thresholds during construction for ROGs/VOCs emissions. Therefore, the Project may conflict with the AQMP, and impacts would be potentially significant.

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

A. Construction Emissions Impact Analysis

Construction activities associated with the Project would result in emissions of ROGs/VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$. Construction-related emissions would occur during construction activities, including site preparation, grading, building, paving, architectural coating, and construction workers commuting to the site. As shown in Table 4.2-6, *Construction Emission Summary*, emissions resulting from the Project construction will exceed criteria pollutant thresholds established by the MDAQMD for ROG/VOC emissions. As such, impacts would be potentially significant.

Table 4.2-6 Construction Emission Summary

Year	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
2027	4.50	22.87	65.59	0.08	9.65	2.75
2028	148.02	21.75	62.61	0.08	9.59	2.70
Winter						
2026	2.71	24.33	22.30	0.04	5.32	3.00
2027	7.51	64.71	64.24	0.16	9.65	4.81

Year	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
2028	147.95	22.30	49.94	0.08	9.59	2.70
Maximum Daily Emissions	148.02	64.71	65.59	0.16	9.65	4.81
MDAQMD Regional Thresholds	137	137	548	137	82	65
Threshold Exceeded?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-6)

B. Operational Emissions Impact Analysis

1. Project Emissions in MDAQMD

Operational emissions would be expected from mobile source emissions, area source emissions, energy source emissions, stationary source emissions, on-site cargo handling equipment emissions, and TRU emissions. Mobile source emissions derive primarily from vehicles trips generated by the Project, which also considers high-cube cold storage uses as further detailed in Section 3.5.1, Mobile Source Emissions, of the Project's Air Quality Impact Analysis (*Technical Appendix B1*). As shown in Table 4.2-7, *Project Operation Emissions Summary*, the Project would not exceed the numerical thresholds of significance established by the MDAQMD for emissions of any criteria pollutant. As such, operational impacts would be considered less-than-significant.

Table 4.2-7 Project Operation Emissions Summary

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
Mobile	11.75	87.29	134.84	1.09	55.98	15.91
Area	41.60	0.51	60.08	0.00	0.11	0.08
Stationary	1.64	4.59	4.18	0.01	0.24	0.24
TRUs	24.54	24.37	2.95	0.00	0.84	0.77
On-site Equipment	0.59	1.88	82.22	0.00	0.15	0.14
Maximum Daily Emissions	80.12	118.62	284.28	1.10	57.31	17.14
MDAQMD Regional Thresholds	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile	10.86	92.13	106.71	1.07	55.98	15.91
Area	31.73	0.00	0.00	0.00	0.00	0.00
Stationary	1.64	4.59	4.18	0.01	0.24	0.24
TRUs	24.54	24.37	2.95	0.00	0.84	0.77
On-site Equipment	0.59	1.88	82.22	0.00	0.15	0.14
Maximum Daily Emissions	69.36	122.96	196.07	1.07	57.20	17.06

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
MDAQMD Regional Thresholds	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-10)

2. Project Emissions in Other Air Districts

As discussed above, the Project's truck and TRU trip related emissions that could occur outside of MDAQMD including EKAPCD, SJVAPCD, AVAQMD, and SCAQMD were evaluated. The Project's modeled average truck trip length is 62.1 miles, as discussed previously under Section 4.2.3, *Methodology*. To accurately reflect regional travel behavior, this total distance was distributed among the applicable air districts based on StreetLight Data's Truck Volume Metrics for medium-duty (MDT; 2- and 3-axle) and heavy-duty (HDT; 4+-axle) trucks within the Project area. Analysis of these data indicates that approximately 72 percent of Project-related truck trips are expected to cross into the SCAQMD, with an average trip length of 21 miles occurring within that jurisdiction. The remaining 36.85 miles were conservatively divided evenly among the EKAPCD, SJVAPCD, and AVAQMD. The balance of approximately 4.35 miles represents truck travel within the MDAQMD, accounting for local circulation and connections within the district boundary. These allocations were used to apportion Project-generated truck emissions among the affected air districts, ensuring a comprehensive and regionally representative assessment of potential air quality impact.

Table 4.2-8 through Table 4.2-11 summarizes the emissions that could occur due to off-site truck and TRU travel within the aforementioned air districts. The emissions are presented in tons per year for the EKAPCD and SJVAPCD (as there is no seasonal variation), and pounds per day for AVAQMD and SCAQMD (for summer and winter) consistent with the applicable thresholds in each air district. As shown below, Project emissions would not exceed any of the regional thresholds of significance established by the air districts and impacts would be less than significant.

Table 4.2-8 Peak Operational Emissions – EKAPCD

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	0.26	2.02	2.95	0.02	1.23	0.35
TRUs	0.54	0.53	0.06	0.00	0.02	0.02
Maximum Daily Emissions	0.79	2.55	3.02	0.02	1.24	0.37
EKAPCD Regional Thresholds	25	25	N/A	N/A	15	N/A
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-12)

Table 4.2-9 Peak Operational Emissions - SJVAPCD

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	0.91	2.02	2.34	0.02	1.23	0.35
TRUs	0.54	0.53	0.06	0.00	0.02	0.02
Maximum Daily Emissions	1.45	2.55	2.40	0.02	1.24	0.37
SJVAPCD Regional Thresholds	10	10	100	27	15	15
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-13)

Table 4.2-10 Peak Operational Emissions - AVAQMD

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	1.41	11.06	16.18	0.13	6.72	1.91
TRUs	2.95	2.92	0.35	0.00	0.10	0.09
Maximum Daily Emissions	4.35	13.98	16.53	0.13	6.82	2.00
AVAQMD Regional Thresholds	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-14)

Table 4.2-11 Peak Operational Emissions - SCAQMD

Source	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile	3.97	31.15	45.60	0.37	18.93	5.38
TRUs	8.30	8.24	1.00	0.00	0.28	0.26
Maximum Daily Emissions	12.27	39.39	46.60	0.37	19.21	5.64
SCAQMD Regional Thresholds	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-15)

Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?

During both construction and operation, the Project has the potential to expose nearby sensitive receptors to substantial pollutant concentrations. The following provides an analysis of the Project's potential to result in or contribute to CO "hot spots," and an analysis of the Project's potential to result in cancer risks and non-cancer health hazards.

A. CO Hot Spot Analysis

A CO hotspot is defined as a localized concentration of CO exceeding the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm. At the time the most recent CEQA Air Quality Handbook (1993) was published by South Coast Air Quality Management District (SCAQMD), the air basin was designated as non-attainment, requiring projects to perform hotspot analyses to ensure they did not worsen the existing conditions. Over the last two decades, background CO concentrations have been significantly reduced due to regulatory controls on tailpipe emissions, which have culminated in the air basin achieving attainment status for CO.

The 2003 AQMP's findings underscore that CO hotspots are highly unlikely due to the reduced background concentrations and the effectiveness of California's air quality management strategies. The substantial reduction in CO levels from the vehicle fleet and the State's attainment status for CO further diminish the need for detailed microscale hotspot analyses, reinforcing that existing monitoring and regulatory frameworks adequately address potential air quality concerns.

In 2003, the SCAQMD as part of its AQMP development process, prepared modeling to determine the potential for CO Hotspots at the four busiest intersections in the air basin. As summarized in the 2003 AQMP, even at one of the busiest intersections at that time, only 0.7 ppm of CO is attributable to vehicular traffic and the remaining 7.7 ppm were due to ambient background conditions. As shown on Table 4.2-2 in this report, the background 1-hour and 8-hour concentrations are well below the applicable AAQS. The 2003 AQMP's findings underscore that CO hotspots are highly unlikely due to the reduced background concentrations and the effectiveness of California's air quality management strategies. The substantial reduction in CO levels from the vehicle fleet and the state's attainment status for CO further diminish the need for detailed microscale hotspot analyses, reinforcing that existing monitoring and regulatory frameworks adequately address potential air quality concerns.

As such, Project-related traffic at any intersections within the Project area would not cause or contribute to a CO hotspot since the background concentrations are low and any contribution from Project traffic would be negligible. (UXR, 2025a)

B. Toxic Air Contaminants Impact Analysis

A Project-specific HRA was prepared for the Project based on MDAQMD guidelines to produce conservative estimates of risk posed by exposure to Toxic Air Contaminants (TACs), including DPM as a result of heavy-duty diesel trucks and equipment associated with on-site and off-site construction and operational activity. The Project's HRA is included as *Technical Appendix B2* to this EIR. Refer to Section 2 of the Project's HRA for a discussion of the recommended methodology, emissions estimation, exposure quantification, carcinogenic chemical risk, and non-carcinogenic exposure used as inputs to the analysis.

1. Construction Impacts

The land use with the greatest potential exposure to Project construction DPM source emissions is Location R4 which represents the existing residence at 19277 Stoddard Wells Road, approximately 388 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R4 is placed at the building façade. At the maximally exposed individual receptor (MEIR) the maximum incremental cancer risk attributable to Project construction TAC emissions is estimated at 0.93 in one million which is less than the MDAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. The MEIR would experience the highest concentrations of DPM during Project construction due to its location and meteorological conditions at the site. Because all other modeled receptors would experience lower concentrations of DPM during Project construction, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. Accordingly, impacts would be less than significant. (UXR, 2025b)

2. Operational Impacts

Residential Exposure Scenario

The land use with the greatest potential exposure to Project operational DPM source emissions is Location R3 which represents the existing residence at 19823 Johnson Road, approximately 2,658 feet east of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R3 is placed at the building façade. At the maximally exposed individual receptor (MEIR) the maximum incremental cancer risk attributable to Project construction TAC emissions is estimated at 4.20 in one million which is less than the MDAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. All other modeled receptors would be exposed to lower concentrations of DPM, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project will not cause a significant human health or cancer risk to nearby residences, and impacts would be less than significant. (UXR, 2025b)

Worker Exposure Scenario

The worker land use with the greatest potential exposure to Project DPM emissions is Location R6 which represents the Walmart Distribution Center at 21101 Johnson Road, approximately 11,607 feet east of the Project site. Receptor R6 is placed at the building façade. At the MEIW, the maximum incremental cancer risk attributable to Project DPM emissions is estimated at 0.08 in one million, which is less than the MDAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other modeled receptors would be exposed to lower concentrations of DPM, all

other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to nearby workers, and impacts would be less than significant. (UXR, 2025b)

School Exposure Scenario

Proximity to sources of toxics is critical to determining the impact. In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent (%) drop-off in particulate pollution levels at 500 feet. Based on CARB and SCAQMD emissions and modeling analyses, an 80% drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center. The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that emissions diminish substantially between 500 and 1,000 feet from emission sources.

A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be impacted by a proposed project. This radius is more robust and therefore provides a more health protective scenario for evaluation than the 1,000-foot impact radius identified above. There are no schools within a one-quarter mile radius, or 1,320 feet of the Project site. The nearest school is the Apple Valley Early Education, which is located over 3.50 miles feet southwest of the Project site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than one-quarter mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the Project. (UXR, 2025b)

3. Construction and Operational Impacts

At the MEIR, the maximum incremental cancer risk attributable to Project construction-source and operational-source DPM emissions is estimated at 2.33 in one million, which is less than the MDAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be ≤0.01, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction and operational activity. All other receptors during construction and operational activity would experience less risk than what is identified for this location. Therefore, Project impacts would be less than significant. (UXR, 2025b)

Threshold d: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Land uses generally associated with odor complaints include agricultural uses (livestock and farming), wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The Project does not propose or require land uses that would use substantive sources of objectionable odors.

Potential temporary and intermittent construction-related odor sources associated with the Project may result from construction equipment exhaust and application of asphalt and architectural coatings during construction activities. Temporary and intermittent construction-source emissions are controlled through existing requirements and industry Best Management Practices (BMPs) addressing proper storage of and application construction materials. 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.

Over the life of the Project, odors may result from storage of municipal solid waste pending its transport to area landfills. Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the Town of Apple Valley's solid waste regulations. The Project would also be required to comply with MDAQMD Rule 402. Rule 402 provides that "[a] person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property."

Based on the preceding analysis, the potential for the Project to create objectionable odors affecting a substantial number of people would be less than significant. (UXR, 2025a)

4.2.6 Cumulative Impact Analysis

The MDAQMD relies on the SCAQMD guidance for determining cumulative impacts. The SCAQMD has recognized that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects.

The SCAQMD published a report on how to address cumulative impacts from air pollution: White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. In this report the SCAQMD clearly states (Page D-3):

> "...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

> Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

Consistent with the above SCAQMD guidance, individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Conversely, individual project-related construction and operational emissions that exceed MDAQMD thresholds for project-specific impacts would be considered cumulatively considerable. (UXR, 2025a)

1. Construction Impacts

As discussed above, Project construction-source air pollutant emissions would result in exceedances of regional thresholds for ROGs/VOC emissions during construction activities. Therefore, Project construction-source emissions would be significant on a Project-specific and cumulative basis.

2. Operational Impacts

As discussed above, Project operational-source air pollutant emissions would not result in exceedances of regional thresholds in MDAQMD and other surrounding air districts. Therefore, Project operational-source emissions would be considered less than significant on a project-specific and cumulative basis.

3. Health Risk Impacts

The Project-specific evaluation of health risk impacts presented in the preceding analysis demonstrates that Project emissions would not cause or contribute to a CO "Hot Spot." Additionally, the maximum incremental non-cancer and cancer risks attributable to Project construction and operational DPM source emissions would be less than applicable thresholds. Therefore, Project health risk impacts would be considered less than significant on a Project-specific and cumulative basis.

4. Odor Impacts

Cumulatively considerable odor impacts could occur if the Project in combination with other nearby projects resulted in combined construction- or operational-related odor impacts. The Project would be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Additionally, there are no nearby related projects that generate substantial odors that could combine to create a cumulatively considerable odor impact. Therefore, impacts associated with odors would be less than cumulatively considerable.

4.2.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Impact. The Project's proposed land use and zoning designations for the Project site would not conflict with the goals and objectives of the AQMP. However, the Project would exceed the applicable regional thresholds during construction for ROGs/VOCs emissions. Therefore, the Project may conflict with the AQMP, and impacts would be potentially significant.

Threshold b: Potentially Significant Impact. Project operational-source air pollutant emissions would not result in exceedances of MDAQMD thresholds and other surrounding air districts. Therefore, Project operational-source emissions would be considered less than significant. However, Project construction-source air pollutant emissions would result in exceedances of MDAQMD thresholds for ROGs/VOCs emissions. This is a potentially significant impact.

Threshold c: Less than Significant Impact. Project emissions would not cause or contribute to a CO "Hot Spot." Additionally, the maximum incremental cancer risk attributable to Project construction and operational DPM source emissions would be less than significant.

Threshold d: Less than Significant Impact. The Project does not propose land uses typically associated with emitting objectionable odors. Odors associated with Project construction and operations would be less than significant and no mitigation is required.

4.2.8 Mitigation

MM 4.2-1 During construction, the construction contractor shall, at the minimum, use "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by Mojave Desert Air Quality Management District's Rule 1113. Super-Compliant low VOC paints shall be no more than 10 grams per liter of VOC or less for all interior and exterior building coatings. Alternatively, the applicant may utilize tilt-up a concrete building that does not require the use of architectural coatings. This mitigation measure shall be noted on construction drawings verified by the Town of Apple Valley prior to issuance of any construction permits and during coating activities.

4.2.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant Impact With Mitigation. Project construction would exceed the applicable MDAQMD regional thresholds. As demonstrated below, Project construction-source air pollutant emissions would not result in exceedances of regional thresholds with the implementation of Mitigation Measure MM 4.2-1, which requires the use of Super-Compliant low VOC paints. With Mitigation Measure MM 4.2-1, the Project would not conflict with the AQMP.

Threshold b: Less than Significant Impact With Mitigation. The Project would exceed the applicable regional thresholds during construction for ROGs/VOCs emissions. The estimated maximum daily construction emissions, with mitigation, are summarized in Table 4.2-12, *Construction Emissions Summary – With Mitigation*. As shown, with the implementation of Mitigation Measure MM 4.2-1, ROG/VOC emissions would be reduced below the applicable threshold. Super-Compliant low VOC paints are manufactured to have lower levels of VOCs than those required by regulatory standards; therefore, the use of low VOC paints would reduce the Project's ROGs/VOCs emissions during construction. Alternatively, the Project applicant may utilize tilt-up a concrete building that does not require the use of architectural coatings and would also substantially reduce the Project's ROGs/VOCs emissions. Therefore, the Project with mitigation would not exceed the criteria pollutant thresholds for regional construction emissions and impacts would be less than significant impact.

Table 4.2-12 Construction Emissions Summary – With Mitigation

Year	Emissions (lbs/day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
2027	4.50	22.87	65.59	0.08	9.65	2.75
2028	45.54	21.75	62.61	0.08	9.59	2.70
Winter						
2026	2.71	24.33	22.30	0.04	5.32	3.00
2027	7.51	64.71	64.24	0.16	9.65	4.81
2028	45.48	22.30	49.94	0.08	9.59	2.70
Maximum Daily Emissions	45.54	64.71	65.59	0.16	9.65	4.81
MDAQMD Regional Thresholds	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (UXR, 2025a, Table 3-7)

4.2.10 References

Urban Crossroads (UXR), 2025a. *Apple Valley 84 Air Quality Impact Analysis*. November 3, 2025. *Technical Appendix B1*.

Urban Crossroads (UXR), 2025b. *Apple Valley 84 Construction and Operational Health Risk Assessment*. November 3, 2025. *Technical Appendix B2*.

Urban Crossroads (UXR), 2025g. *Apple Valley 84 Vehicle Miles Traveled Analysis*. December 9, 2025. *Technical Appendix K2*.

4.3 BIOLOGICAL RESOURCES

The following analysis is based in part on information obtained from the following technical reports:

- Noreas, 2025. *Apple Valley 84 Project General Biological Resources Assessment*. October 2025. (*Technical Appendix C*)

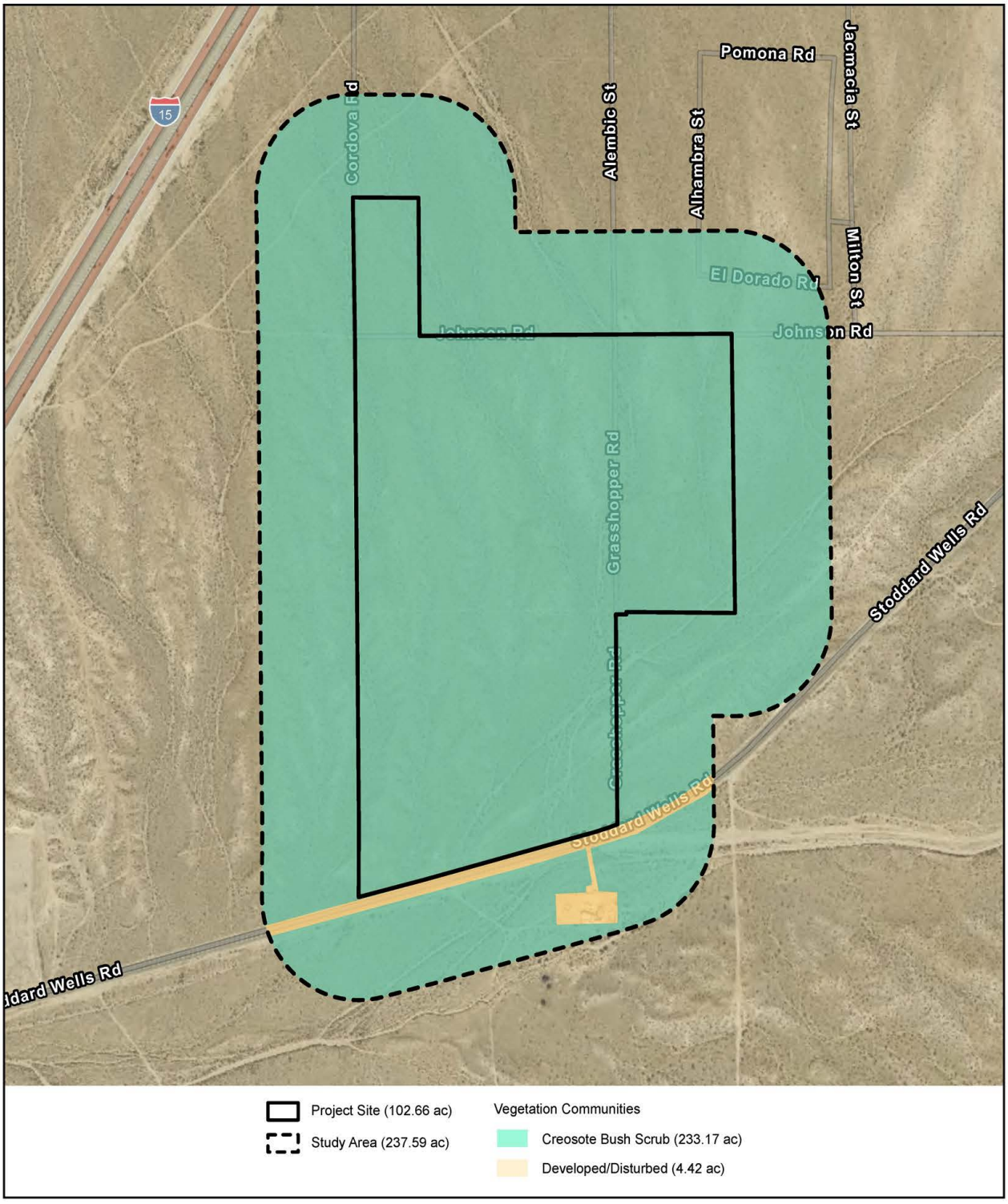
The Biological Resources Assessment includes assessments for special-status plant and wildlife species and focused assessments of Native Plants, Burrowing Owl, Desert Tortoise, Mohave Ground Squirrel, Joshua Trees, and Delineation of Waters of the United States (WOTUS) and the State (WOTS). The Biological Resources Assessment is included in its entirety as EIR *Technical Appendix C*. Refer to Sections 4.3.10 and 7.0, *References*, for a complete list of reference sources.

4.3.1 Environmental Setting

A. Vegetation Communities and Land Cover Types

As shown in Figure 4.3-1, *Vegetation Communities and Land Cover Types*, two vegetation communities and land cover types were observed within the study area, which includes the Project site (approximately 92.73 acres and a 500 foot buffer for a total of 237.59 acres): approximately 233.17 acres of Creosote Bush Scrub and approximately 4.42 acres of Developed/Disturbed lands. The disturbed Creosote Bush Scrub Plant Community within the study area is dominated by creosote bush (*Larrea tridentata*) and white bursage (*Ambrosia Dumosa*). Although undeveloped, the Project site has been influenced by surrounding infrastructure, including on-site disturbances such as off-highway vehicle (OHV) tracks, illegal dumping, and ruderal weeds. Scattered littleleaf ratany (*Krameria erecta*) occur in low density. The herbaceous layer contains a mix of native and non-native annuals, including redstem stork's bill (*Erodium cicutarium*) and red brome (*Bromus madritensis subsp. rubens*), reflecting prior surface disturbance. Overall, the Project site represents a common, regionally widespread desert scrub community with low ecological sensitivity.

The developed/disturbed portions of the study area represent areas of long-term and ongoing alteration associated with major roads (Stoddard Wells Road and the Interstate 15 freeway corridor), edge effects, dirt trails, an old concrete foundation, and abandoned well casings. The developed/disturbed portions primarily consist of ruderal and non-native species such as Russian thistle (*Salsola tragus*) and various non-native mustards occurring along disturbed margins. These portions of the study area are considered to have low biological value and represent the most heavily impacted areas.



Source(s): Noreas (10-28-2025)

Figure 4.3-1

Not to Scale

Vegetation Communities and Land Cover Types

B. Wildlife

Wildlife species observed within the study area consisted of commonly-occurring species - including, but not limited to, house finch (*Haemorhous mexicanus*), western meadowlark (*Sturnella neglecta*), common raven (*Corvus corax*), Turkey Vulture (*Cathartes aura*), cottontail (*Sylvilagus audubonii*) and Coyote (*Canis latrans*). Refer to the Project's Biological Resources Assessment (*EIR Technical Appendix C*) for a complete list of wildlife species observed within the Project study area.

C. Special-Status Plants Species

Biological field surveys were conducted in April, May, June, July, August, and September 2025. No United States Fish and Wildlife Service (USFWS)-designated critical habitat for any federally-listed plant species occurs within the Project site. No federal or State-listed plant species were observed on the Project site. Furthermore, the surveys did not detect any plants with a California Rare Plant Rank.

One (1) desert cactus species - silver cholla (*Cylindropuntia echinocarpa*) was observed as scattered individuals within the Project site. Additionally, a total of eleven (11) Western Joshua Trees were observed within the Project site. Of the 11, only 2 trees were alive and 9 were dead at the time of the surveys. Refer to the Project's Biological Resources Assessment (*EIR Technical Appendix C*) for a complete list of plant species identified within five miles of the Project site, and the focused native plant survey.

D. Special-Status Wildlife Species

No federally-listed wildlife species were observed within the Project site during the 2025 field surveys. The Project site does not include USFWS-designated critical habitat for wildlife. The Project's Biological Resources Assessment, *Technical Appendix C* of this EIR, provides a complete list of special-status species with potential of occurrence that were evaluated within the study area.

1. Burrowing Owl

The presence of Burrowing Owls was confirmed within the northwestern portions of the study area – not within the Project site, during the non-breeding (overwintering) period. Specifically, a single adult Burrowing Owl was observed perched and moving between multiple distinct ground squirrel burrows along the northwestern boundary of the study area, just outside the Project site, during two early-morning winter surveys. The owl was seen briefly foraging low over the ground and moving between multiple ground squirrel burrows over several weeks. No mate or juvenile owls were observed, and no auditory calls (such as breeding season mating calls or alarm calls) were heard during the winter surveys. No other raptors or predators were observed disturbing the owl during the survey period, and the owl appeared to utilize multiple nearby ground squirrel burrows as refuge, as it was observed moving between burrow sites over several weeks.

During the focused breeding season survey visits (March, April, May, June and July, 2025), no Burrowing Owls were seen or heard on the Project site or within the study area. By spring, burrow entrances that had shown owl sign in winter showed little to no fresh sign of owl use (e.g., no new pellets or tracks, and vegetation had begun to grow around the openings). No evidence of nesting behavior (e.g., concentration of pellets, decoration of burrow entrances with dung or debris and no defensive posturing or alarm calls) was observed anywhere within the study area. Other wildlife (desert cottontails and ground squirrels) was observed using the burrows in the Project site during spring, suggesting that the owl observed in winter had vacated the study area. Within the Project site, no nesting territories were established by burrowing owls in 2025.

2. Desert Tortoise

No Desert Tortoises or tortoise sign were detected anywhere within the Project site or survey area during focused surveys in 2025. Burrows attributable to tortoise, scat, tracks, shells, or other indicators of these species were not observed. Numerous animal burrows were noted (e.g., rodent burrows), but all were identified as belonging to other wildlife (via size, shape, or sign) and showed no evidence of tortoise use.

3. Mohave Ground Squirrel

No Mohave Ground Squirrel or diagnostic sign (e.g. scat, tracks, vocalizations) were detected on the Project site during focused surveys in 2025. The habitat is low-quality for these species and shows no indication of current or historical occupancy. The Project site is isolated by adjacent development and infrastructure, and it lacks the vegetative components critical to the persistence of Mohave Ground Squirrel. Key forage and cover shrubs for the Mohave Ground Squirrel, such as winterfat (*Krascheninnikovia lanata*), spiny hopsage (*Grayia spinosa*), allscale saltbush (*Atriplex polycarpa*), and creosote bush (*Larrea tridentata*) were absent or extremely sparse within the Project site.

4. Desert Kit Fox

No definitive evidence of Desert Kit Fox presence was found on the Project site and no kit fox individuals were observed during the diurnal surveys. More importantly, no kit fox dens – either active or inactive – were discovered during the surveys. No burrow or den entrance that exhibited the characteristic shape and size of kit fox dens (typically oval entrances about 7–10 inches in diameter) were observed during the surveys. Several coyote-sized burrows and smaller rodent burrows were noted, but none matched the intermediate size or cleanliness usually associated with kit fox.

5. Crotch's Bumblebee

Crotch's Bumblebee individuals or colonies were not detected during any of the survey events on the Project site. Despite the absence of the target species, the site demonstrated abundant insect activity and diverse pollinator presence, indicating that survey conditions were favorable for detecting bumble bees. Numerous native bee taxa (solitary bees and other non-Bombus genera) were observed actively foraging within the Project site, along with the widespread European honey

bee (*Apis mellifera*). Numerous other pollinating insects were also documented, with the overall pollinator diversity corresponding to the variety of flowering plants available.

E. Wetlands and Waterways

No areas meeting the definition of Waters of the United States (WOTUS) were identified within the Project site. With deference to the Clean Water Act (CWA), the ephemeral swales, erosional signatures and rills observed within the Project site are non-jurisdictional upland features.

The Project site encompasses 2.17-acres of ephemeral drainage signatures (identified as Features 1 through 6). These six (6) features occur entirely within the Project site. No wetlands were identified within the Project site. Features 1 through 6 qualify as Waters of the State (WOTS) subject to regulation under the California Fish and Game Code (CFGC) Section 1600 and California Water Code (CWC) Section 13260, Appendix K.

F. Native Plants

During the 2025 surveys, several native plant resources were identified within the Project site: silver cholla (*Cylindropuntia echinocarpa*, a native cactus species), and a total of 11 Western Joshua Trees (*Yucca brevifolia*; 2 live individuals and 9 dead). All of these plants are protected under local desert native plant regulations. These species are subject to the Town's Municipal Code Chapter 9.76, Plant Protection and Management Policy, as discussed subsequently.

4.3.2 Regulatory Framework

A. Federal

1. Endangered Species Act (ESA)

The purpose of the federal Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering." Listed plants are not protected from take, although it is illegal to

collect or maliciously harm them on federal land. Protection from commercial trade and the effects of federal actions do apply for plants.

Section 7 of the ESA requires federal agencies to use their legal authorities to promote the conservation purposes of the ESA and to consult with the USFWS and NMFS, as appropriate, to ensure that effects of actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species. During consultation, the "action" agency receives a "biological opinion" or concurrence letter addressing the proposed action. In the relatively few cases in which the USFWS or NMFS makes a jeopardy determination, the agency offers "reasonable and prudent alternatives" about how the proposed action could be modified to avoid jeopardy. It is extremely rare that a project ends up being withdrawn or terminated because of jeopardy to a listed species.

Section 10 of the ESA may be used by landowners including private citizens, corporations, tribes, states, and counties who want to develop property inhabited by listed species. Landowners may receive a permit to take such species incidental to otherwise legal activities, provided they have developed an approved habitat conservation plan (HCP). HCPs include an assessment of the likely impacts on the species from the proposed action, the steps that the permit holder will take to avoid, minimize, and mitigate the impacts, and the funding available to carry out the steps. HCPs may benefit not only landowners but also species by securing and managing important habitat and by addressing economic development with a focus on species conservation.

2. Clean Water Act Section 404

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Wetlands subject to Clean Water Act Section 404 are defined as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities).

The basic premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment; or (2) the nation's waters would be significantly degraded. Applications for permits must, to the extent practicable: (l) demonstrate steps have been taken to avoid wetland impacts; (2) demonstrate that potential impacts on wetlands have been minimized; and (3) provide compensation for any remaining unavoidable impacts. Proposed activities are regulated through a permit review process.

An individual permit is required for potentially significant impacts. Individual permits are reviewed by the U.S. Army Corps of Engineers (USACE), which evaluates applications under a public interest review, as well as the environmental criteria set forth in the CWA Section 404(b)(1) Guidelines. However, for most discharges that will have only minimal adverse effects, a general permit may be suitable. General permits are issued on a nationwide, regional, or State basis for particular categories of activities. The general permit process eliminates individual review and allows certain activities to proceed with little or no delay, provided that the general or specific conditions for the general permit are met. States also have a role in Section 404 decisions, through state program general permits, water quality certification, or program assumption.

3. Migratory Bird Treaty Act (16 USC Section 703-712)

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds.

B. State

1. California Endangered Species Act (CESA)

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The California Department of Fish and Wildlife (CDFW) works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Section 2081 subdivision (b) of the California Fish and Game Code (CFGC) allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

If a species is listed by both the federal ESA and CESA, CFGC Section 2080.1 allows an applicant who has obtained a federal incidental take statement (federal Section 7 consultation) or a federal incidental take permit (federal Section 10(a)(1)(B)) to request that the Director of CDFW find the federal documents consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued and no further authorization or approval is necessary under CESA.

A Safe Harbor Agreement (SHA) authorizes incidental take of a species listed as endangered, threatened, candidate, or a rare plant, if implementation of the agreement is reasonably expected to provide a net conservation benefit to the species, among other provisions. SHAs are intended to encourage landowners to voluntarily manage their lands to benefit CESA-listed species. California SHAs are analogous to the federal safe harbor agreement program and CDFW has the authority to issue a consistency determination based on a federal safe harbor agreement.

2. Natural Community Conservation Planning Act (NCCP)

CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. The NCCP program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the California and Federal Endangered Species Acts, as these laws are designed to identify and protect individual species that have already declined in number significantly.

An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP. CDFW and the USFWS provide the necessary support, direction, and guidance to NCCP participants.

There are currently 17 approved NCCPs (6 subarea plans) and more than 9 NCCPs in various stages of planning (2 subarea plans), which together cover more than 8 million acres and will provide conservation for nearly 400 special status species and a wide diversity of natural community types throughout California.

3. California Fish and Game Code, Section 1600, et seq.

CFGC section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or (3) deposit debris, waste or other materials that could pass into any river, stream, or lake. The CFGC indicates that "any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce

harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with CEQA.

4. Native Plant Protection Act (NPPA) of 1977

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

5. Unlawful Take or Destruction of Nests or Eggs (CFGC Sections 3503.5-3513)

CFGC Section 3503.5 specifically protects birds of prey, stating: "It is unlawful to take, possess, or destroy any . . . [birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3513 of the CFGC duplicates the federal protection of migratory birds, stating: "It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act."

C. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley General Plan Biological Resources Element provides goals, policies, and programs that address biological resources. The element is intended to identify the variety of biological resources within the Town and vicinity and provide management strategies for the preservation and protection of the natural environment and the many biological resources that are present in the area. Project-applicable goals and policies and a discussion of the Project's consistency are discussed in Table 4.10-2, *General Plan Consistency Analysis*, presented in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

The Town's Municipal Code Chapter 9.76, Plant Protection and Management Policy, contains the Town's Protected Plant Policies and includes policies for desert native plants, riparian plant conservation, and Western Joshua Trees.

3. Apple Valley Multi-Species Conservation Plan

There are approximately 30 sensitive species found throughout the Town and within the Sphere of Influence, including State and/or federally listed species such as the Desert Tortoise and the Least Bell's vireo. These listed species are protected by the State and/or federal ESAs. Individual

development projects (private or public) proposed within the Town that may impact a listed species are currently processed separately through State and/or federal permit processes to address compliance with the CESA and/or ESA. Depending on the project and the biological impacts associated with it, the process takes a year or more to complete. The processes are both time-consuming and expensive. The Town is currently undertaking the preparation of a Multiple Species Habitat Conservation Plan (MSHCP), which will enable the Town to streamline the development entitlement process while ensuring protection of sensitive environmental resources.

4.3.3 Methodology

The analysis presented within this Section is summarized from the information presented within the site-specific Biological Resources Assessment prepared for the Project, provided as *Technical Appendix C* to this EIR. As a conservative measure, the Biological Resources Assessment assessed the Project site as well as a 500-foot buffer area ("study area").

Preparation of the Biological Resources Assessment included a literature review of federal register listings, protocols, and species data provided by the USFWS in conjunction with anticipated federally-listed species potentially occurring within the study area. The USFWS Critical Habitat Mapper and File Data, USFWS San Bernardino County Field Office Species list, Wetlands Inventory database, Regional South Coast Missing Linkages Project Report, California Natural Diversity Database, and California Native Plant Society electronic inventory were reviewed for pertinent information regarding the locations of known occurrence of sensitive species in the vicinity of the site. Pedestrian-based field surveys were performed to assess land cover, general and dominant vegetation communities, habitat types, and species present within communities.

Focused surveys were conducted in April, May, June, July, August, and September 2025 for special-status plant species, special-status wildlife species, Burrowing Owl, Desert Tortoise, Mohave Ground Squirrel, and Crotch's Bumble Bee. Weather conditions during the surveys included clear to cloudy skies, temperatures ranging from 49–98°F, with winds fluctuating from 0 to 20 miles per hour. Representative photos of the study area are provided in the Project's Biological Resources Assessment (*Technical Appendix C* of this EIR).

The evaluation of wetlands and waterways was completed in accordance with the latest definitions and guidance regarding waterways and wetlands potentially regulated by USACE, Regional Water Quality Control Board (RWQCB), streambeds and associated riparian habitat as regulated by the CDFW. This assessment employed a combination of desktop analysis, field surveys, and regulatory tools to evaluate the Project site for jurisdictional features.

4.3.4 Basis for Determining Significance

Section IV of Appendix G to the CEQA Guidelines addresses typical adverse effects to biological resources, and includes the following threshold questions to evaluate the Project's impacts to biological resources:

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 Game or U.S. Fish and Wildlife Service;*

b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service;*

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;*

d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;*

e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;*

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

4.3.5 Impact Analysis

Threshold a:	**Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

A. Special-Status Plants

No special-status federal or State-listed plant species were observed within the study area during the field surveys. The study area does not include any USFWS-designated critical habitats for plants. One (1) desert cactus species - silver cholla (*Cylindropuntia echinocarpa*) was observed as scattered individuals within the Project site. Additionally, a total of eleven (11) Western Joshua Trees were observed within the Project site. Of the 11, only 2 trees were alive and 9 were dead at the time of the surveys. The removal or disturbance of the Western Joshua Trees is considered a regulated activity due to the species' protected status under the Western Joshua Tree Conservation Act. The Project would require removal of the two live Western Joshua Trees. Thus, impacts would be potentially significant.

B. Special-Status Animals

No federally-listed wildlife species were observed within the Project site during the 2025 field surveys. The Project site does not include USFWS-designated critical habitat for wildlife.

1. Burrowing Owl

A single adult Burrowing Owl was observed perched and moving between multiple distinct ground squirrel burrows along the northwestern boundary of the study area (just outside the Project site) during two early-morning winter surveys. During the focused breeding season survey visits (March, April, May, June and July, 2025), no Burrowing Owls were seen or heard on the Project site or within the study area. No evidence of nesting behavior (concentration of pellets, decoration of burrow entrances with dung or debris and no defensive posturing or alarm calls) was observed anywhere within the study area. Other wildlife (desert cottontails and ground squirrels) was observed using the burrows in the Project site during spring, suggesting that the owl observed in winter had vacated the study area. Within the Project site, no nesting territories were established by burrowing owls in 2025. The 2025 breeding season surveys indicate an absence of Burrowing Owl nesting activity on the Project site. Based on observation of Burrowing Owls near the Project site, it is possible for burrowing owls to occupy the site prior to grading; therefore, impacts are determined to be potentially significant.

2. Desert Tortoise

No Desert Tortoises or tortoise sign were detected anywhere within the Project site or survey area during focused surveys in 2025. The Project site lies at the periphery of the range of the Desert Tortoise. Moreover, the busy Interstate-15 corridor near the Project site has been a known mortality hazard and barrier for tortoises in this region, making it unlikely for any to migrate into the area. Also, very few burrow-like structures of any kind were present in the hard, compacted ground (aside from shallow small mammal burrows) during the focused surveys. The Project would not impact lands that could be utilized by the Desert Tortoise as habitat. No impact would occur.

3. Mohave Ground Squirrel

No Mohave Ground Squirrel or diagnostic sign (e.g. scat, tracks, vocalizations) were detected on the Project site during focused surveys in 2025. The habitat is low-quality for these species and shows no indication of current or historical occupancy. Past and ongoing disturbances (e.g. off-road vehicle trails, old foundations/wells, illegal dumping, etc.) have further degraded Mohave Ground Squirrel habitat quality and connectivity on and around the Project site. Given the absence of required forage plants, cover, and any recent regional Mohave Ground Squirrel records, the Project site does not support Mohave Ground Squirrel. No impact would occur.

4. Desert Kit Fox

No definitive evidence of Desert Kit Fox presence was found on the Project site and no kit fox individuals were observed during the diurnal surveys. Human activity within the Project site (some evidence of occasional camping and dog-walking was found), and the general disturbance (off-road vehicles, etc.) reduce the study area's attractiveness to kit fox for denning. The survey found no evidence of regular or past kit fox use such as old dens, prey middens, or territorial markings. The soils and topography are suitable for kit fox denning (sandy substrates, gentle washes), but ongoing

coyote presence and human disturbances likely make the Project suboptimal habitat. Desert Kit Foxes do not currently occupy or breed on the Project site. No impact would occur.

5. Crotch's Bumblebee

Crotch's Bumblebee individuals or colonies were not detected during any of the survey events on the Project site. Despite the absence of the target species, the site demonstrated abundant insect activity and diverse pollinator presence, indicating that survey conditions were favorable for detecting bumble bees. However, in a portion of the Project site (for example, near Stoddard Wells Road) show signs of anthropogenic disturbance, including increased non-native invasive plants and scattered trash/debris. These disturbances degrade the habitat quality, introducing competition for native flora and altering the vegetation structure in those areas. Crucially, while the Project site does offer some nectar and pollen sources for generalist pollinators, it lacks the key floral hosts that Crotch's Bumblebee relies on. Given these conditions, the Project site is inadequate for supporting the Crotch's Bumblebee and the Project would not pose a threat to the population. No impact would occur.

Threshold b:	**Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?**

Two vegetation communities and land cover types were observed within the study area: approximately 233.17 acres of Creosote Bush Scrub and approximately 4.42 acres of Developed/Disturbed lands. There are no riparian trees, sedges/rushes, cattails, hydrophilic grasses, or wetland herbaceous species present. The signatures detected within the Project site are ephemeral features that drain into intermittent channels or alluvial fans, where water quickly disperses, infiltrates or evaporates before making their way to any noteworthy watercourse. The Project would not 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 CDFW or USFWS. No impact would occur.

Threshold c:	**Would the Project have 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?**

No jurisdictional wetlands occur within the Project site and no features meet the criteria for WOTUS within the study area. Six (6) ephemeral swales (Features 1 through 6) within a combined 2.17-acre area were mapped within the Project site. These features convey surface water only during infrequent, high-intensity storm events. These signatures qualify solely as WOTS subject to limited regulation under the California Fish and Game Code §1600 and the Porter-Cologne Water Quality Control Act. As such, impacts would be potentially significant.

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

The study area and all adjacent properties are designated for urban uses. No migratory wildlife corridors have been identified within the study area. The Project would not substantially affect any off-site designated wildlife habitat linkage or movement corridor.

A single adult Burrowing Owl was observed perched and moving between multiple distinct ground squirrel burrows along the northwestern boundary of the study area (just outside the Project site) during two early-morning winter surveys. As such, raptors and other nesting birds have the potential to occur within the Project site. Thus, the Project has the potential to impact active bird nests if vegetation is removed during the nesting season. Raptors, migratory birds, and other avian species are protected by the federal Migratory Bird Treaty Act (MBTA). Impacts to nesting birds is a potentially significant impact.

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

During the 2025 surveys, several native plant resources were identified within the Project site: silver cholla (*Cylindropuntia echinocarpa*, a native cactus species), and a total of 11 Western Joshua Trees (*Yucca brevifolia*; 2 live individuals and 9 dead). Removal of the Western Joshua Trees would require consultation with CDFW under the Western Joshua Tree Conservation Act.

Additionally, these species are subject to Municipal Code Chapter 9.76, Plant Protection and Management Policy, the County of San Bernardino's Desert Native Plant Protection, and the State Desert Native Plants Act (i.e., Food and Agricultural Code 80001 et seq.). In accordance with the Town's Municipal Code Chapter 9.76 (Plant Protection and Management Policy), a native plant removal permit must be obtained from the Town prior to the removal of protected plants. The Project would require the removal of the native plants that were identified onsite. As such, impacts are considered potentially significant.

Threshold f: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The Project site is not located within any adopted Habitat Conservation, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. It is noted that the Project site is located within the proposed Town of Apple Valley Multiple-Species Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), which is in the early stages of development. There is no draft document available for review at this time, as the Town is 2-3 years away from completing the NCCP/HCP. Therefore, the Project would not conflict with the provisions

of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

4.3.6 Cumulative Impact Analysis

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development in the vicinity of the Project site as well as full General Plan buildout in the Town of Apple Valley and surrounding areas.

Implementation of Mitigation Measures MM 4.3-1 through 4.3-7 would reduce potential impacts to biological resources to levels that would be less than significant. Mitigation of Project-specific biological resources impacts would also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region.

To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced below significance thresholds. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires discretionary action by a public agency will be assessed for its potential impacts on biological resources.

Appropriate biological resources mitigation would also be required of other projects within the cumulative impact area. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively significant impacts. Based on the preceding, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less than significant.

4.3.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Impact. The Project has the potential to result in impacts to the Western Joshua Tree and Burrowing Owl, if the Project site were to become occupied prior to the commencement of construction activities. Project impacts would be potentially significant.

Threshold b: No Impact. No riparian habitat or other sensitive communities are located within the Project site. No impact would occur.

Threshold c: Potentially Significant Impact. The Project site does not contain federally-protected wetlands. There are 2.17 acres of WOTS within the Project site that are subject to regulation under Section 1600 (et seq.) of the California Fish and Game Code and Section 13260 of the CWC. As such, impacts would be potentially significant.

Threshold d: Potentially Significant Impact. The Project has the potential to impact nesting migratory birds protected by the MBTA and California Fish and Game Code, should habitat removal occur

during the nesting season and should nesting birds be present. This is evaluated as a potentially significant impact.

Threshold e: Potentially Significant Impact. The Project site contains native desert plants that are protected by local ordinance. As such, a native plant removal permit must be obtained from the Town prior to the removal of protected plants. Project impacts would be potentially significant.

Threshold f: No Impact. The Project site is not located within any adopted Habitat Conservation, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Accordingly, no impacts would occur.

4.3.8 Mitigation

MM 4.3-1 A 30-day pre-construction survey for Burrowing Owl in compliance with CDFW's Staff Report on Burrowing Owl Mitigation, dated March 7, 2012, shall be conducted prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to safeguard that no owls have colonized the Project site.

If Burrowing Owls have colonized the Project site prior to the initiation of ground-disturbing activities, the Project Applicant shall immediately inform the Town of Apple Valley to determine if "take" would occur and coordinate with CDFW to determine minimization and avoidance measures, as needed.

If ground-disturbing activities occur, but the Project site is left undisturbed for more than 30 days, another pre-construction survey shall be conducted no less than fourteen (14) days prior to resuming ground-disturbing activities to safeguard that Burrowing Owl has not colonized the Project since it was last disturbed. If Burrowing Owls are found, the same coordination with CDFW in conjunction with the Town of Apple Valley described above shall be required.

MM 4.3-2 Prior to the issuance of grading permits, the Property Owner/Developer shall obtain authorization from CDFW under the Western Joshua Tree Conservation Act (WJTCA) and a native plant removal permit from the Town of Apple Valley for removal of any native desert plant that is protected by the Town of Apple Valley Plant Protection and Management Policy (Chapter 9.76), the County of San Bernardino's Desert Native Plant Protection, the State Desert Native Plants Act (i.e., Food and Agricultural Code 80001 et seq.), and the WJTCA. The Project Applicant shall transplant impacted trees where feasible with priority given to smaller individuals, and provide compensatory mitigation as required (e.g., payment of WJTCA in-lieu fees into the state WJT Conservation Fund and/or purchase of conservation bank credits) at agency-approved ratios. Additionally, the Project Applicant shall avoid impacting clusters of cacti (e.g., silver cholla) where practicable by flagging/fencing them for avoidance.

Where avoidance is not feasible, salvage whole cactus plants and/or pads prior to grading, and transplant them into protected open-space areas on the Project site or to an agency-approved off-site receiver location.

MM 4.3-3 Prior to construction activities, a qualified Biologist shall develop and implement a worker environmental awareness program (WEAP) to increase the on-site worker's recognition of and commitment to Burrowing Owl and Western Joshua Tree protection. The training shall occur prior to construction activities and educate workers on sensitive wildlife and native plants that could occur on site, clarify that collection or harm of such resources is strictly prohibited, review all relevant permit conditions (including any issued under the WJTCA), and outline stop-work and notification procedures in the event any protected species (or other unanticipated biological resource) is encountered during work.

MM 4.3-4 In order to ensure that construction activities are limited to the Project site boundaries, prior to the issuance of grading permits, a note shall be placed on the grading plan verified by the Town Engineer, which requires delineation of the limits of disturbance. Limits of grading and construction activities shall be clearly delineated with temporary construction staking, flagging, or similar materials. All workers and equipment shall confine activities within these defined limits to avoid inadvertent disturbance outside the approved impact area.

MM 4.3-5 Prior to the issuance of grading permits, a note shall be placed on the grading plan verified by the Town Engineer that the limits of disturbance are clear of debris, trash, and food waste that could attract wildlife. Trash shall be secured in containers and removed from the site regularly. To prevent the introduction or spread of invasive weeds, ensure all construction equipment arrives clean (free of mud or plant debris) and, where feasible, use only weed-free materials (e.g. mulch, fill). Promptly stabilize or re-vegetate any temporarily disturbed soils with native seed or plants per agency-approved plans.

MM 4.3-6 Prior to issuance of grading permits, the Project Applicant shall provide evidence to the Town of Apple Valley that impacts to 2.17 acres of non-riparian ephemeral streambeds that are subject to regulation under California Fish and Game Code Section 1600 and California Water Code Section 13260 have been mitigated through purchase of wetland establishment and or rehabilitation credits from an approved mitigation bank, including but not limited to the Mohave River Watershed Mitigation Bank, at a minimum 1:1 ratio. In addition, prior to issuance of grading permits, the Project Applicant shall provide the Town with evidence of demonstrating compliance with California Fish and Game Code Section 1600 and California Water Code Section 13260, as applicable.

MM 4.3-7 In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any necessary vegetation clearing shall take place outside of the typical avian nesting season for protected species (February 1 through August 31).

If work must occur during the nesting season for protected avian species, a qualified biologist shall conduct a pre-construction nesting bird survey of the work area and 500-foot buffer not more than 3 days prior to the onset of ground disturbance. If any active nests are found, the biologist shall establish an appropriate no-work buffer around the nest (typically 50–100 ft for songbird nests and 100–300 ft for raptors, adjusted based on species and observed behavior). Construction within the buffer will be deferred until the nest is no longer active (fledged or failed), as confirmed by the biologist.

4.3.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measures MM 4.3-1 and MM 4.3-3 would ensure that appropriate pre-construction surveys for the Burrowing Owl are conducted prior to ground-disturbing activities and/or vegetation removal. Implementation of Mitigation Measures MM 4.3-2 and MM 4.3-3 would ensure the preservation of Western Joshua Trees to the greatest extent practicable prior to issuance of grading permits. Implementation of the required mitigation would reduce Project impacts to species identified as a candidate, sensitive, or special status species to less than significant levels. Mitigation Measures MM 4.3-4 and MM 4.3-5 would ensure that the limits of disturbance are clearly marked and that construction activities do not attract predators and nuisance species.

Threshold c: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.3-6 would ensure that impacts to WOTS are appropriately mitigated through purchase of wetland establishment and or rehabilitation credits from the Mohave River Watershed Mitigation Bank and that pertinent discretionary permits/authorizations are obtained prior to undertaking ground-disturbing activities within or immediately adjacent to WOTS. Implementation of the required mitigation would reduce the Project's potential impacts to the WOTS to less than significant levels.

Threshold d: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.3-7 would ensure that appropriate pre-construction surveys are conducted during the bird nesting season and further would ensure that any active nests are avoided and protected by an appropriate buffer area. Implementation of the required mitigation would reduce the Project's potential impacts to nesting birds to less than significant levels.

Threshold e: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.3-2 would ensure that the appropriate native plant removal permit is obtained from the Town prior to the removal of any protected plants. With the implementation of this mitigation

measure, the Project's potential to conflict with any local policies or ordinances protecting biological resources would be less than significant.

4.3.10 References

Noreas, 2025. *Apple Valley 84 Project General Biological Resources Assessment*. October 2025. *Technical Appendix C*

4.4 CULTURAL RESOURCES

The following analysis is based in part on information obtained from the following technical reports:

- BFSA Environmental Services (BFSA) 2025a. *Phase I Archaeological Assessment* for the Apple Valley 84 Project. December 11, 2025. (*Technical Appendix D*)

The Phase I Archaeological Assessment is included as *Technical Appendix D* to this EIR. Confidential information has been redacted from *Technical Appendix D* for the purposes of public review. In addition, much of the written and oral communication between Native American tribes, the Town of Apple Valley, and Chronicle Heritage is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

Refer to Sections 4.4.10 and 7.0, *References*, for a complete list of reference sources.

4.4.1 Environmental Setting

A. Cultural Setting

The Project site is located along the Bell Mountain Wash, at the distal edge of a broad alluvial fan. It situated between Bell Mountain to the southeast and Quartz Mountain to the northwest, with storm runoff originating in the mountains. Geologically, the Project is mapped as early Pleistocene-aged very old alluvial deposits, characterized as moderately consolidated strong brown to yellowish-red sand and gravel deposits. The gravel consists of slightly metamorphosed sedimentary rocks, volcanic rocks of the Sidewinder Volcanic series, and minor plutonic clasts. A layer of late Holocene alluvial wash deposits crosses the project in places and is composed of unconsolidated fine- to coarse-grained sand and fine gravel. Historically, water was accessed in the area via underwater wells. Any natural springs that might have been in the region, and associated seasonal drainages, are natural sources of water known to have been exploited by both the prehistoric and historic populations in the area.

1. Prehistoric Period

The Project site straddles the traditional territory of multiple Native American groups including the Serrano. Although there may be considered a range of cultural variations among these groups, they all have language derived from a base Uto-Aztecan language stock. In the same instance, while they may have held differing worldviews and maintained variations in their social structures, how they exploited the natural resources of their territories remained similar. The Mojave Desert is believed to have had limited prehistoric subsistence resources but has historically supported a long and

occasionally dense population. Evidence of villages and camps, burials, quarries, rock features, and bedrock mortars has been documented at archaeological sites across the desert, some of which contain evidence of a lengthy prehistoric time span. Although early archaeological remains are not frequently found, when they are, they are generally located along the margins of former pluvial lakes or in areas of dune deflation. In contrast, artifacts on the desert floor may be sparse, widely scattered, and mixed with the desert pavements. For the region, archaeologists have reached a broad consensus regarding the general cultural chronology. The identified sequence includes the Paleo Indian Period, the Pinto Period, the Gypsum Period, the Saratoga Springs Period, and the Ethnohistoric Period. Refer to Section 1.3.1, Prehistoric Period, of the Project's Phase I Archaeological Assessment for a detailed discussion of the cultural chronology.

2. Historic Period

Traditionally, the history of the state of California has been divided into three general periods: the Spanish Period (1769 to 1821), the Mexican Period (1822 to 1846), and the American Period (1848 to present). The American Period is often further subdivided into additional phases: the nineteenth century (1848 to 1900), the early twentieth century (1900 to 1950), and the Modern Period (1950 to present). From an archaeological standpoint, all of these phases can be referred to together as the Ethnohistoric Period. This provides a valuable tool for archaeologists, as ethnohistory is directly concerned with the study of indigenous or non-Western peoples from a combined historical/anthropological viewpoint, which employs written documents, oral narrative, material culture, and ethnographic data for analysis.

The historic background of the Project site began with the Spanish colonization of Alta California. The first Spanish colonizing expedition reached southern California in 1769 with the intention of converting and civilizing the indigenous populations, as well as expanding the knowledge of and access to new resources in the region. As a result, by the late eighteenth century, a large portion of southern California was overseen by Mission San Luis Rey (San Diego County), Mission San Juan Capistrano (Orange County), and Mission San Gabriel (Los Angeles County), which began colonizing the region and surrounding areas.

The beginnings of Apple Valley are tied to the 1861 San Bernardino Mountain goldrush, which resulted in the development of a wagon road connecting Holcomb Valley to the Cajon Pass Toll Road. By 1870, the area had been settled with permanent homesteads. When southern California experienced the land boom of the 1880s, the area was further developed with settlers making their way through the area via the newly completed Santa Fe Railroad. In the 1890s, the Appleton Land and Water Company (ALWC) was established. The ALWC planted acres of apple orchards and constructed a valley-wide irrigation system east of the Mojave River, which further boosted the settlement to the region. The town grew slowly into the twentieth century, with a total of 14 major ranches along the Mojave River by the mid-1910s. Although prosperous through the 1920s, Apple Valley experienced economic hardship as a result of the Great Depression in the 1930s, which resulted in the failure of many of the orchards. The Project site is located in northern Apple Valley,

an area known as the Bell Mountain or Sidewinder Community. The Bell Mountain Community was a tight-knit African American community settled in the early 1900.

Refer to Section 1.3.2, Historic Period, of the Project's Phase I Archaeological Assessment for a detailed discussion of the historic setting.

B. Archaeological and Historical Investigation Results

1. Records Search Results

BFSA conducted an archaeological records search for the Project site and the surrounding area within a one-mile radius at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton (CSUF). Land patent records, held by the Bureau of Land Management (BLM) and accessible through the BLM General Land Office (GLO) website, were also reviewed for pertinent project information. Lot book records held at the San Bernadino County Archives were also consulted. In addition, the BFSA research library was consulted for any relevant historical information.

The results of the SCCIC records search did not identify any recorded resources within the Project site. Site P-36-009360 is a segment of Stoddard Wells Road, which covers a circa-1860s dirt trail that eventually evolved into an automobile road connecting Victorville and Barstow. No cultural materials have been identified in association with the resource. In addition to Site P-36-009360, five cultural resources have been recorded within one mile of the Project site, including the 132kV Hoover Dam Transmission Line (P-36-010315), the Joseph Thompson Homestead Site (P-36-012653), a segment of State Route 91/Highway 66 (P-36-012658), and an access road to the Southern California Edison Boulder Dam-San Bernardino Transmission Line (P-36-034231).

Historical topographic maps and aerial photographs were reviewed as part of the background research. The review of available maps and aerial photographs has revealed that the Project site has remained largely undeveloped throughout the twentieth century. Any structures or associated infrastructure such as wells were abandoned by 1970. In addition, the site does not appear to have been developed agriculturally. Further, the SCCIC records search returned results, which indicate that only historic cultural resources have been recorded in the vicinity of the project.

2. Field Survey Results

Field survey of the Project site was conducted on September 24 and 25, 2025. The archaeological study included an intensive reconnaissance survey consisting of a series of parallel transects spaced 10 meters apart. The entire property was accessible, with excellent ground surface visibility. The survey found the Project site to consist of native desert sage scrub vegetation. Noted impacts to the property consisted of erosion associated with multiple seasonal drainages throughout the property, dirt access roads, and development associated with a former residence on the Project site. The survey did not identify any prehistoric resources within the subject property. However, seven previously unrecorded historic resources (Sites Temp-1 to Temp-8) were identified and previously

recorded site P-36-009360. The significance of these items is discussed in Section 4.4.5, presented subsequently.

4.4.2 Regulatory Framework

A. Federal

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting our nation's heritage. While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it understood that the federal government must set an example through enlightened policies and practices. In the words of the Act, the federal government's role would be to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony."

NHPA and related legislation sought a partnership among the federal government and the states that would capitalize on the strengths of each. The federal government, led by the National Park Service (NPS) provides funding assistance; basic technical knowledge and tools; and a broad national perspective on America's heritage. The states, through State Historic Preservation Officers (SHPOs) appointed by the governor of each state, would provide matching funds, a designated state office, and a statewide preservation program tailored to state and local needs and designed to support and promote state and local historic preservation interests and priorities.

An Advisory Council on Historic Preservation (ACHP), the first and only federal entity created solely to address historic preservation issues, was established as a cabinet-level body of Presidentially-appointed citizens, experts in the field, and federal, state, and local government representatives, to ensure that private citizens, local communities, and other concerned parties would have a forum for influencing federal policy, programs, and decisions as they impacted historic properties and their attendant values.

Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties, and provide ACHP with a reasonable opportunity to comment on those actions and the manner in which federal agencies are taking historic properties into account in their decisions.

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider historic properties in federal and federally assisted actions.

The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties.

2. National Register of Historic Places (NRHP)

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources.

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past?

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access.

3. National Historic Landmarks Program

National Historic Landmarks (NHLs) are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Today, over 2,600 historic places bear this national distinction. Working with citizens throughout the nation, the NHL Program draws upon the expertise of NPS staff who guide the nomination process for new Landmarks and provide assistance to existing Landmarks.

4. American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) (42 U.S.C § 1996.) requires each executive branch agency with statutory or administrative responsibility for the management of Federal lands, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies are also required to maintain the confidentiality of sacred sites. Each executive branch agency with statutory or administrative responsibility for the management of Federal lands are required to implement procedures to ensure reasonable notice is provided of proposed actions or land management policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites.

5. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation.

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

6. Federal Antiquities Act

The Antiquities Act is the first law to establish that archaeological sites on public lands are important public resources. It obligates federal agencies that manage the public lands to preserve for present and future generations the historic, scientific, commemorative, and cultural values of the archaeological and historic sites and structures on these lands. It also authorizes the President to protect landmarks, structures, and objects of historic or scientific interest by designating them as National Monuments.

B. State

1. California Administrative Code, Title 14, Section 4308

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.”

2. California Code of Regulations Title 14, Section 1427

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.”

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).

- Associated with the lives of persons important to local, California or national history (Criterion 2).

- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).

- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if property is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource.

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects.

4. Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the

same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

5. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. 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.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) 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. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

Public Resources Code Section 21074 defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

6. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

7. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definition of a "historical resource" provided in CEQA Guidelines Section 15064.5, as follows:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, § 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:

a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

b. Is associated with the lives of persons important in our past;

c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

d. Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

C. Local

The Town provides goals, policies, and programs that focus on archaeological and historic resource preservation in the Open Space and Conservation Element of the General Plan. Project-applicable goals and policies and a discussion of the Project's consistency are discussed in Table 4.10-2, *General Plan Consistency Analysis*, in EIR Subsection 4.10, *Land Use and Planning*.

4.4.3 Methodology

The Phase I Archaeological Assessment included a field survey which covered all areas of the Project site, a records search conducted at the SCCIC, housed at California State University, Fullerton , and a review and integration of previous studies and statutory requirements.

4.4.4 Basis for Determining Significance

Section V of Appendix G to the CEQA Guidelines addresses typical adverse effects to cultural resources, and includes the following threshold questions to evaluate the Project's impacts on cultural resources:

a. *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5;*

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5;*

c. *Disturb any human remains, including those interred outside of formal cemeteries*.

4.4.5 Impact Analysis

Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5

A total of nine sites were identified within the Project boundaries during the Phase I Archaeological Assessment, one of which was previously recorded with the SCCIC at CSU Fullerton. The identified sites are primarily surficial historic artifact scatters associated with transient roadside refuse disposal in Apple Valley area (sites Temp-1 to Temp-7). Site Temp-8 is a historic occupation site that reflects settlement of the area in the 1950s and includes one foundation, one water wellhead, and nine surficial historic artifact scatters. Based on archival research, the archaeological assessment concluded that these sites are not associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (California Register of Historic Resources [CRHR] Criterion A); they are not associated with the lives of persons important in our past (CRHR Criterion B); they do not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values (CRHR Criterion C); and given the surficial nature of the artifact scatters identified, they have not yielded, or may be likely to yield, information important in prehistory or history (CRHR Criterion D).

Site P-36-009360 is a previously recorded alignment of Stoddard Wells Road. Segments of Site P-36-009360 have previously been recommended to the NRHP and CRHR under Criteria A/1. However, this segment was determined ineligible for inclusion on the NRHP or CRHR for an extensive history of alterations. Therefore, none of the resources or portions of resources located within the Project boundaries are considered "historically significant" resources under CEQA criteria. Given the presence of known resources within the Project site, in addition to the records search results, there is potential for inadvertent discoveries of undocumented buried historic resources during ground-disturbing activities. As such, impacts would be potentially significant.

Threshold b: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

The SCCIC records search indicated that the Project site has not been previously studied, and the Site P-36-009360 has been studied three times for linear surveys. The Project site retains no previously recorded resources, and Site P-36-009360 retains one previously recorded resource. A total of 30 previous studies have been conducted within one mile of the project, and five resources have been recorded within one mile of the project.

As discussed above, eight previously unrecorded historic cultural resources, including seven historic refuse scatters (sites Temp-1 to Temp-7) and one historic foundation with an associated wellhead and nine historic refuse scatters (Site Temp-8) were observed during the field survey. In addition, one previously recorded resource (Site P-36-009630) was identified within the Project vicinity. No prehistoric cultural resources were identified.

Additionally, the Project site is located outside the area identified as "highly sensitive for both prehistoric and historic-period cultural resources" in the Town of Apple Valley General Plan. The Project is located in an area that was not previously surveyed and identified as "undetermined cultural resource sensitivity". According to the findings of the Project's Phase I Archaeological Assessment, the Project site yields a moderate potential for the presence of buried cultural resources, given the presence of the historic-era residence and surficial historic artifact scatters. Additionally, due to the location of resources in close proximity to natural water ways, and the limited disturbance to the site given the lack of previous agricultural and structure development, there is a low to moderate potential to encounter prehistoric resources within the Project site. Given the presence of known resources within the Project site, in addition to the records search results, there is potential for inadvertent discoveries of undocumented archaeological resources during ground-disturbing activities. As such, impacts would be potentially significant.

Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project site does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. Field surveys conducted on the Project site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the Project site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and 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 is required to contact the NAHC by telephone within 24 hours. Pursuant to California Public Resources

Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code § 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.4.6 Cumulative Impact Analysis

The cumulative impact area for prehistoric, historic, and archaeological resources generally includes the Project site and immediately surrounding area. Impacts to cultural resources within this area are generally site-specific. In the event that potentially significant cultural resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. Potential impacts to cultural resources are determined to be less than significant with mitigation. Mitigation proposed for the Project is typical of, and consistent with, mitigation required for construction within urban and suburban areas within the Town and surrounding region. There are no known or probable related projects that would interact with the effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize cultural resources impacts consistent with State and local policies and regulations, thereby minimizing cumulative impacts. Mitigation would be implemented, if applicable. The Project's cumulative cultural resources impacts would be less than significant with mitigation measures.

4.4.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Impact. No known historical resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site. However, there is a remote potential for the Project site to contain unidentified surface or subsurface historic resources. Therefore, Project impacts to previously-undiscovered resources that may occur onsite would be significant prior to mitigation.

Threshold b: Potentially Significant Impact. No known archaeological resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site. However, there is a remote potential for the Project site to contain unidentified surface or subsurface archaeological resources. Therefore,

Project impacts to previously-undiscovered resources that may occur onsite would be significant prior to mitigation.

Threshold c: Less than Significant Impact. In the unlikely event that 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 Section 7050.5 and California Public Resources Code Section 5097 et seq. Compliance with State law (enforced by Mitigation Measure MM 4.4-4) would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.

4.4.8 Mitigation

MM 4.4-1 Prior to the issuance of a grading permit, the Project Applicant shall retain a Registered Professional Archaeologist, meeting Secretary of Interior standards, ("Project Archaeologist") subject to the approval of the Town to be on-call during all mass grading and trenching activities. The Project Archaeologist's responsibilities include, but are not limited to, performing the tasks that require the need for a qualified archaeologist pursuant to Mitigation Measures MM 4.4-2 through MM 4.4-3 below.

In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and the Project Archaeologist shall be contacted to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, any culturally-affiliated tribes shall be contacted as detailed within Mitigation Measure MM 4.14-1, regarding any pre-contact finds and be provided information after the Project Archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regard to significance and treatment.

MM 4.4-2 If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, that includes performance standards identified in Mitigation Measure MM 4.4-3. The drafts of which shall be provided to any consulting tribes for review and comment, as detailed within Mitigation Measure MM 4.14-1. The Monitoring and Treatment Plan shall be subject to final approval by the Town of Apple Valley Planning Department. The Project Archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.

MM 4.4-3 In the event that buried archaeological resources/Tribal Cultural Resources are uncovered during the course of ground disturbing activity associated with the Project, all work must be halted in the vicinity of the discovery and the Project Archaeologist shall visit the site of discovery and assess the significance and origin

of the archaeological resource in coordination with consulting tribes. The following procedures will be carried out for treatment and disposition of the discoveries:

1) **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the Project site will need to be thoroughly inventoried with tribal monitor oversite of the process; and

2) **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Town of Apple Valley Planning Department with evidence of same:

   a) Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. This will require revisions to the grading plan, denoting the location and avoidance of the resource.

   b) Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; location information regarding the reburial location shall be included into the final report. Copies of the report shall be provided to the Town for their records, any consulting tribes, and the South Central Coastal Information Center.

   c) Curation. A curation agreement with an appropriate qualified repository within San Bernardino County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Bernardino County, to be accompanied by payment of the fees necessary for permanent curation.

4.4.9 Significance of Impacts After Mitigation

Thresholds a & b: Less than Significant with Mitigation Incorporated. Implementation of the Mitigation Measures MM 4.4-1 through MM 4.4-3 would ensure that any cultural resources identified on-site during ground disturbing activities are appropriately treated as directed by a qualified

archaeologist. Implementation of the required mitigation would reduce the Project's potential impacts to subsurface cultural resources to below a level of significance.

4.4.10 References

BFSA Environmental Services (BFSA), 2025a. *Phase I Archaeological Assessment* for the Apple Valley 84 Project. December 11, 2025. *Technical Appendix D*.

4.5 ENERGY

The following analysis is based in part on information obtained from the following technical report:

- Urban Crossroads (UXR), 2025c. *Apple Valley 84 Energy Impact Analysis*. November 3, 2025. (*Technical Appendix E*)

Refer to Sections 4.5.10 and 7.0, *References*, for a complete list of reference sources.

4.5.1 Environmental Setting

A. Overview

The most recent data for California's estimated total energy consumption and natural gas consumption is from 2022, released by the United States Energy Information Administration's (EIA) California State Profile and Energy Estimates in 2021 and included:

- As of 2022, approximately 6,882 trillion British Thermal Unit (BTU) of energy was consumed
- As of 2022, approximately 628 million barrels of petroleum
- As of 2022, approximately 2,059 billion cubic feet of natural gas
- As of 2022, approximately 1,322 thousand short tons of coal

In 2022 the U.S. petroleum consumption comprised about 90% of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. In 2023, about 253,289 million gallons (or about 6.031 million barrels) of finished petroleum products were consumed in the U.S., an average of about 694 million gallons per day (or about 16.5 million barrels per day). In 2021, California consumed approximately 12,157 million gallons in motor gasoline (33.31 million per day) and approximately 3,541 million gallons of diesel fuel (9.7 million per day).

The most recent data provided by the EIA for energy use in California is reported from 2022 which shows approximate energy usage by each of the following sectors:

- 42.6% for transportation uses
- 22.5% for industrial uses
- 17.6% for residential uses
- 17.4% for commercial uses

California used approximately 251,869 gigawatt hours of electricity in 2022. By sector in 2022, residential uses utilized 35.6% of the state's electricity, followed by 45.3% for commercial uses, 18.9% for industrial uses, and 0.3% for transportation. Electricity usage in California for differing land

uses varies substantially by the type of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building.

California used approximately 200,871 million therms of natural gas in 2022. In 2023 (the most recent year for which data is available), by sector, industrial uses utilized 31% of the state's natural gas, followed by 32% used as fuel in the electric power sector, 23% from residential, 13% from commercial, 1% from transportation uses and the remaining 3% was utilized for the operations, processing and production of natural gas itself. While the supply of natural gas in the United States and production in the lower 48 states has increased greatly since 2008, California produces little, and imports 90% of its supply of natural gas.

In 2023, total system electric generation for California was 281,140 gigawatt hours (GWh). California's massive electricity in-state generation system generated approximately 215,623 GWh which accounted for approximately 76% of the electricity it uses; the rest was imported from the Pacific Northwest (6%) and the U.S. Southwest (18%). Natural gas is the main source for electricity generation at 43.68% of the total in-state electric generation system power as shown in Table 4.5-1*, Total Electricity System Power – California (2023)*.

An updated summary of, and context for energy consumption and energy demands within the State is presented in "U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts" excerpted below:

- In 2023, California was the seventh-largest producer of crude oil among the 50 states, and the state ranked third in crude oil refining capacity.
- California is the largest consumer of jet fuel and second-largest consumer of motor gasoline among the 50 states.
- California is the second-largest total energy consumer among the states, after Texas, but its per capita energy consumption is the fourth-lowest in the nation.
- In 2023, renewable resources, including hydroelectric power and small-scale solar power, supplied 54% of California's in-state electricity generation. Natural gas fueled another 39% and nuclear power provided almost all the rest.
- In 2023, California was the fourth-largest electricity producer in the nation. It is also the nation's third-largest electricity consumer and imports more electricity than any other state.

As indicated below, California is one of the nation's leading energy-producing states, and California's per capita energy use is among the nation's most efficient.

Table 4.5-1 Total Electricity System Power – California (2023)

Fuel Type	California In-State Generation (GWh)	% of California In-State Generation	Northwest Imports (GWh)	Southwest Imports (GWh)	Total Imports (GWh)	Total California Energy Mix (GWh)	Total California Power Mix
Coal	257	0.12%	163	4,561	4,724	4,981	1.77%
Natural Gas	94,192	43.68%	52	8,530	8,582	102,774	36.56%
Oil	36	0.02%	0	0	0	36	0.01%
Other (Waste Heat/ Petroleum Coke)	206	0.10%	0	0	0	206	0.07%
Unspecified	0	0.00%	100	10,273	10,373	10,373	3.69%
Total Thermal and Unspecified	**94,690**	**43.91%**	**316**	**23,363**	**23,679**	**118,370**	**42.10%**
Nuclear	17,714	8.22%	196	8,361	8,558	26,272	9.34%
Large Hydro	27,066	12.55%	4,712	1,109	5,821	32,886	11.70%
Biomass	5,037	2.34%	753	-	753	5,790	2.06%
Geothermal	10,999	5.10%	221	2,347	2,569	13,567	4.83%
Small Hydro	4,853	2.25%	133	2	135	4,988	1.77%
Solar	41,344	19.17%	417	6,108	6,525	47,869	17.03%
Wind	13,920	6.46%	9,177	8,302	17,479	31,399	11.17%
Total Non-GHG and Renewable Resources	120,932	56.09%	15,609	26,229	41,838	162,771	57.90%
SYSTEM TOTALS	**215,623**	**100.00%**	**15,925**	**49,593**	**65,518**	**281,140**	**100.00%**

Source: (UXR, 2025c, Table 2-1)

B. Electricity

The Southern California region's electricity reliability has been of concern for the past several years due to the planned retirement of aging facilities that depend upon once-through cooling technologies, as well as the June 2013 retirement of the San Onofre Nuclear Generating Station (San Onofre). Although the once-through cooling phase-out has been ongoing since May 2010 pursuant to the adoption of the State Water Resources Control Board's once-through cooling policy, the retirement of San Onofre has complicated the situation. California Independent Service Operator (ISO) studies revealed the extent to which the MDAB and the San Diego Air Basin (SDAB) region were vulnerable to low-voltage and post-transient voltage instability concerns. A preliminary plan to address these issues was detailed in the 2013 Integrative Energy Policy Report (IEPR) after a

collaborative process with other energy agencies, utilities, and air districts. Similarly, the subsequent 2023 IEPR provides information and policy recommendations on advancing a clean, reliable, and affordable energy system.

California's electricity industry is an organization of traditional utilities, private generating companies, and state agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. The California ISO is a nonprofit public benefit corporation and is the impartial operator of the State's wholesale power grid and is charged with maintaining grid reliability and directing uninterrupted electrical energy supplies to California's homes and communities. While utilities still own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources. The ISO matches buyers and sellers of electricity to ensure that enough power is available to meet demand. To these ends, every five minutes the ISO forecasts electrical demands, accounts for operating reserves, and assigns the lowest cost power plant unit to meet demands while ensuring adequate system transmission capacities and capabilities.

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided to California consumers. To this end, utilities file annual transmission expansion/modification plans to accommodate the State's growing electrical needs. The ISO reviews and either approves or denies the proposed additions. In addition, and perhaps most importantly, the ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available to the State. In this manner, continuing reliable and affordable electrical power is assured to existing and new consumers throughout the State.

Electricity is currently provided to the Project site by Southern California Edison (SCE). SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE's 2023 Power Content Label Mix, SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

The 2023 SCE Power Mix shows renewable energy at 37.6% of the overall energy resources. Biomass and waste resources are at 0.1%, geothermal resources are at 5.2%, eligible hydroelectric resources are at 0.7%, solar energy is at 19.8%, and wind power is at 11.7%

C. Natural Gas

The following summary of natural gas customers and volumes, supplies, delivery of supplies, storage, service options, and operations is excerpted from information provided by the CPUC.

> *"The CPUC regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from Pacific Gas and Electric (PG&E), Southern California Gas*

(SoCalGas), San Diego Gas & Electric (SDG&E), Southwest Gas, and several smaller natural gas utilities. The CPUC also regulates independent storage operators: Lodi Gas Storage, Wild Goose Storage, Central Valley Storage and Gill Ranch Storage.

California's natural gas utilities provide service to over 11 million gas meters. SoCalGas and PG&E provide service to about 5.9 million and 4.3 million customers, respectively, while SDG&E provides service to over 800, 000 customers. In 2018, California gas utilities forecasted that they would deliver about 4740 million cubic feet per day (MMcfd) of gas to their customers, on average, under normal weather conditions.

The overwhelming majority of natural gas utility customers in California are residential and small commercials customers, referred to as "core" customers. Larger volume gas customers, like electric generators and industrial customers, are called "noncore" customers. Although very small in number relative to core customers, noncore customers consume about 65% of the natural gas delivered by the state's natural gas utilities, while core customers consume about 35%.

A significant amount of gas (about 19%, or 1131 MMcfd, of the total forecasted California consumption in 2018) is also directly delivered to some California large volume consumers, without being transported over the regulated utility pipeline system. Those customers, referred to as "bypass" customers, take service directly from interstate pipelines or directly from California producers.

SDG&E and Southwest Gas' southern division are wholesale customers of SoCalGas, i.e. they receive deliveries of gas from SoCalGas and in turn deliver that gas to their own customers. (Southwest Gas also provides natural gas distribution service in the Lake Tahoe area.) Similarly, West Coast Gas, a small gas utility, is a wholesale customer of PG&E. Some other wholesale customers are municipalities like the cities of Palo Alto, Long Beach, and Vernon, which are not regulated by the CPUC.

Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. The major interstate pipelines that deliver out-of-state natural gas to California gas utilities are Gas Transmission Northwest Pipeline, Kern River Pipeline, Transwestern Pipeline, El Paso Pipeline, Ruby Pipeline, Mojave Pipeline, and Tuscarora. Another pipeline, the North Baja – Baja Norte Pipeline takes gas off the El Paso Pipeline at the California/Arizona border, and delivers that gas through California into Mexico. While the Federal Energy Regulatory Commission (FERC) regulates the transportation of natural gas on the interstate pipelines, and authorizes rates for that service, the California Public Utilities Commission may participate in FERC regulatory proceedings to represent the interests of California natural gas consumers.

The gas transported to California gas utilities via the interstate pipelines, as well as some of the California-produced gas, is delivered into the PG&E and SoCalGas intrastate natural gas transmission pipelines systems (commonly referred to as California's "backbone" pipeline system). Natural gas on the utilities' backbone pipeline systems is then delivered to the local transmission and distribution pipeline systems, or to natural gas storage fields. Some large volume noncore customers take natural gas delivery directly off the high-pressure backbone and local transmission pipeline systems, while core customers and other noncore customers take delivery off the utilities' distribution pipeline systems. The state's natural gas utilities operate over 100,000 miles of transmission and distribution pipelines, and thousands more miles of service lines.

Bypass customers take most of their deliveries directly off the Kern/Mojave pipeline system, but they also take a significant amount of gas from California production.

PG&E and SoCalGas own and operate several natural gas storage fields that are located within their service territories in northern and southern California, respectively. These storage fields, and four independently owned storage utilities – Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage – help meet peak seasonal and daily natural gas demand and allow California natural gas customers to secure natural gas supplies more efficiently. PG&E is a 25% owner of the Gill Ranch Storage field. These storage fields provide a significant amount of infrastructure capacity to help meet California's natural gas requirements, and without these storage fields, California would need much more pipeline capacity in order to meet peak gas requirements.

Prior to the late 1980s, California regulated utilities provided virtually all natural gas services to all their customers. Since then, the Commission has gradually restructured the California gas industry in order to give customers more options while assuring regulatory protections for those customers that wish to, or are required to, continue receiving utility-provided services.

The option to purchase natural gas from independent suppliers is one of the results of this restructuring process. Although the regulated utilities procure natural gas supplies for most core customers, core customers have the option to purchase natural gas from independent natural gas marketers, called "core transport agents" (CTA). Contact information for core transport agents can be found on the utilities' web sites. Noncore customers, on the other hand, make natural gas supply arrangements directly with producers or with marketers.

Another option resulting from the restructuring process occurred in 1993, when the Commission removed the utilities' storage service responsibility for noncore customers, along with the cost of this service from noncore customers' transportation rates. The Commission also encouraged the development of independent storage fields, and in subsequent years, all the independent storage fields in California were established. Noncore

customers and marketers may now take storage service from the utility or from an independent storage provider (if available), and pay for that service, or may opt to take no storage service at all. For core customers, the Commission assures that the utility has adequate storage capacity set aside to meet core requirements, and core customers pay for that service.

In a 1997 decision, the Commission adopted PG&E's "Gas Accord", which unbundled PG&E's backbone transmission costs from noncore transportation rates. This decision gave customers and marketers the opportunity to obtain pipeline capacity rights on PG&E's backbone transmission pipeline system, if desired, and pay for that service at rates authorized by the Commission. The Gas Accord also required PG&E to set aside a certain amount of backbone transmission capacity in order to deliver gas to its core customers. Subsequent Commission decisions modified and extended the initial terms of the Gas Accord. The "Gas Accord" framework is still in place today for PG&E's backbone and storage rates and services and is now simply referred to as PG&E Gas Transmission and Storage (GT&S).

In a 2006 decision, the Commission adopted a similar gas transmission framework for Southern California, called the "firm access rights" system. SoCalGas and SDG&E implemented the firm access rights (FAR) system in 2008, and it is now referred to as the backbone transmission system (BTS) framework. As under the PG&E backbone transmission system, SoCalGas backbone transmission costs are unbundled from noncore transportation rates. Noncore customers and marketers may obtain, and pay for, firm backbone transmission capacity at various receipt points on the SoCalGas system. A certain amount of backbone transmission capacity is obtained for core customers to assure meeting their requirements.

Many if not most noncore customers now use a marketer to provide for several of the services formerly provided by the utility. That is, a noncore customer may simply arrange for a marketer to procure its supplies, and obtain any needed storage and backbone transmission capacity, in order to assure that it will receive its needed deliveries of natural gas supplies. Core customers still mainly rely on the utilities for procurement service, but they have the option to take procurement service from a CTA. Backbone transmission and storage capacity is either set aside or obtained for core customers in amounts to assure very high levels of service.

In order to properly operate their natural gas transmission pipeline and storage systems, PG&E and SoCalGas must balance the amount of gas received into the pipeline system and delivered to customers or to storage fields. Some of these utilities' storage capacity is dedicated to this service, and under most circumstances, customers do not need to precisely match their deliveries with their consumption. However, when too much or too little gas is expected to be delivered into the utilities' systems, relative to the amount being

consumed, the utilities require customers to more precisely match up their deliveries with their consumption. And, if customers do not meet certain delivery requirements, they could face financial penalties. The utilities do not profit from these financial penalties – the amounts are then returned to customers as a whole. If the utilities find that they are unable to deliver all the gas that is expected to be consumed, they may even call for a curtailment of some gas deliveries. These curtailments are typically required for just the largest, noncore customers. It has been many years since there has been a significant curtailment of core customers in California"

As indicated in the preceding discussions, natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the State in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State.

As discussed within Section 3.0, *Project Description*, the site is not anticipated to use natural gas for the building envelope, and as such, natural gas consumption is not included in this analysis.

D. Transportation Energy/Fuel Consumption

The Project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. The Department of Motor Vehicles (DMV) identified 35.9 million registered vehicles in California, and those vehicles consume an estimated 17.5 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

California's on-road transportation system includes 396,616 lane miles, more than 26.6 million passenger vehicles and light trucks, and almost 9.0 million medium- and heavy-duty vehicles. While gasoline consumption has been declining since 2008 it is still by far the dominant fuel. California is the second-largest consumer of petroleum products, after Texas, and accounts for 9% of the nation's total consumption. The State is the largest U.S. consumer of motor gasoline and jet fuel, and 86% of the petroleum consumed in California is used in the transportation sector.

California accounts for less than 1% of total U.S. natural gas reserves and production. As with crude oil, California's natural gas production has experienced a gradual decline since 1985. In 2024, about 31% of the natural gas delivered to consumers went to the State's industrial sector, and about 30% was delivered to the electric power sector. Natural gas fueled more than two-fifths of the State's utility-scale electricity generation in 2024. The residential sector, where three-fifths of California households use natural gas for home heating, accounted for 22% of natural gas deliveries. The commercial sector received 15% of the deliveries to end users and the transportation sector consumed the remaining 1%.

4.5.2 Regulatory Framework

A. Federal

1. Intermodal Surface Transportation Efficiency Act (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. The applicable MPO for the Town of Apple Valley is SCAG. SCAG's RTP/SCS is the applicable planning document for the area.

2. The Transportation Equity Act for the 21st Century (TEA-21)

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety (Public Resources Code § 25301a). The CEC prepares these assessments and associated policy recommendations every two years, with updates on alternate years, as part of the Integrated Energy Policy Report (IEPR).

The most recent IEPR, dated 2023, focuses on key issues such as accelerating clean energy connections, energy demand forecasts, hydrogen growth potential, gas system decarbonization, benefits of the Clean Transportation Program, and energy efficiency. The report provides an analysis of electricity sector trends, building decarbonization and energy efficiency, zero-emission vehicles, energy equity, climate change adaptation, electricity reliability in Southern California, natural gas

technologies, and electricity, natural gas, and transportation energy demand forecasts. In response to SB 100, which calls for California's electricity system to become 100 percent zero-carbon by 2045, the CEC, CPUC and CARB are leading the way to identify pathways to remove carbon from the state's electricity system. The goal is to utilize the clean electricity system to eliminate the carbon from other portions of California's energy system.

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The State Energy Plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

3. California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code) was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. California's building efficiency standards are updated on an approximately three-year cycle. The most recent standards are the 2022 Building Energy Efficiency Standards which encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made. The CEC anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons. It should be noted that the 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026.

4. California Renewable Portfolio Standards (RPS)

The CEC implements and administers portions of California's Renewables Portfolio Standard (RPS). Under the existing RPS, 25% of retail sales are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31,

2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

5. Pavley Fuel Efficiency Standards (AB 1493)

California Assembly Bill 1493 ("Pavley Fuel Efficiency Standards"), enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from model year 2009-2016 non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

6. Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015

In October 2015, the legislature approved, and the Governor signed, SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.

- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the CPUC, the CEC, and local publicly owned utilities.

- Reorganize the ISO to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

7. Executive Order N-79-20 and Advanced Clean Cars II

On August 25, 2022, CARB approved the Advanced Clean Cars II rule, which codifies the goals set out in Executive Order N-79-20 and establishes a year-by-year roadmap such that by 2035, 100% of new cars and light trucks sold in California will be zero-emission vehicles. Under this regulation, automakers are required to accelerate deliveries of zero-emission light-duty vehicles, beginning with model year 2026. CARB estimates that between 2026 and 2040, the regulation would reduce GHG emissions by a cumulative 395 million metric tons, equivalent to reducing petroleum use by 915 million barrels.

8. Advanced Clean Trucks Program

In June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. When commercial availability of electric-powered long-haul trucks is more readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly reduce GHG emissions and energy usage statewide.

C. Local

1. Town of Apple Valley General Plan

The General Plan policies that are related to energy resources and apply to the Project are listed in a General Plan Consistency Analysis table in Section 4.10, *Land Use and Planning*, of this EIR.

4.5.3 Methodology

Information from the CalEEMod Version 2022.1 outputs for the *Bell Mountain Commerce Center Air Quality Impact Analysis* was utilized in the energy analysis, detailing Project-related construction equipment, transportation energy demands, and facility energy demands.

1. CalEEMod

The California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including MDAQMD, released CalEEMod 2022 in May 2022. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine air quality emissions.

2. Emissions Factor Model

On May 2, 2022, the EPA approved the 2021 version of the EMissions FACtor model (EMFAC) web database for use in State Implementation Plan and transportation conformity analyses. EMFAC2021 is a mathematical model that was developed to calculate emission rates, fuel consumption, VMT from motor vehicles that operate on highways, freeways, and local roads in California and is

commonly used by the CARB to project changes in future emissions from on-road mobile sources. This energy study utilizes the different fuel types for each vehicle class from the annual EMFAC2021 emission inventory in order to derive the average vehicle fuel economy which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of analysis, the 2026 through 2028 analysis years were utilized to determine the average vehicle fuel economy used throughout the duration of the Project.

4.5.4 Basis for Determining Significance

According to Section VI of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to energy if the Project or any Project-related component would:

a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;*

b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

4.5.5 Impact Analysis

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

A. Energy Use During Project Construction

1. Overview of Construction-Related Energy Consumption

Project Construction Power Cost

The total Project construction power costs is the summation of the products of the area (sf) by the construction duration and the typical power cost. As previously discussed in EIR subsection 3.4.1, construction is expected to commence in December 2026 and would last through November 2028. The 2025 National Construction Estimator identifies a typical power cost per 1,000 sf of construction per month of $2.85, which was used to calculate the Project's total construction power cost. As shown in Table 4.5-2, *Construction Power Cost*, the total power cost of on-site electricity usage during the building construction of the Project is estimated to be approximately $90,551.56.

Table 4.5-2 Construction Power Cost

Land Use	Power Cost	Total Building Size (1,000 SF)	Construction Duration (months)	Total Project Construction Power Cost
General Light Industrial	$2.85	138.141	23	$9,055.14
High-Cube Cold Storage	$2.85	207.212	23	$13,582.75

Land Use	Power Cost	Total Building Size (1,000 SF)	Construction Duration (months)	Total Project Construction Power Cost
High-Cube Fulfillment	$2.85	1036.059	23	$67,913.67
Total Project Construction Cost				**$90,551.56**

Source: (UXR, 2025c, Table 4-2)

Project Construction Electricity Usage

The total Project construction electricity usage is the summation of the products of the power cost (estimated in Table 4.5-2) by the utility provider cost per kWh of electricity. The SCE's general service rate schedule was used to determine the Project's electrical usage. As of June 1, 2025, SCE's general service rate is $0.17 per kWh of electricity for industrial uses (SCE, n.d.). As shown in Table 4.5-3, *Construction Electricity Usage*, the total electricity usage from on-site Project construction related activities is estimated to be approximately 532,656 kWh.

Table 4.5-3 Construction Electricity Usage

Land Use	Cost per kWh	Total Project Construction Electricity Usage
General Light Industrial	$0.17	53,266
High-Cube Cold Storage	$0.17	79,899
High-Cube Fulfillment	$0.17	399,492
Total Project Construction Electricity Usage (kWh)		**532,656**

Source: (UXR, 2025c, Table 4-3).

Project Construction Equipment Fuel Consumption

Project construction activity timeline estimates, construction equipment schedules, equipment power ratings, load factors, and associated fuel consumption estimates are presented in Table 4.5-4, *Construction Equipment Fuel Consumption Estimate*. The aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hour per gallon (hp-hr-gal.), obtained from CARB 2018 Emissions Factors Tables and cited fuel consumption rate factors presented in Table D-24 of the Moyer Guidelines (CARB, 2024). For the purposes of this analysis, the calculations are based on all construction equipment being diesel-powered which is consistent with industry standards. Diesel fuel would be supplied by existing industrial fuel providers serving the Project area and region.

Table 4.5-4 Construction Equipment Fuel Consumption Estimate

Activity	Duration (Days)	Equipment	HP Rating	Quantity	Usage Hours	Load Factor	HP-hrs/day	Total Fuel Consumption
Demolition	5	Excavators	36	1	8	0.38	109	30
Site Preparation	27	Rubber Tired	367	2	8	0.4	2,349	3,428
		Crawler Tractors	87	3	8	0.43	898	1,310
Grading	45	Excavators	36	1	8	0.38	109	266
		Graders	148	2	8	0.41	971	2,362
		Rubber Tired	367	2	8	0.4	2,349	5,713
		Scrapers	423	6	8	0.48	9,746	23,706
		Crawler Tractors	87	3	8	0.43	898	2,184
Building Construction	390	Cranes	367	1	8	0.29	851	17,949
		Forklifts	82	5	8	0.2	656	13,829
		Generator Sets	14	2	8	0.74	166	3,494
		Tractors/ Loaders/ Backhoes	84	5	8	0.37	1,243	26,208
		Welders	46	2	8	0.45	331	6,982
Paving	50	Pavers	81	3	8	0.42	816	2,207
		Paving Equipment	89	3	8	0.36	769	2,078
		Rollers	36	3	8	0.38	328	887
Architectural Coating	50	Air Compressors	37	2	8	0.48	284	768
Construction Fuel Demand (Gallons Fuel)								**113,402**

Source: (UXR, 2025c, Table 4-5)

As shown above, Project construction activities would consume an estimated 113,402 gallons of diesel fuel. Project construction would represent a “single-event” diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

With respect to estimated VMT for the Project, the construction worker trips would generate an estimated 4,351,997 VMT during the 23 months of construction. Based on CalEEMod methodology, it is assumed that 50% of all vendor trips are from light-duty-auto vehicles (LDA), 25% are from light-duty-trucks (LDT1[3]), and 25% are from light-duty-trucks (LDT2[4]). Data regarding Project related construction worker trips were based on CalEEMod defaults utilized within the Project's Air Quality Impact Analysis (*Technical Appendix B1* of this EIR). The estimated fuel consumption by construction worker trips during construction of the Project is presented in Table 4.5-5, *Construction Worker Fuel Consumption Estimates*.

Table 4.5-5 Construction Worker Fuel Consumption Estimates

Year	Construction Activity	Duration (Days)	Worker Trips/ Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy	Estimated Fuel Consumption (gallons)
2026	LDA						
	Demolition	5	2	18.5	185	33.14	6
	Site Preparation	18	7	18.5	2,331	33.14	70
	LDT1						
	Demolition	5	1	18.5	93	25.20	4
	Site Preparation	18	4	18.5	1,332	25.20	53
	LDT2						
	Demolition	5	1	18.5	93	25.48	4
	Site Preparation	18	4	18.5	1,332	25.48	52
2027	LDA						
	Site Preparation	9	7	18.5	1,166	33.96	34
	Grading	45	18	18.5	14,985	33.96	441
	Building Construction	207	290	18.5	1,110,555	33.96	32,706
	LDT1						
	Site Preparation	9	4	18.5	666	25.66	26
	Grading	45	9	18.5	7,493	25.66	292
	Building Construction	207	145	18.5	555,278	25.66	21,642
2027	LDT2						
	Site Preparation	9	4	17.5	630	26.06	24
	Grading	45	9	18.5	7,493	26.06	287

Year	Construction Activity	Duration (Days)	Worker Trips/ Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy	Estimated Fuel Consumption (gallons)
	Building Construction	207	145	18.5	555,278	26.06	21,305
2028	LDA						
	Building Construction	183	290	18.5	981,795	34.83	28,191
	Paving	50	12	18.5	11,100	34.83	319
	Architectural Coating	50	58	18.5	53,650	34.83	1,540
	LDT1						
	Building Construction	183	145	18.5	490,898	26.19	18,741
	Paving	50	6	18.5	5,550	26.19	212
	Architectural Coating	50	29	18.5	26,825	26.19	1,024
	LDT2						
	Building Construction	183	145	18.5	490,898	26.67	18,403
	Paving	50	6	18.5	5,550	26.67	208
	Architectural Coating	50	29	18.5	26,825	26.67	1,006
Total Construction Worker Fuel Consumption (Gallons)							**146,590**

Source: (UXR, 2025c, Table 4-7)

As shown above, it is estimated that 146,590 gallons of fuel will be consumed related to construction worker trips during full construction of the Project. It should be noted that construction worker trips would represent a "single-event" gasoline fuel demand and would not require on-going or permanent commitment of fuel resources for this purpose.

Construction vendor/hauling trips (vehicles that deliver materials to the site during construction) would generate an estimated 713,887 VMT along area roadways for the Project over the duration of construction activity. It is assumed that 50% of all vendor trips are from medium-heavy duty trucks (MHDT), 50% of vendor trips are from heavy-heavy duty trucks (HHDT), and 100% of hauling trips are from HHDTs. These assumptions are consistent with the CalEEMod defaults utilized within the Project's Air Quality Impact Analysis (*Technical Appendix B1* of the EIR). Vehicle fuel efficiencies for MHDTs and HHDTs were estimated using information generated within EMFAC2021. EMFAC2021 was run for the MHDT and HHDT vehicle classes within the California sub-area for the 2026 through 2028 calendar years. The estimated fuel consumption by construction vendor trips during

construction of the Project is presented in Table 4.5-6, *Construction Vendor and Hauling Fuel Consumption Estimates*.

Table 4.5-6 Construction Vendor and Hauling Fuel Consumption Estimates

Year	Construction Activity	Duration (Days)	Vendor/ Hauling Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
2026	MHDT (Vendor)						
	Demolition	5	1	10.2	51	7.75	7
	Site Preparation	18	6	10.2	1,102	7.75	142
	HHDT (Vendor)						
	Demolition	5	1	10.2	51	6.46	8
	Site Preparation	18	6	10.2	1,102	6.46	171
	HHDT (Hauling)						
	Demolition	5	2	20	200	6.46	31
2027	MHDT						
	Site Preparation	9	6	10.2	551	7.91	70
	Grading	45	10	10.2	4,590	7.91	580
	Building Construction	207	85	10.2	179,469	7.91	22,689
	HHDT (Vendor)						
	Site Preparation	9	6	10.2	551	6.61	83
	Grading	45	10	10.2	4,590	6.61	694
	Building Construction	207	85	10.2	179,469	6.61	27,133
	Grading	45	14	20	12,600	4.32	2,914
2028	MHDT (Vendor)						
	Building Construction	183	85	10.2	158,661	8.12	19,529
	Paving	50	6	10.2	3,060	8.12	377
2028	Architectural Coating	50	6	10.2	3,060	8.12	377
	HHDT (Vendor)						

Year	Construction Activity	Duration (Days)	Vendor/ Hauling Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
	Building Construction	183	85	10.2	158,661	6.79	23,358
	Paving	50	6	10.2	3,060	6.79	450
	Architectural Coating	50	6	10.2	3,060	6.79	450
Total Construction Vendor/Hauling Fuel Consumption (Gallons)							**99,063**

Source: (UXR, 2025c, Table 4-7)

As shown above, it is estimated that 99,063 gallons of fuel will be consumed related to construction vendor/hauling trips during full construction of the Project. It should be noted that Project construction vendor/hauling trips would represent a "single-event" diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

2. Construction Energy Efficiency/Conservation Measures

Starting in 2014, CARB adopted the nation's first regulation aimed at cleaning up off-road construction equipment such as bulldozers, graders, and backhoes. These requirements ensure fleets gradually turnover the oldest and dirtiest equipment to newer, cleaner models and prevent fleets from adding older, dirtier equipment. As such, the equipment used for Project construction would conform to CARB regulations and California emissions standards. It should also be noted that there are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures (BACM). For example, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Section 2449(d)(3) requires that grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling." In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to five minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by Town building officials, and/or in response to citizen complaints.

A full analysis related to the energy needed to form construction materials is not included in this analysis due to a lack of detailed Project-specific information on construction materials. At this time, an analysis of the energy needed to create Project-related construction materials would be extremely speculative and thus has not been prepared.

In general, the construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

B. Energy Use During Project Operation

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by passenger car and truck vehicles accessing the Project site), fuel demands from operational equipment, and facilities energy demands (energy consumed by building operations and site maintenance activities).

1. Transportation Energy Demands

Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies of vehicles accessing the Project site. The VMT per vehicle class can be determined by evaluating the vehicle fleet mix and the total VMT. As with worker and vendors trips, operational vehicle fuel efficiencies were estimated using information generated within EMFAC2021 developed by CARB EMFAC2021 was run for the San Bernardino (MD) area for the 2028 calendar year.

The Project would result in 18,465,616 annual VMT and an estimated annual fuel consumption of 1,492,571 gallons of fuel.

2. On-Site Cargo Handling Equipment Fuel Demands

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this particular Project, on-site modeled operational equipment includes up to five (5) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating at 4 hours a day for 365 days of the year. Project operational activity estimates and associated fuel consumption estimates are based on the annual EMFAC 2021 offroad emissions for the 2028 operational year and were used to derive the total annual fuel consumption associated on-site equipment. Project on-site equipment would consume an estimated 23,209 gallons of diesel gas.

3. Emergency Generator Fuel Demands

The Project would utilize one (1) 300-hp diesel-powered emergency backup generator and one (1) diesel-powered fire pump. For analytical purposes, it is anticipated that the emergency generator would operate for a maximum time of 1 hour per day and 50 hours per year for maintenance and testing purposes. Emergency engine operation for maintenance and testing purposes would consume an estimated 1,883 gallons of diesel fuel per year.

4. Facility Energy Demands

Project building operations activities would result in the consumption of electricity which would be supplied to the Project by SCE. As shown in Table 4.5-7, *Project Annual Operational Energy Demand Summary, the Project* would result in 11,238,124 kWh/year of electricity demand. Based on information provided by the Project Applicant, the Project would not use natural gas for the building envelope. As such, natural gas consumption has not been analyzed in this study.

Table 4.5-7 Project Annual Operational Energy Demand Summary

Land Use	Electricity (kWh/year)
General Light Industrial	1,317,551
High-Cube Cold Storage	4,536,998
High-Cube Fulfillment	4,785,249
Parking Lot	598,326
Total Energy Usage	**11,238,124**

Source: (UXR, 2025c, Table 4-12)

5. Operational Energy Efficiency/Conservation Measures

Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes (e.g., Title 24, California Green Building Standards Code). Project annual fuel consumption estimates presented Table 4-9 in *Technical Appendix E* of this EIR, represent likely potential maximums that would occur for the Project. Under subsequent future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation, and in response to fuel economy and emissions standards imposed on newer vehicles entering the circulation system. 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.

C. Conclusion

Due to the temporary nature of construction and the financial incentives for developers and contractors to use energy-consuming resources in an efficient manner, the construction phase of the proposed Project would not result in wasteful, inefficient, and unnecessary consumption of energy. Therefore, the construction-related impacts related to electricity and fuel consumption would be less than significant.

The proposed Project would be designed and constructed in accordance with the Town's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards are widely regarded as the most advanced energy efficiency standards and would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. The Project will also be providing parking and EV infrastructure that would further promote fuel-efficient vehicles. For these reasons, operational-related transportation fuel consumption would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the operational impact related to vehicle fuel consumption would be less than significant.

No aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. As supported by the preceding discussions, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Threshold b: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

A. Construction

As previously discussed, the proposed Project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for temporary buildings used during construction, lighting, and other sources. California Code of Regulations Title 13, Sections 2449 and 2485, limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. The proposed Project would comply with these regulations. There are no policies at the local level applicable to energy conservation specific to the construction phase. Thus, it is anticipated that construction of the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, construction-related energy efficiency and renewable energy standards consistency impacts would be less than significant.

B. Operation

California's Renewable Portfolio Standard (RPS) establishes a goal of renewable energy for local providers to be 44 percent by 2040. Similarly, the State is promoting renewable energy targets to meet the 2022 Scoping Plan greenhouse gas emissions reductions. The Project would result in approximately 11,238,124 kWh/year of electricity Project annually. The proposed Project would be designed and constructed in accordance with the Town's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. Title 24 standards, widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation.

Compliance with the aforementioned mandatory measures would ensure that the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, operational energy efficiency and renewable energy standards consistency impacts would be less than significant.

4.5.6 Cumulative Impact Analysis

The geographic scope of cumulative energy impacts is generally limited to the energy provider service area(s). The preceding analysis substantiates that the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. These plans and policies address development-level and cumulative impacts to energy resources. Project consistency with State and local plans for renewable energy and energy efficiency demonstrates that the Project cumulative energy impacts would not be cumulatively considerable and the Project cumulative energy impacts would be less than significant.

There are no known or related projects that would interact with less than significant effects of the Project and thereby result in cumulatively significant impacts. As with the Project, other developments within the energy provider service areas would be required to demonstrate compliance with State and local plans for renewable energy and energy efficiency.

Based on the preceding, energy impacts of the Project are not cumulatively considerable and the Project cumulative energy impacts would be less than significant.

4.5.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. No aspects of the Project's construction process or operations are considered unusual or energy intensive. Project construction and operational energy consumption would not be atypical for the type of land use proposed. Additionally, the Project would be subject to applicable regulations acting to reduce potential impacts in this regard. Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy.

Threshold b: Less than Significant Impact. The Project would be constructed and operated consistent with all applicable energy efficiency and renewable energy standards. The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

4.5.8 Mitigation

No mitigation is required.

4.5.9 Significance of Impacts After Mitigation

Impacts would be less than significant and no mitigation is required.

4.5.10 References

California Air Resources Board (CARB), 2024. *Methods to Find the Cost-Effectiveness of Funding Air Quality Projects For Evaluating Motor Vehicle Registration Fee Projects And Congestion Mitigation and Air Quality Improvement (CMAQ) Projects, Emission Factor Tables*. September 2024. Accessed on October 2, 2025. Available: https://ww2.arb.ca.gov/sites/default/files/classic/stcd/CMAQ%20EFs/Cost%20Effectiveness%20Tables%202024%20final.pdf.

Southern California Edison (SCE), n.d. *Rates & Pricing Choices*. No date. Accessed on October 2, 2025. Available: https://www.sce.com/regulatory/tariff-books/rates-pricing-choices.

Urban Crossroads (UXR), 2025c. *Apple Valley 84 Energy Analysis*. November 3, 2025. *Technical Appendix E*.

4.6 GEOLOGY AND SOILS

The following analysis is based in part on information obtained from the following technical reports:

- Southern California Geotechnical (SoCalGeo), 2025. *Geotechnical Feasibility Study*. December 4, 2025. (*Technical Appendix F1*)
- BFSA Environmental Services (BFSA), 2025b. *Paleontological Assessment* for the Apple Valley 84 Project. December 11, 2025. (*Technical Appendix F2*)

Refer to Sections 4.6.10 and 7.0, *References*, for a complete list of reference sources.

4.6.1 Environmental Setting

A. Geologic Setting

The site is located within the Mojave Desert Geomorphic Province. The Mojave Desert is bounded on the southwest by the San Andreas fault and the Transverse Ranges and on the northeast by the Garlock fault. The Mojave Desert is an ancient feature formed in response to the inception of movement on the San Andreas and Garlock faults. The region is characterized by broad alluviated basins that are burying the previously mountainous topography.

B. Faulting and Seismicity

The Project site is in an area of southern California that is subject to strong ground motions due to seismic events (i.e., earthquakes). The geologic structure of southern California is dominated mainly by northwest-trending faults associated with the San Andreas system. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, no evidence of faulting was identified during the Geotechnical Investigation.

The nearest active fault zone to the Project site is the Helendale Fault Zone, located approximately 5.6 miles to the northeast. An active fault is defined by the California Geological Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years). (DOC, 2025a)

C. Soils

Native younger alluvium was encountered at the ground surface, extending to depths of 3½ to 5½± feet below the existing site grades. The younger alluvium consists of medium dense to very dense silty sands with varying fine gravel content. Some of the younger alluvial soils are slightly porous.

Native older alluvium was encountered at the ground surface and beneath the younger alluvium, extending to at least the maximum depth explored of 26 feet below the existing site grades. The older alluvium generally consists of very dense silty sands and clayey sands with varying fine gravel

content, and hard sandy clays. The older alluvium generally possesses weak to moderate cementation. Some of the near-surface older alluvial soils are also slightly porous.

D. Groundwater

Water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 26 feet at the time of the subsurface exploration. Historic and recent water level data in the Project vicinity indicates a high groundwater level of approximately 153 feet below ground surface in October 1950.

E. Secondary Seismic Hazards

Secondary seismic hazards generally associated with severe ground-shaking during an earthquake include liquefaction, seiches and tsunamis, and landslides, each of which is discussed below.

1. Liquefaction

Liquefaction is the loss of the strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and grain size characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface. San Bernardino County has designated certain areas as potential liquefaction hazard zones. These are areas considered at risk of liquefaction-related ground failure during a seismic event, based upon mapped surficial deposits and the presence of a relatively shallow water table.

Based on review of the County of San Bernardino General Plan, Geologic Hazard Overlay and the presence of dense to very dense soils, and the lack of a historic high ground water table within the upper 50± feet of the ground surface, the Project site is not located within an area of liquefaction susceptibility.

2. Seiches and Tsunamis

The Project site is located approximately 6.5 miles northeast of Spring Valley Lake, and approximately 78 miles northeast of the Pacific Ocean. The Project site is not located in a coastal area and reservoirs are not located up gradient from or in close proximity to the site. The Project site is not located in the vicinity of any other large water bodies. There is no potential for the Project site to be affected by a seiche or tsunami (earthquake-generated wave) due to the absence of any large bodies of water near the site.

3. Earthquake Induced Flooding

There are no large water storage facilities (i.e. dams) located on or near the Project site which could possibly rupture during an earthquake and affect the site by flooding. Moreover, the Project site is not located within a designated dam inundation zone (DWR, 2025).

4. Seismically-Induced Landslides

Ground accelerations generated from a seismic event can produce settlements in sands or in granular earth materials both above and below the groundwater table. This phenomenon is often referred to as seismic settlement and is most common in relatively clean sands, although it can also occur in other soil materials.

The Project site and immediately surrounding properties are generally flat and gently sloping and contain no steep natural or manufactured slopes; thus, there is no potential for landslides to occur on or immediately adjacent to the site.

F. Expansive Soils

The near-surface soils consist of silty sands with occasional clayey sands. These materials have been visually classified as non-expansive.

G. Paleontological Resources

Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat. (BFSA, 2025b)

The Project site lies at the edge of a broad alluvial fan mapped as early Pleistocene to possibly late Miocene-aged, very old alluvial deposits, characterized as moderately consolidated, strong brown to yellowish-red sand and gravel deposits. The gravel clasts range from fine- to coarse-sized, with rare boulders, and consist of slightly metamorphosed sedimentary rocks, volcanic rocks of the Sidewinder Volcanic series, and minor plutonic. A veneer of late Holocene alluvial wash deposits crosses the Project site in places and is composed of unconsolidated fine- to coarse-grained sand and fine gravel. During field surveys conducted in September 24 and 25,2025, paleontological resources, or evidence of paleontological resources, were not identified. (BFSA, 2025b)

4.6.2 Regulatory Framework

The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to geology, soils, and paleontological resources.

A. Federal

1. Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) was signed into law on March 30, 2009 (Public Law 111-11, Title VI, Subtitle D; 16 U.S.C. §§ 470aaa - 470aaa-11). PRPA directs the Department of Agriculture (U.S. Forest Service) and the Department of the Interior (National Park Service, Bureau of Land Management, Bureau of Reclamation, and Fish and Wildlife Service) to implement comprehensive paleontological resource management programs. Section 6310 of PRPA specifically states, "As soon as practical after the date of enactment of this Act, the Secretary shall issue such regulations as are appropriate to carry out this subtitle, providing opportunities for public notice and comment."

B. State

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed building will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, § 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards.

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family wood-frame or steel-frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers.
The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy.

3. Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone.

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

4. Essential Services Building Seismic Safety Act

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "...designed and constructed to minimize fire hazards and to resist...the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, § 16000 through 16022. In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3.

5. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code § 18909). Health and Safety Code (state law) § 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC of CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code §§ 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code §§ 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code §§ 17958.7 and 18941.5). The 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026.

6. Public Resources Code Section 5097.5

The California Public Resources Code (PRC) Section 5097.5 states:

- No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site[s], including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

- As used in this section, "public lands" means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof.

C. Regional

1. Mojave Desert Air Quality Management District Rule 403

The Mojave Desert Air Quality Management District (MDAQMD) is responsible for enforcing air pollution control measures in the Mojave Desert Air Basin, within which the Project site is located. Rule 403 (Fugitive Dust) addresses blowing dust from construction sites and is applicable to the Project due to the potential for wind erosion during Project grading and construction activities.

D. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley General Plan Geotechnical Element provides goals, policies, and programs that focus on reducing potential impacts, such as loss of life and property damage, associated with seismic and geologic hazards. The Town's General Plan Archaeological and Historic Resources Element discusses goals, policies, and programs that focus on paleontological resources. Project-applicable goals and policies and a discussion of the Project's consistency are discussed in Table 4.10-1, *General Plan Consistency Analysis*, in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

Town Municipal Code Title 8, Buildings and Construction, provides minimum standards to safeguard life or limb, health, property and public welfare by regulating the design, construction, quality of materials, use and occupancy, location and maintenance of buildings, equipment, structures and grading within the Town; the electrical, plumbing, heating, comfort cooling and certain other equipment specifically regulated herein; and the moving of buildings within, into, from and through the Town.

Town Municipal Code Title 9, Development Code, is designed to address in one unified text regulations more typically contained in separate zoning and subdivision ordinances and related chapters of the Municipal Code. The purpose of the Development Code is to protect and promote the public health, safety and welfare of the citizens of Apple Valley. The standards and guidelines in this Code are intended to preserve and enhance the property values of the Town. The Development Code is also intended to:

A. Implement the goals and objectives of the General Plan in guiding the future growth of the Town by regulating the location and use of structures and land between industry, business, residents, open space, including agriculture, recreation, enjoyment of scenic beauty and uses of natural resources, and other purposes.

B. Protect the physical, social, and economic stability for residential, commercial, industrial, and other land uses to assure orderly and beneficial development.

C. Reduce hazards to the public resulting from the inappropriate location or use of improvements.

D. Maintain Apple Valley's distinctive character.

4.6.3 Methodology

A. Geology and Soils

The scope of the Geological Feasibility Study included visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundations, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. This information was used to determine the potential impacts of the Project.

B. Paleontological Resources

The evaluation of impacts to paleontological resources was based on a search of pertinent local and regional museum repositories for paleontological localities in the vicinity of the Project site. Additionally, information from previously conducted formal museums records search(National History Museum of Los Angeles County and San Bernardino County Museum) adjacent to and near the Project site was used. Field surveys were also conducted on September 24 and 25,2025 for identification of any onsite paleontological resources. The field methodology employed for the Project included walking evenly spaced survey transects set approximately 10 meters apart while visually inspecting the ground surface.

4.6.4 Basis for Determining Significance

Section VII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions, and includes the following threshold questions to evaluate the Project's impacts resulting from geologic or soil conditions:

a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

   i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

   ii. *Strong seismic ground shaking*

   iii. *Seismic-related ground failure, including liquefaction*

   iv. *Landslides*

b. Result in substantial soil erosion or the loss of topsoil;

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

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water;

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

4.6.5 Impact Analysis

Threshold a:	**Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; ii) strong seismic ground shaking; iii) seismic-related ground failure, including liquefaction; iv) landslides?**

A. Rupture of a Known Earthquake Fault

There are no active faults known within the Project site. The Project site is outside any Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone).

The Project does not propose actions or facilities that would otherwise exacerbate known or probable adverse earthquake fault conditions. Based on the preceding, there is no potential for the Project to directly or indirectly cause potential substantial adverse effect due to rupture of a known earthquake fault, and no impact would occur.

B. Strong Seismic Ground Shaking

The Project site is in a region known to be seismically active, and strong seismic ground-shaking could be anticipated during an earthquake event of sufficient magnitude. The California Building Code (CBC) requires construction methods that minimize the effects of earthquakes on structures. As part of the Town's standard review and approval of development projects, a geotechnical study is required to be reviewed and approved by the Town Engineer and comply with the recommendations of the approved geotechnical report and applicable CBC provisions. Pursuant to Town Municipal Code Section 8.12.010, recommendations in the geotechnical report and the engineering geology report shall be incorporated into the grading plans. The Project-specific Geotechnical Investigation (*Technical Appendix F1*) includes seismic design parameters and

provides design/construction recommendations for geotechnical design, grading, construction, foundations, floor slabs, exterior flatwork, retaining walls, and pavement. Compliance with these requirements reduces potential seismic ground-shaking impacts to levels that are less than significant.

C. Seismic-Related Ground Failure, Including Liquefaction

Liquefaction and seismically-induced settlement or ground failure are generally associated with strong seismic shaking in areas where ground water tables are at relatively shallow depths (within 50 feet of the ground surface) and/or when the area is underlain by loose, cohesionless deposits. During a strong ground shaking event, saturated, cohesionless soils may acquire a degree of mobility to the extent that the overlying ground surface distorts. In extreme cases, saturated soils become suspended in groundwater and become fluid-like.

The Geotechnical Investigation (*Technical Appendix F1*) determined that the Project site is not located within an area of liquefaction susceptibility, based on review of the County of San Bernardino General Plan, Geologic Hazard Overlay and the presence of dense to very dense soils, and the lack of a historic high ground water table within the upper 50± feet of the ground surface.

The potential for the Project to result in exposure of people or structures to potentially substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction is considered less than significant.

D. Landslides

Slope failures in the form of landslides are common during strong seismic shaking in areas of steep hills. The Project site and surrounding area are generally flat with no significant slopes. The Project site is not located within a landslide zone. Accordingly, no impact related to landslide hazards would occur.

Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?

The Project site is vacant and undeveloped. Ground-disturbing activities associated with Project construction may result in removal of topsoil or soil erosion, which would temporarily expose underlying soils resulting in potential erosion. The potential for Project construction activities involving soil disturbance, such as excavation and grading to result in increased erosion and sediment transport by storm water to surface waters would be minimized because the Project would be required to comply with a Construction General Permit, which is issued by the State Water Resources Control Board (SWRCB) (SWRCB Order No. 2009-0009-DWQ) and contains water quality standards and stormwater discharge requirements applying to construction projects of one acre or more. The General Construction Permit was issued pursuant to the National Pollutant Discharge Elimination System (NPDES) regulations for implementing part of the federal Clean Water Act.

The General Construction Permit requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) that identifies the sources of pollution that may affect the quality of stormwater discharges and describes and ensures the implementation of best management practices (BMPs) to reduce the pollutants, including silt and soil, in construction stormwater discharges. The Project site would be required to comply with the NPDES permit by preparing and implementing a SWPPP specifying BMPs for minimizing pollution of stormwater with soil and sediment during Project construction. Additionally, the Project would be required to implement erosion and dust control measures pursuant Mojave Desert Air Quality Management District Rule 403 to minimize water- and windborne erosion. Adherence to the BMPs in the SWPPP and Mojave Desert Air Quality Management District Rule 403 would reduce, prevent, or minimize soil erosion from Project-related grading and construction activities. Potential erosion impacts incurred during construction activities would be less than significant with mandated compliance with a Town-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with MDAQMD Rules that prohibit grading activities and site disturbance during high wind events. At Project completion, potential soil erosion impacts would not occur, as pavement, roads, building, and landscaping would cover previously exposed soils.

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

As discussed under Threshold a, no impact related to landslide hazards would occur. The Geotechnical Investigation (*Technical Appendix F1*) determined that the potential for geologic hazards such as seismically induced settlement, lateral spreading, subsidence, liquefaction is low.

As part of the Town's standard review and approval of development projects, the Project is required to comply with the recommendations of the approved geotechnical report and applicable CBC provisions. To ensure compliance, pursuant to Town Municipal Code Section 8.12.010, recommendations in the geotechnical report and the engineering geology report shall be incorporated into the grading plans. The Project-specific Geotechnical Investigation (*Technical Appendix F1*) includes site preparation/remedial grading recommendations to ensure that the development is not located on unstable soil. Compliance with State and Town requirements ensures that the Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project is considered less than significant.

Threshold d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Development on expansive soils may adversely affect concrete slabs-on-grade, building foundations, and roadway subgrades. In the event of a severe earthquake in the vicinity, structural foundations and floors may be damaged if constructed in, or over, expansive or unstable soils. The Geotechnical Investigation (*Technical Appendix F1*) classified the on-site soils as non-expansive and

determined that further design recommendations were not warranted. As such, Project impacts related to expansive soils are considered less than significant.

Threshold e: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The Project would be served by municipal sewer services. No septic tanks or other alternative wastewater disposal systems are proposed by the Project. There is no potential for the Project to affect or be affected by soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems, and no impact would occur.

Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

During field surveys conducted in September 24 and 25,2025, paleontological resources, or evidence of paleontological resources, were not identified. As discussed previously, the Project site lies at the edge of a broad alluvial fan mapped as early Pleistocene to possibly late Miocene-aged, very old alluvial deposits, characterized as moderately consolidated, strong brown to yellowish-red sand and gravel deposits. Research has confirmed the existence of potentially fossiliferous Pleistocene-aged very old alluvial deposits that are present at the Project site. (BFSA, 2025b) These alluvial deposits are known to produce significant terrestrial vertebrate fossils at shallow depths in the region. As such, Project-related ground disturbance has the potential to affect paleontological resources. Impacts would be potentially significant.

4.6.6 Cumulative Impact Analysis

As discussed in the preceding analysis, compliance with existing Town/CBC regulations and the recommendations of the Geotechnical Investigation would ensure Project-related geology and soils impacts would be less than significant. The effects of geology and soils are primarily restricted to the areas proposed for development and would not contribute to cumulative impacts associated with other existing, planned, or proposed development. For example, development of the Project would not have the potential to alter geologic events or soil features/characteristics at an offsite property.

As with the Project, other development projects would be required to conduct site-specific geotechnical investigations to identify onsite characteristics and provide recommendations regarding engineering, design, and construction. Compliance of individual projects with the recommendations of the applicable geotechnical investigation, and adherence to Town/CBC regulations would prevent hazards associated with geologic issues. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to geology and soils.

With respect to erosion, other development in the vicinity would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse erosion impacts. Because the Project and other cumulative projects would be subject to similar mandatory regulatory requirements to control erosion during construction and long-term operation, the Project would not result in a cumulatively considerable contribution related to erosion.

Excavation of the Project site has the potential to yield significant paleontological resources. This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development in the vicinity of the Project site that have a potential for uncovering paleontological resources. Generally, impacts relating to paleontological resources are site-specific and addressed on a site-by-site basis. Therefore, while there is a potential for an impact on a specific site, the impact would not ordinarily extend beyond the site or immediately surrounding area. Implementation of Mitigation Measures 4.6-1 and 4.6-2 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities, ensuring Project-specific and cumulative paleontological impacts are reduced to less than significant.

4.6.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. Compliance with CBC and Town Municipal Code Section 8.12.010 would ensure that the Project would not result in significant impacts associated with strong seismic ground shaking.

Threshold b: Less than Significant Impact. The Project's compliance with the NPDES permit, requiring adherence to the SWPPP, and MDAQMD Rules, precluding significant soil erosion from Project-related grading and construction activities would ensure that impacts related to substantial soil erosion or the loss of topsoil would be less than significant.

Threshold c: Less than Significant Impact. The Project site and surrounding properties do not exhibit substantial gradient or elevation differences, or other factors that may cause unstable soils, landslides, or collapse. As previously discussed, the potential for liquefaction or ground subsidence at the site is low. Impacts would be less than significant.

Threshold d: Less than Significant Impact. The Geotechnical Investigation classified the on-site soils as non-expansive; therefore, impacts are less than significant.

Threshold e: No Impact. No septic tanks or other alternative wastewater disposal systems are proposed by the Project.

Threshold f: Potentially Significant Impact. The alluvial deposits that exist on the Project site are known to produce significant terrestrial vertebrate fossils at shallow depths in the region. Project-related ground disturbance has the potential to affect paleontological resources.

4.6.8 Mitigation

MM 4.6-1 Prior to the start of the proposed Project activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, an outline of steps to follow if a fossil discovery is made, and the contact information for the Project paleontologist. The training shall be developed by the Project paleontologist.

MM 4.6-2 Prior to the commencement of any ground-disturbing activities, the Project Applicant shall retain both a qualified paleontologist and paleontological monitor to prepare and implement a Paleontological Resource Impact Mitigation Project (PRIMP), which describes monitoring and fossil collection procedures. If a paleontological resource is discovered, the paleontologist or paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project paleontologist shall complete the following:

1) **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor and Project paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project paleontologist (or paleontological monitor) shall recover them following standard field procedures for collecting paleontological resources as outlined in the paleontological mitigation plan for the Project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity.

   In some cases, larger fossils, such as complete skeletons or large mammal fossils, require more extensive excavation and longer salvage periods. In the case of discovery of larger fossils, the paleontologist or paleontological monitor shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossils can be removed in a safe and timely manner.

   Bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) shall be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” in accordance with “Microfossil Salvage” section of the Society of Vertebrate Paleontology guidelines to test the feasibility of the deposit to yield fossil bones and teeth.

2) **Fossil Preparation and Curation.** The paleontological mitigation plan for the Project shall identify the museum that has agreed to accept fossils that may be

discovered during Project-related excavations. Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens shall be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 30 days after all laboratory work is completed. The cost of curation shall be assessed by the repository and will be the responsibility of the Project Applicant.

3) **Final Paleontological Mitigation Report.** Upon completion of ground-disturbing activity, and curation of fossils if necessary, the Project paleontologist shall prepare and submit to the Town of Apple Valley a final paleontological mitigation report outlining the results of the mitigation and monitoring program. The report shall include a discussion of the location, duration, and methods of monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils and where fossils were curated.

4.6.9 Significance of Impacts After Mitigation

Threshold f: Less Than Significant Impact with Mitigation Incorporated. Mitigation Measures 4.6-1 and 4.6-2 would ensure the identification and subsequent treatment of any significant paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the Project. With implementation of the required mitigation, the Project's potential impacts to paleontological resources would be reduced to less than significant.

4.6.10 References

Southern California Geotechnical (SoCalGeo), 2025. *Geotechnical Feasibility Study*. December 4, 2025. *Technical Appendix F1*.

BFSA Environmental Services (BFSA), 2025b. *Paleontological Assessment* for the Apple Valley 84 Project. December 11, 2025. *Technical Appendix F2*.

Department of Conservation (DOC), 2025a. Earthquake Zones of Required Investigation. Updated February 20, 2025. Accessed on December 10, 2025. Available: https://www.arcgis.com/home/item.html?id=e837baf101a0449089a62b320e27510a

California Department of Water Resources (DWR), 2025. *Dam Breach Inundation Map Web Publisher*. Accessed on December 11, 2025. Available: https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2

4.7 GREENHOUSE GAS EMISSIONS

The following analysis is based in part on information obtained from the following technical reports:

- Urban Crossroads (UXR). 2025d. *Apple Valley 84 Greenhouse Gas Analysis*. November 3, 2025. (*Technical Appendix G*)

Refer to Sections 4.7.10 and 7.0, *References*, for a complete list of reference sources.

4.7.1 Environmental Setting

A. *Introduction to Global Climate Change*

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the earth's atmosphere, including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. The majority of scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years.

An individual project cannot generate enough GHG emissions to affect a discernible change in global climate. However, the Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. Because these changes may have serious environmental consequences, this analysis evaluates the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to the greenhouse effect.

GCC refers to the change in average meteorological conditions on the earth with respect to temperature, wind patterns, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO_2, N_2O, CH_4, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth's atmosphere, but prevent radiative heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth's average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

B. *Greenhouse Gases*

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change. For the purposes of this analysis, emissions of CO_2, CH_4, and N_2O were evaluated because these gases are the primary contributors to GCC from development projects[1].

GHGs have varying GWP values. GWP of a GHG indicates the amount of warming a gas cause over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO_2 is utilized as the reference gas for GWP and thus has a GWP of 1. CO_2 equivalent (CO_2e) is a term used for describing the different GHGs in a common unit. CO_2e signifies the amount of CO_2 which would have the equivalent GWP.

The Intergovernmental Panel on Climate Change (IPCC) is the international body for assessing the science related to climate change. IPCC Assessment Reports cover the full scientific, technical and socio-economic assessment of climate change. The atmospheric lifetime and GWP of selected GHGs are summarized at Table 4.7-1, *GWP and Atmospheric Lifetime of Select GHGs*. As shown in the table below, GWP for the 2nd Assessment Report range from 1 for CO_2 to 23,900 for SF_6 and GWP for the 6th Assessment Report range from 1 for CO_2 to 25,200 for SF_6 (IPCC, 2021).

Table 4.7-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2nd Assessment Report	6th Assessment Report
CO_2	Multiple	1	1
CH_4	11.8	21	28
N_2O	109	310	273
HFC-23	228	11,700	14,600
HFC-134a	14	1,300	1,526
HFC-152a	1.6	140	164
SF_6	3,200	23,900	25,200

Source: (UXR, 2025d, Table 2-2)

Provided below is a description of the common gases that contribute to GCC. For more information about these gases and their associated human health effects, refer to Section 2.3 of *Technical Appendix G* to this EIR and the reference sources cited therein.

[1] Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.

- CO_2 is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution. CO_2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO_2 in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources.

- CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO_2 and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs. CH_4 in the atmosphere is generated by many different sources, such as fossil fuel production, transport and use, from the decay of organic matter in wetlands, and as a byproduct of digestion by ruminant animals such as cows. CH_4 is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH_4 can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.

- N_2O also known as laughing gas, is a colorless GHG. Concentrations of N_2O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb). Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N_2O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction. N_2O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).

- Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source. They are found in aerosol sprays, blowing agents for foams and packing materials, as solvents, and as refrigerants. In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

- Hydrofluorocarbons (HFCs) are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-

difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HCF-134a emissions are increasing due to its use as a refrigerant. No human health effects are known to result from exposure to HFCs, which are used for applications such as automobile air conditioners and refrigerants.

- Perfluorocarbons (PFCs) have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). The EPA estimates that concentrations of CF_4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacture. No human health effects are known to result from exposure to PFCs.

- SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900). The EPA indicates that concentrations in the 1990s were about 4 ppt. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

- Nitrogen Trifluoride (NF_3) is a colorless gas with a distinctly moldy odor. The World Resources Institute indicates that NF_3 has a 100-year GWP of 17,200. NF_3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

C. Greenhouse Gas Emissions Inventories

1. Global

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2021. Based on the latest available data, the sum of these emissions totaled approximately 28,272,940 gigagram (Gg) CO_2e as summarized in Table 4.7-2, *Top GHG Producing Countries and the European Union*.

Table 4.7-2 Top GHG Producing Countries and the European Union

Emitting Countries	GHG Emissions (Gg CO_2e)
China	12,300,200
United States	6,340,228
European Union (27-member countries)	3,468,394

Emitting Countries	GHG Emissions (Gg CO_2e)
India	2,839,425
Russian Federation	2,156,599
Japan	1,168,094
Total	**28,272,940**

Source: (UXR, 2025d, Table 2-3)

2. State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the U.S. emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2024 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2022 GHG emissions period, California emitted an average 371.1 million metric tons of CO_2e per year ($MMTCO_2e$/yr) or 371,100 Gg CO_2e (5.85% of the total U.S. GHG emissions). Based on data published by the U.S. Energy Information Administration, California's per capita (8.3 metric tons) GHG emissions are much less than the nationwide per capita (14.2 metric ton) average. (UXR, 2025d, p. 12)

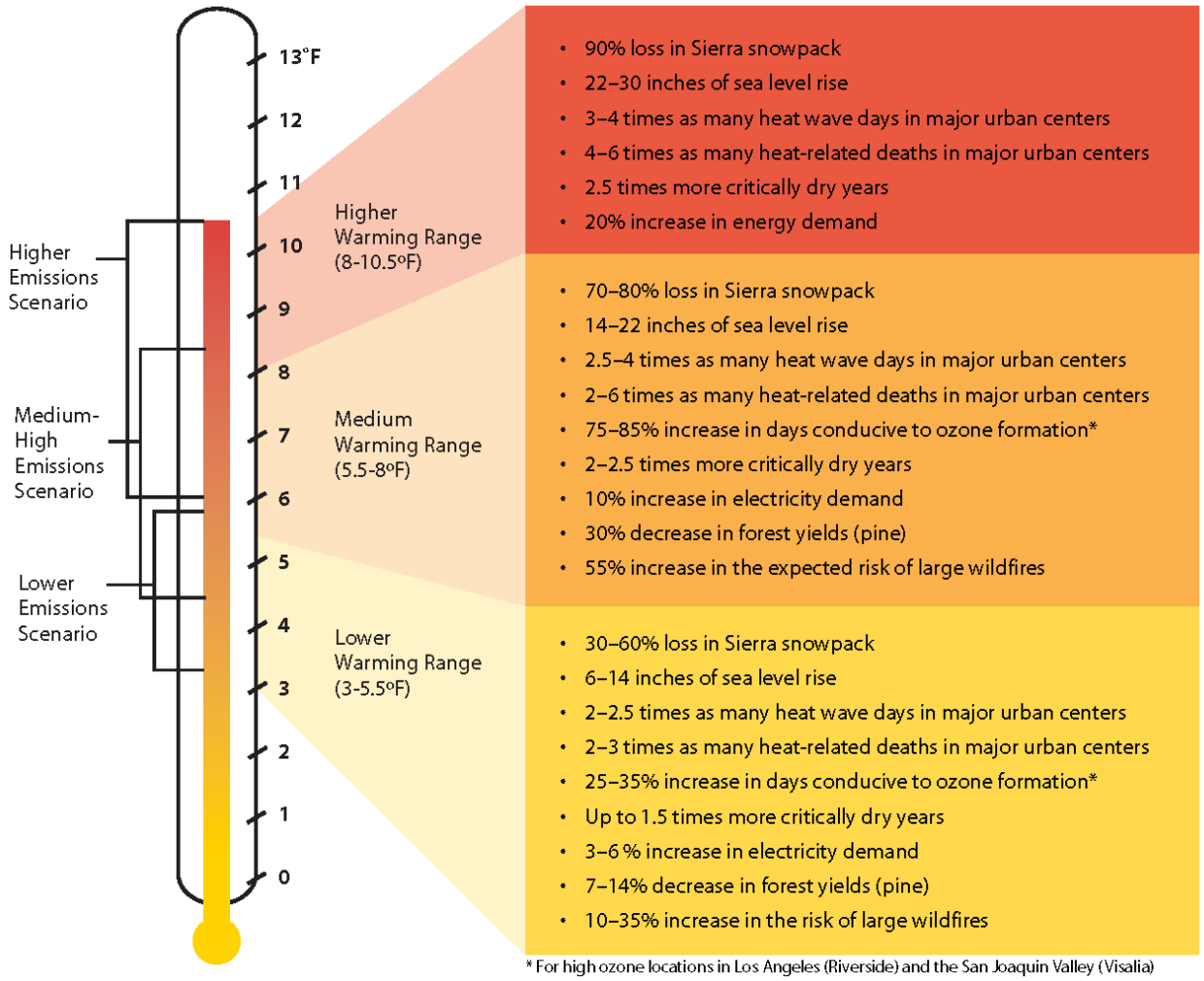
D. Effects of Climate Change in California

1. Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. Based on *Our Changing Climate Assessing the Risks to California by the California Climate Change Center*, large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a significant increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Exhibit 4.7-1: Summary of Projected Global Warming Impact, 2070-2099 (As Compared With 1961-1990)



Source: (UXR, 2025d)

2. Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

3. Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of the water supply needed. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

4. Forests and Landscapes

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range.

However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90% due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC.

5. Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12-14 inches.

4.7.2 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to GHG emissions.

A. International

1. Intergovernmental Panel on Climate Change

In 1988, the United Nations (U.N.) and the World Meteorological Organization established the IPCC to assess the scientific, technical, and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation.

2. United Nation's Framework Convention on Climate Change (UNFCCC)

On March 21, 1994, the U.S. joined several countries around the world in signing the Convention. Under the UNFCCC, governments gather and share information on GHG emissions, national policies, and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

3. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the

current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012.

On December 8, 2012, in Doha, Qatar, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of greenhouse gases (GHG) to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period.

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol.

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first.

B. Federal

1. Federal Regulation and the Clean Air Act

Prior to the last decade, there have been no concrete federal regulations of GHGs or major planning for climate change adaptation. The following are actions regarding the federal government, GHGs, and fuel efficiency.

In *Massachusetts v. Environmental Protection Agency 549 U.S. 497* (2007), decided on April 2, 2007, the United States Supreme Court (Supreme Court) found that four GHGs, including CO2, are air pollutants subject to regulation under Section 202(a)(1) of the CAA. The Supreme Court held that the

EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6 — in the atmosphere threaten the public health and welfare of current and future generations.

- Cause or Contribute Finding: The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.

These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles.

2. Clean Vehicles

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light duty trucks. The law has become more stringent over time. On May 19, 2009, President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the U.S. On April 1, 2010, the EPA, and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the U.S.

The first phase of the national program applies to passenger cars, light-duty trucks, and medium-duty (MD) passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO2 per mile, equivalent to 35.5 miles per gallon (mpg) if the automobile industry were to meet this CO2 level solely through fuel economy improvements. Together, these standards would cut CO2 emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). In August 2012, the EPA and the NHTSA issued final rules on a second-phase joint rulemaking establishing national standards for light-duty vehicles for model years 2017 through 2025. The new standards apply to passenger cars, light-duty trucks, and MD passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO2 in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.

The EPA and the U.S. Department of Transportation issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks (HDT) and buses on September 15, 2011, effective November 14, 2011. For combination tractors, the agencies are

proposing engine and vehicle standards that begin in the 2014 model year and achieve up to a 20% reduction in CO2 emissions and fuel consumption by the 2018 model year. For HDT and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10% reduction for gasoline vehicles and a 15% reduction for diesel vehicles by the 2018 model year (12 and 17%, respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10% reduction in fuel consumption and CO2 emissions from the 2014 to 2018 model years.

On April 2, 2018, the EPA signed the Mid-term Evaluation Final Determination, which declared that the MY 2022-2025 GHG standards are not appropriate and should be revised. This Final Determination serves to initiate a notice to further consider appropriate standards for MY 2022-2025 light-duty vehicles. On August 2, 2018, the NHTSA in conjunction with the EPA, released a notice of proposed rulemaking, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). The SAFE Vehicles Rule was proposed to amend exiting Corporate Average Fuel Economy (CAFE) and tailpipe CO2 standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. As of March 31, 2020, the NHTSA and EPA finalized the SAFE Vehicle Rule which increased stringency of CAFE and CO2 emissions standards by 1.5% each year through model year 2026.

3. Mandatory Reporting of GHGs

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of GHGs Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the U.S. and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons per year (MT/yr) or more GHG emissions are required to submit annual reports to the EPA.

4. New Source Review

The EPA issued a final rule on May 13, 2010, that establishes thresholds for GHGs that define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities. This final rule "tailors" the requirements of these CAA permitting programs to limit which facilities would be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the Federal Code of Regulations, the EPA states:

> *"This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the CAA, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the*

resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to GHG sources, starting with the largest GHG emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for GHG emissions until at least April 30, 2016."

The EPA estimates that facilities responsible for nearly 70% of the national GHG emissions from stationary sources would be subject to permitting requirements under this rule. This includes the nation's largest GHG emitters—power plants, refineries, and cement production facilities.

5. *Standards of Performance for GHG Emissions for New Stationary Sources: Electric Utility Generating Units*

As required by a settlement agreement, the EPA proposed new performance standards for emissions of CO2 for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts (MW) would be required to meet an output-based standard of 1,000 pounds (lbs) of CO2 per MW-hour (MWh), based on the performance of widely used natural gas combined cycle technology. It should be noted that on February 9, 2016, the Supreme Court issued a stay of this regulation pending litigation. Additionally, the current EPA Administrator has also signed a measure to repeal the Clean Power Plan, including the CO2 standards. The Clean Power Plan was officially repealed on June 19, 2019, when the EPA issued the final Affordable Clean Energy rule (ACE). Under ACE, new state emission guidelines were established that provided existing coal-fired electric utility generating units with achievable standards.

6. *Cap-and-Trade*

Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. Successful examples in the U.S. include the Acid Rain Program and the N2O Budget Trading Program and Clean Air Interstate Rule in the northeast. There is no federal GHG cap-and-trade program currently; however, some states have joined to create initiatives to provide a mechanism for cap-and-trade.

The Regional GHG Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps CO2 emissions from power plants, auctions CO2 emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008 and has retained all participating states as of 2020.

The Western Climate Initiative (WCI) partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15% below 2005 levels by 2020. The partners were originally

California, British Columbia, Manitoba, Ontario, and Quebec. However, Manitoba and Ontario are not currently participating. California linked with Quebec's cap-and-trade system January 1, 2014, and joint offset auctions took place in 2015. While the WCI has yet to publish whether it has successfully reached the 2020 emissions goal initiative set in 2007, SB 32 requires that California, a major partner in the WCI, adopt the goal of reducing statewide GHG emissions to 40% below the 1990 level by 2030.

7. Executive Order 13990

On January 20, 2021, Federal agencies were directed to immediately review, and take action to address, Federal regulations promulgated and other actions taken during the last 4 years that conflict with national objectives to improve public health and the environment; ensure access to clean air and water; limit exposure to dangerous chemicals and pesticides; hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; reduce GHG emissions; bolster resilience to the impacts of climate change; restore and expand our national treasures and monuments; and prioritize both environmental justice and employment.

C. State

1. California Assembly Bill No. 1881 (AB 1881)

The Water Conservation in Landscaping Act of 2006 requires local agencies to adopt the updated DWR model ordinance or equivalent. AB 1881 also requires the CEC to consult with the DWR to adopt, by regulation, performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

2. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria. Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand.

3. California Assembly Bill 32 – Global Warming Solutions Act of 2006

The California State Legislature enacted AB 32, which required that GHGs emitted in California be reduced to 1990 levels by the year 2020 (this goal has been met). GHGs as defined under AB 32 include CO2, CH4, N2O, HFCs, PFCs, and SF6. Since AB 32 was enacted, a seventh chemical, NF3, has also been added to the list of GHGs. CARB is the state agency charged with monitoring and

regulating sources of GHGs. Pursuant to AB 32, CARB adopted regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. AB 32 states the following:

> *Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.*

4. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities.

Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets. The APS is not a part of the RTP.

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region's SCS (or APS) that meets the targets (see Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28.).

5. California Assembly Bill No. 1493 (AB 1493)

AB 1493 required the California Air Resources Board (CARB) to adopt the nation's first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the "Pavley"

regulations that reduce greenhouse gas (GHG) emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB's September amendments cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for MY 2017 through 2025. The regulation will reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules will clean up gasoline and diesel powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid EV and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California. On March 9, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards for cars and light trucks, which other states can also adopt and enforce. With this authority restored, EPA will continue partnering with states to advance the next generation of clean vehicle technologies.

6. Clean Energy and Pollution Reduction Act of 2015 (SB 350)

In October 2015, the legislature approved, and Governor Jerry Brown signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for EV charging stations. Provisions for a 50% reduction in the use of petroleum statewide were removed from the Bill because of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the CPUC, the CEC, and local publicly owned utilities.
- Reorganize the ISO to develop more regional electric transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western United States.

7. Senate Bill 32

On September 8, 2016, Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below

1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050.

8. 2017 CARB Scoping Plan

In November 2017, CARB released the *Final 2017 Scoping Plan Update* (*2017 Scoping Plan*), which identifies the State's post-2020 reduction strategy. The *2017 Scoping Plan* reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the LCFS, and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce CH_4 emissions from agricultural and other wastes.

The *2017 Scoping Plan* establishes a new emissions limit of 260 $MMTCO_2e$ for the year 2030, which corresponds to a 40% decrease in 1990 levels by 2030.

California's climate strategy would require contributions from all sectors of the economy, including the land base, and would include enhanced focus on zero and near-zero emission (ZE/NZE) vehicle technologies; continued investment in renewables, including solar roofs, wind, and other distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (CH_4, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conservation of agricultural and other lands. Requirements for direct GHG reductions at refineries would further support air quality co-benefits in neighborhoods, including in disadvantaged communities historically located adjacent to these large stationary sources, as well as efforts with California's local air pollution control and air quality management districts (air districts) to tighten emission limits on a broad spectrum of industrial sources. Major elements of the *2017 Scoping Plan* framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing zero-emission vehicles (ZEV) buses and trucks.
- LCFS, with an increased stringency (18% by 2030).
- Implementing SB 350, which expands the RPS to 50% RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
    - Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing CH4 and HCF emissions by 40% and anthropogenic black carbon emissions by 50% by year 2030.

- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20% reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Note, however, that the *2017 Scoping Plan* acknowledges that:

> *"[a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA."*

In addition to the statewide strategies listed above, the *2017 Scoping Plan* also identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended actions, CARB recommends that local governments achieve a community-wide goal to achieve emissions of no more than 6 metric tons of CO_2e ($MTCO_2e$) or less per capita by 2030 and 2 $MTCO_2e$ or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidence-based bright-line numeric thresholds—consistent with the *2017 Scoping Plan* and the State's long-term GHG goals—and projects with emissions over that amount may be required to incorporate on-site design features and MMs that avoid or minimize project emissions to the degree feasible; or a performance-based metric using a CAP or other plan to reduce GHG emissions is appropriate.

According to research conducted by the Lawrence Berkeley National Laboratory (LBNL) and supported by CARB, California, under its existing and proposed GHG reduction policies, could achieve the 2030 goals under SB 32. The research utilized a new, validated model known as the California LBNL GHG Analysis of Policies Spreadsheet (CALGAPS), which simulates GHG and criteria pollutant emissions in California from 2010 to 2050 in accordance to existing and future GHG-reducing policies. The CALGAPS model showed that by 2030, emissions could range from 211 to 428 $MTCO_2e$ per year ($MTCO_2e$/yr), indicating that "even if all modeled policies are not implemented, reductions could be sufficient to reduce emissions 40% below the 1990 level [of SB 32]." CALGAPS analyzed emissions through 2050 even though it did not generally account for policies that might be put in place after 2030. Although the research indicated that the emissions would not meet the State's 80% reduction goal by 2050, various combinations of policies could allow California's cumulative emissions to remain very low through 2050.

9. Cap-and-Trade Program

The 2017 Scoping Plan identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program would help put California

on the path to meet its goal of achieving a 40% reduction in GHG emissions from 1990 levels by 2030. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap would be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from regulated entities by more than 16% between 2013 and 2020, and by an additional 40% by 2030. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and would decline over time, achieving GHG emission reductions throughout the program's duration.

Covered entities that emit more than 25,000 $MTCO_2e$/yr must comply with the Cap-and-Trade Program. Triggering of the 25,000 MTCO2e/yr "inclusion threshold" is measured against a subset of emissions reported and verified under the California Regulation for the Mandatory Reporting of GHG Emissions (Mandatory Reporting Rule or "MRR").

Under the Cap-and-Trade Program, CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities are allocated free allowances in whole or part (if eligible), and may buy allowances at auction, purchase allowances from others, or purchase offset credits. Each covered entity with a compliance obligation is required to surrender "compliance instruments" for each MTCO2e of GHG they emit. There also are requirements to surrender compliance instruments covering 30% of the prior year's compliance obligation by November of each year.

The Cap-and-Trade Program provides a firm cap, which provides the highest certainty of achieving the 2030 target. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are only guaranteed on an accumulative basis. As summarized by CARB in the First Update to the Climate Change Scoping Plan:

> *"The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative."*

The Cap-and-Trade Program covers approximately 80% of California's GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported.

10. 2022 CARB Scoping Plan

On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan builds on the 2017 Scoping Plan as well as the requirements set forth by AB 1279, which directs the state to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85% below 1990 levels and achieve carbon neutrality by 2045. The Scoping Plan strategy is to "deploy a broad portfolio of existing and emerging fossil fuel alternatives and clean technologies, and align with statutes, Executive Orders, Board direction, and direction from the governor." The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (CAP) consistent with CEQA Guidelines section 15183.5.

The key elements of the 2022 CARB Scoping Plan focus on transportation - the regulations that will impact this sector are adopted and enforced by CARB on vehicle manufacturers and outside the jurisdiction and control of local governments. As stated in the Plan's executive summary:

> *The major element of this unprecedented transformation is the aggressive reduction of fossil fuels wherever they are currently used in California, building on and accelerating carbon reduction programs that have been in place for a decade and a half. That means rapidly moving to zero-emission transportation; electrifying the cars, buses, trains, and trucks that now constitute California's single largest source of planet-warming pollution.*
>
> *[A]pproval of this plan catalyzes a number of efforts, including the development of new regulations as well as amendments to strengthen regulations and programs already in place, not just at CARB but across state agencies.*

Under the 2022 Scoping Plan, the State will lead efforts to meet the 2045 carbon neutrality goal through implementation of the following objectives:

- Reimagine roadway projects that increase VMT in a way that meets community needs and reduces the need to drive.
- Double local transit capacity and service frequencies by 2030.
- Complete the High-Speed Rail (HSR) System and other elements of the intercity rail network by 2040.
- Expand and complete planned networks of high-quality active transportation infrastructure.
- Increase availability and affordability of bikes, e-bikes, scooters, and other alternatives to light-duty vehicles, prioritizing needs of underserved communities.
- Shift revenue generation for transportation projects away from the gas tax into more durable sources by 2030.
- Authorize and implement roadway pricing strategies and reallocate revenues to equitably improve transit, bicycling, and other sustainable transportation choices.
- Prioritize addressing key transit bottlenecks and other infrastructure investments to improve transit operational efficiency over investments that increase VMT
- Develop and implement a statewide transportation demand management (TDM) framework with VMT mitigation requirements for large employers and large developments.
- Prevent uncontrolled growth of autonomous vehicle (AV) VMT, particularly zero-passenger miles.
- Channel new mobility services towards pooled use models, transit complementarity, and lower VMT outcomes.
- Establish an integrated statewide system for trip planning, booking, payment, and user accounts that enables efficient and equitable multimodal systems.
- Provide financial support for low-income and disadvantaged Californians' use of transit and new mobility services.
- Expand universal design features for new mobility services.
- Accelerate infill development in existing transportation-efficient places and deploy strategic resources to create more transportation-efficient locations.

- Encourage alignment in land use, housing, transportation, and conservation planning in adopted regional plans (RTP/SCS and RHNA) and local plans (e.g., general plans, zoning, and local transportation plans).
- Accelerate production of affordable housing in forms and locations that reduce VMT and affirmatively further fair housing policy objectives.
- Reduce or eliminate parking requirements (and/or enact parking maximums, as appropriate) and promote redevelopment of excess parking, especially in infill locations.
- Preserve and protect existing affordable housing stock and protect existing residents and businesses from displacement and climate risk.

Included in the 2022 Scoping Plan is a set of Local Actions (Appendix D to the 2022 Scoping Plan) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, CARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on Residential and Mixed-Use Projects, in fact CARB states that Appendix D (page 4): "…focuses primarily on CAPs and local authority over new residential development. It does not address other land use types (e.g., industrial) or air permitting."

Additionally on Page 21 in Appendix D, CARB states: "The recommendations outlined in this section apply only to residential and mixed-use development project types. California currently faces both a housing crisis and a climate crisis, which necessitates prioritizing recommendations for residential projects to address the housing crisis in a manner that simultaneously supports the State's GHG and regional air quality goals. CARB plans to continue to explore new approaches for other land use types in the future." As such, it would be inappropriate to apply the requirements contained in Appendix D of the 2022 Scoping Plan to any land use types other than residential or mixed-use residential development.

11. Executive Order S-3-05

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.

12. Executive Order S-01-07

Governor Schwarzenegger signed Executive Order S-01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020. CARB adopted the Low Carbon Fuel Standard (LCFS) on April 23, 2009.

After a series of legal changes, in order to address the Court ruling, CARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon intensity fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. On November 16, 2015, the Office of Administrative Law (OAL) approved the Final Rulemaking Package. The new LCFS regulation became effective on January 1, 2016.

In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

13. Executive Order S-13-08

Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the Order, the 2009 California Climate Adaptation Strategy (CNRA 2009) was adopted, which is the "…first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States." Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

14. Executive Order B-30-15

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. The Governor's executive order aligned California's GHG reduction targets with those of leading international governments ahead of the U.N. Climate Change Conference in Paris late 2015. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40% below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80% below 1990 levels by 2050 and directs CARB to update the 2017 Scoping Plan to express the 2030 target in terms of MMTCO2e. The Order also requires the state's climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-

3-05, this Order is not legally enforceable to local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

15. Executive Order B-55-18 and SB 100

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the existing Renewable Portfolio Standards (RPS), 25% of retail sales of electricity are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California EPA (CalEPA), the California Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

16. Title 20 CCR Section 1601 et seq. – Appliance Efficiency Regulations

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. 23 categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment.

17. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a

positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

The 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026. The California Energy Commission updates these standards every three years.

18. CARB Refrigerant Management Program

CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, CCR. The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

19. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. The amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines § 15064.4.)

- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines § 15126.4(c).)

- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines § 15126.2(a).)

- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines § 15183.5(b).)

- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the CEQA Guidelines amendments. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

Of note, the new guidelines state that a lead agency shall have discretion to determine whether to use a quantitative model or methodology, or in the alternative, rely on a qualitative analysis or performance-based standards. Pursuant to CEQA Guidelines § 15064.4(a), "A lead agency shall have discretion to determine, in the context of a particular project, whether to: (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use; or (2) Rely on a qualitative analysis or performance-based standards."

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (See CEQA Guidelines § 15130(f)).

CEQA Guidelines Section 15064.4(b) provides direction for lead agencies to assess the significance of impacts of greenhouse gas emissions:

1. *The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*

2. *Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or*

3. *The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.*

The CEQA Guidelines do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses.

D. Regional

1. Mojave Desert Air Quality Management District

The MDAQMD is responsible for monitoring criteria air pollutant concentrations and establishing management policies for the MDAB. All development within the MDAB, including the proposed Project, is subject to all applicable air quality management plans that establish control strategies and guidance on regional emission reductions for air pollutants. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments.

E. Local

1. Town of Apple Valley Climate Action Plan (CAP)

On May 2021, the Town of Apple Valley adopted the 2019 CAP Update, which was originally adopted in 2010. The CAP provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California and presents a number of strategies that will make it possible for the Town to meet the recommended targets. Projects that demonstrate consistency with the strategies, actions, and emission reduction targets contained in the CAP would have a less than significant impact on climate change.

The 2010 CAP concluded that the Town of Apple Valley would need to reduce greenhouse gas emissions by a minimum of 112,337 $MTCO_2e$/yr by 2020 to meet a reduction target of 15% below 2005 levels. The 2019 CAP Update provides a revised 2030 target of 299,565 $MTCO_2e$/yr for greenhouse gas emissions or 40% below baseline emission levels. Greenhouse gas inventories emissions provided in the 2019 CAP Update show that emissions were approximately 597,681 $MTCO_2e$ per year, a 38,894 $MTCO_2e$/yr exceedance as compared to the 2020 target of 636,575 $MTCO_2e$. To achieve the 2030 target of 40% below baseline emissions, the Town of Apple Valley would need to reduce greenhouse gas emissions by 148,334 $MTCO_2e$/yr. (Town of Apple Valley, 2021)

4.7.3 Methodology

The California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including MDAQMD, released CalEEMod 2022 in May 2022. CalEEMod periodically releases updates, as such the latest version available at the time of this report has been utilized in this analysis. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine GHG emissions. Output from the model runs for construction and operational activity for the Project is provided in Appendix 3.1 of *Technical Appendix G*. CalEEMod includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, water, refrigerants, stationary, on-site cargo handling and TRU sources. (UXR, 2025d, p. 35)

4.7.4 Basis for Determining Significance

In order to assess the significance of a proposed Project's environmental impacts it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As discussed above, while estimated Project-related GHG emissions can be quantified, the direct impacts of such emissions on GCC and global warming cannot be determined on the basis of available science. There is no evidence at this time that would indicate that the emissions from a project the size of the proposed Project would directly or indirectly affect the global climate.

AB 32 states, in part, that "[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would have no potential to result in a direct impact to global warming; rather, Project-related contributions to GCC, if any, only have potential significance on a cumulative basis. Therefore, the analysis below focuses on the Project's potential to contribute to GCC in a cumulatively considerable way.

Section VIII of Appendix G to the CEQA Guidelines indicate that a project would result in a significant impact on climate change if a project were to:

a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

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

The Town of Apple Valley has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the Town has selected the interim 3,000 $MTCO_2e$ per year threshold recommended by South Coast Air Quality Management District (SCAQMD) staff for residential and commercial sector projects against which to compare Project-related GHG emissions. Although the Project is not located within the SCAQMD's jurisdiction, the SCAQMD's recommended threshold of 3,000 $MTCO_2e$ per year is more restrictive than the MDAQMD's adopted significance threshold for GHGs of 100,000 tpy (90,719 $MTCO_2e$ /yr). MDAQMD identifies that 100,000 tpy of GHG emissions from a single facility constitutes major sources that require a federal operating permit. As such, use of the EPAs determination of whether a Project is a major source and consequently has been used as a threshold. (UXR, 2025d, p. 34)

If Project-related GHG emissions do not exceed the 3,000 MTCO2e per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact pursuant to Threshold a below. On the other hand, if Project-related GHG emissions exceed 3,000 MTCO2e per year, the Project would be considered a substantial source of GHG emissions. (UXR, 2025d, p. 35)

4.7.5 Impact Analysis

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

A. Construction

For construction phase emissions, GHGs are quantified and amortized over the life of the Project. Construction-related GHG emissions are expected to come from demolition, site preparation, grading, building construction, paving, and architectural coating. The latest version of CalEEMod was used to determine construction-related GHG emissions. Output from the model runs for Project construction-related activities is provided in Appendix 3.1 of the Project's GHG report (*Technical Appendix G*). To amortize the emissions over the life of the Project, the MDAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions from each phase are presented in Table 4.7-3, *Amortized Annual Construction Emissions*.

Table 4.7-3 Amortized Annual Construction Emissions

Year	CO_2T	CH_4	N_2O	R	Total CO_2e
2026	34.66	0.00	0.00	0.01	34.93
2027	1,934.99	0.04	0.10	1.55	1,968.06
2028	1,461.23	0.03	0.09	1.27	1,488.87
Total	3,430.88	0.07	0.19	2.83	3,491.86
Amortized	**114.36**	**0.00**	**0.01**	**0.09**	**116.40**

Source: (UXR, 2025d, Table 3-3)

B. Operation

Operational activities associated with the Project would result in emissions of CO_2, CH_4, N_2O, and Refrigerant emissions from the following primary sources:

- Mobile Source Emissions;
- Area Source Emissions;
- Energy Source Emissions;
- Water Supply, Treatment, and Distribution;
- Solid Waste;
- Refrigeration;
- Stationary Source Emissions;
- On-site Cargo Handling Equipment Emissions; and
- TRU Source Emissions

The estimated Project-related GHG emissions are summarized in Table 4.7-4, *Project GHG Emissions Summary*. The latest version of CalEEMod was used for this Project to determine GHG emissions. Output from the model runs for operational activities for the Project is provided in Appendix 3.1 of *Technical Appendix G*. CalEEMod includes GHG emissions from the following source categories: construction (amortized), area, energy, mobile, waste, water, refrigerants, stationary, on-site cargo handling and TRU sources. Refer to Section 3.5, Operational Emissions, of the Project's GHG report (*Technical Appendix G*) for further discussion on activities from the primary sources listed above.

Table 4.7-4 Project GHG Emissions Summary

Source	Emissions (MT/yr)				
	CO_2T	CH_4	N_2O	R	Total CO_2e
Annual construction emissions amortized over 30 years	114.36	2.25E-03	6.32E-03	9.44E-02	116.40
Mobile	13,537.79	0.13	1.59	15.76	14,031.45
Area	20.17	0.00	0.00	0.00	20.24

Source	Emissions (MT/yr)				
	CO_2T	CH_4	N_2O	R	Total CO_2e
Energy	1,764.75	0.17	0.02	0.00	1,775.03
Water	402.63	10.42	0.25	0.00	737.77
Waste	119.56	11.95	0.00	0.00	418.31
Refrigerants	0.00	0.00	0.00	37.11	37.11
Stationary	19.04	0.00	0.00	0.00	19.10
TRUs	0.00	0.00	0.00	0.00	784.33
On-Site Equipment	0.00	0.00	0.00	0.00	236.83
Total CO_2e (All Sources)	18,176.56				
Screening Threshold (CO_2e)	3,000				
Threshold Exceeded?	**YES**				

Source: (UXR, 2025d, Table 3-6)

As discussed previously under Section 4.7.4, *Basis for Determining Significance*, the Town of Apple Valley has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the Town has selected the interim 3,000 $MTCO_2e$ per year threshold recommended by SCAQMD staff for residential and commercial sector projects against which to compare Project-related GHG emissions. Although the Project is not located within the SCAQMD's jurisdiction, the SCAQMD's recommended threshold of 3,000 $MTCO_2e$ per year is more restrictive than the MDAQMD's adopted significance threshold for GHGs of 100,000 tpy (90,719 $MTCO_2e$ /yr). MDAQMD identifies that 100,000 tpy of GHG emissions from a single facility constitutes major sources that require a federal operating permit. If Project-related GHG emissions do not exceed the 3,000 $MTCO_2e$ per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact. On the other hand, if Project-related GHG emissions exceed 3,000 $MTCO_2e$ per year, the Project would be considered a substantial source of GHG emissions.

As shown above, construction and operation of the Project would generate a total of approximately 18,176.56 $MTCO_2e$/yr, which would exceed the significance threshold of 3,000 $MTCO_2e$/yr; therefore, Project-related GHG emissions are considered potentially significant. The majority of the GHG emissions (83%) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these emissions.

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

Pursuant to 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the Project's consistency with the 2022 Scoping Plan, is discussed below. It should be noted that the Project's consistency with the 2022 Scoping Plan also satisfies consistency with AB 32 since

the 2022 Scoping Plan is based on the overall targets established by AB 32 and SB 32. Consistency with the 2008 and 2017 Scoping Plan is not necessary, since both of these plans have been superseded by the 2022 Scoping Plan.

A. 2022 CARB Scoping Plan Consistency

The Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Further, as previously stated, CARB recommends the use of a CAP to determine a project's impacts with respect to GHG and states that projects that are consistent with a CAP are presumed to be consistent with the 2022 Scoping Plan. As such, the Project would be consistent with the 2022 Scoping Plan.

B. Town of Apple Valley CAP Consistency

The Town of Apple Valley CAP includes several strategies aimed at helping the Town reduce GHG emissions consistent with State targets. As shown on Table 4.7-5, *Project CAP Consistency Reduction Measures*, the proposed Project would be consistent with the applicable CAP measures with incorporation of project design features and mitigation measures. However, although the Project would be consistent with the CAP, the Project would still exceed the 3,000 $MTCO_2e$/yr threshold. Therefore, impacts would be potentially significant.

Table 4.7-5 Project CAP Consistency Reduction Measures

CAP Reduction Measure	Consistency
ND-6: For projects within the North Apple Valley Industrial Specific Plan, develop employee housing within one mile of the industrial project.	Not Applicable: The Project is not within the North Apple Valley Industrial Specific Plan area, as such this measure is not applicable.

CAP Reduction Measure	Consistency
ND-12: Building and site plan designs shall ensure that the project energy efficiencies meet applicable California Title 24 Energy Efficiency Standards.	Consistent: The Project is consistent with Title 24 energy efficiency standards through multiple design and operational features. These include the use of Energy Star appliances, enhanced insulation (R-19), solar-ready construction with on-site generation, and energy-efficient lighting controls (Mitigation Measure MM 4.7-1). The Project also includes infrastructure and charging for EVs in accordance with CALGreen requirements.
ND-20: Install common area electric vehicle charging station(s) and secure bicycle racks.	Consistent: The Project would install EV charging station(s) and a secure bicycle rack.
CO-2: Establish and enforce idling time limits for delivery vehicles. Idling shall not be permitted for more than 5 minutes.	Consistent: The Project includes a series of anti-idling measures which aims to reduce emissions from vehicles. Specifically, Mitigation Measures MM 4.7-12 and MM 4.7-13 require strict enforcement of a three-minute idling limit for all on-site trucks, along with tenant lease provisions, signage at key access points, and training for site personnel.
CO-17: Increase recycling by 20%. Currently, recycling is mandatory for businesses that generate four cubic yards or more of commercial solid waste per week and for multifamily residential dwellings of five units or more (Senate Bill 1018).	Consistent: Mitigation Measures4.7-2 and MM 4.7-9 requires the provision of dedicated storage areas for recyclable and green waste, and food waste where a pick-up service is available. These facilities will ensure compliance with mandatory commercial recycling requirements. By incorporating infrastructure to support recycling and organic waste diversion, the Project contributes to reducing landfill-bound waste and supports the CAP's objective to increase recycling rates within the Town of Apple Valley.

Source: (UXR, 2025d, Table 3-7)

4.7.6 Cumulative Impact Analysis

Because no single project is large enough to result in a measurable increase in global concentrations of GHG emissions, climate change impacts of a project are considered on a cumulative basis consistent with the requirements outlined in CEQA Guidelines 15064(h)(3). As discussed, implementation of the Project would comply with the 2022 Scoping Plan and Town's CAP but would result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 MT CO_2e/yr. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG emissions impacts would be potentially significant.

4.7.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Impact. The Project would exceed the screening threshold of 3,000 $MTCO_2e$/yr. Therefore, impacts are significant.

Threshold b: Potentially Significant Impact. The Project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHG emissions. However, despite plan consistency, the Project would exceed the screening threshold of 3,000 $MTCO_2e$/yr, which would exceed the Town's significance threshold. Therefore, impacts are significant.

4.7.8 Mitigation

Mitigation

MM 4.7-1 The Project shall implement the following measure in order to reduce operational energy source GHG emissions to the extent feasible:

- Commit to on-site solar generation sufficient to meet at least 75% of the Project's total operational energy requirements from within the building envelope.
- Install Energy Star-rated heating, cooling, lighting, and appliances.
- Provide information on energy efficiency, energy-efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the Project.
- Structures shall be equipped with outdoor electric outlets in the front and rear of the structures to facilitate use of electrical lawn and garden equipment.

MM 4.7-2 In order to reduce the amount of waste disposed at landfills, the Project would implement a 75% waste diversion program. Prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following solid waste reduction measures:

- Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available.
- Evaluate the potential for onsite composting.

MM 4.7-3 To reduce water demands and associated energy use, subsequent development proposals within the Project site would be required to implement a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy). Prior to

the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following water conservation measures:

- Install low-water use appliances and fixtures.
- Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces.
- Implement water-sensitive urban design practices in new construction.
- Install rainwater collection systems where feasible

MM 4.7-4 The Project Applicant or successor in interest shall implement the following measures:

- The Project's landscape plan shall incorporate drought-tolerant plants and use water-efficient irrigation techniques.
- All appliance fixtures shall be Energy Star-rated.
- All fixtures installed in restrooms and employee break areas shall be U.S. Environmental Protection Agency (U.S. EPA) WaterSense certified or equivalent.

MM 4.7-5 As a condition of certificates of occupancy, all on-site cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be required to be powered by electricity.

MM 4.7-6 **Electrical Infrastructure for Electric Equipment and Vehicles.** The Project shall be designed to include electrical infrastructure to accommodate the required number of electric vehicle (EV) charging stations, the anticipated number charging stations for electric cargo handling equipment, and the potential installation of additional automobile and truck EV charging stations per Title 24, Part 11: California Green Building Standards Code (CALGreen). Electrical conduit shall be installed within reasonable locations (e.g., parking areas, at or near dock doors) at the time of building construction to satisfy this requirement. The Project's electrical rooms shall be of sufficient size to accommodate the upsizing of electrical equipment to accommodate potential future electrical loads.

MM 4.7-7 **EV Charging Stations.** Prior to issuance of a Certificate of Occupancy, Level 2 (or faster) EV charging stations shall be installed on-site for employees for the percentage of employee parking spaces commensurate with CALGreen requirements in effect at the time of building permit issuance plus additional charging stations equal to 5% of the total employee parking spaces in the building permit, whichever is greater.

MM 4.7-8 **Sustainable Energy, Waste, and Water Design Measures.** The Project Applicant or successor in interest shall implement the following measures:

- Structures shall be equipped with outdoor electric outlets in the front and rear of the structures to facilitate use of electrical lawn and garden equipment.
- Storage areas shall be provided for recyclables and green waste, as well as food waste storage if a pick-up service is available.
- The roof shall provide R-19 insulation to decrease overall energy consumption and increase occupant comfort.
- A timer system for lighting to ensure that lights shall be switched off during times of non-operation shall be installed on the Project site.

MM 4.7-9 **Design of Ingress/Egress Points.** Entry gates into the loading dock/truck court areas shall be sufficiently positioned to ensure that all truck and other vehicles are contained on site and inside the property line. Queuing, or circling of vehicles, on public streets immediately pre- or post-entry to the Project shall be strictly prohibited unless queuing occurs in a deceleration lane or right turn lane exclusively serving the Project site.

MM 4.7-10 **Measures to Reduce the Urban Heat Island Effect.** The following measures shall be implemented to reduce the urban heat island effect:

- The Project's roof structures shall be designed to include "cool roof" materials with a minimum aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of CALGreen, Table A5.106.11.2.3 for Tier 1 standards.
- Sufficient shade trees shall be provided throughout the Project site so that at least 30% of the automobile parking areas will be shaded within 15 years after Project construction is complete (excluding the truck courts where trees cannot be planted due to interference with truck maneuvering).

MM 4.7-11 **Truck Requirements and Restrictions.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are informed of the following operational responsibility:

- Only haul trucks meeting California Air Resources Board (CARB) model year 2010 (or newer) engine emission standards shall be used for the on-road transport of materials to and from the Project site. In addition, tenants shall be in, and monitor compliance with, all current air quality regulations for on-road trucks including

CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program, and the Statewide Truck and Bus Regulation. The building manager or their designee shall be responsible for enforcing these requirements.

MM 4.7-12 **Idling Time Restriction.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are informed of the following operational responsibility:

- Upon commencement of operations, the tenant/operator of the Project shall be required to restrict truck idling on site to a maximum of 3 minutes, subject to exceptions defined by the CARB's commercial vehicle idling requirements. The building manager or their designee shall be responsible for enforcing this requirement.

MM 4.7-13 **Anti-Idling Implementation Measures.** The following measures shall be implemented to reduce air pollutant emissions from idling:

- Signage. Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify the Project's three-minute idling restriction. At a minimum, each sign shall include: (1) instructions for truck drivers to shut off engines when not in use; (2) instructions for drivers of diesel trucks to restrict idling to no more than 3 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; (3) telephone numbers of the building facilities manager and CARB to report violations; and (4) that penalties apply for violations. Prior to the issuance of an occupancy permit, the Town of Apple Valley shall conduct a site inspection to ensure that the signs are in place.
- Efficient Load Management. The facility operator(s) shall be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Anti-Idling Training. Tenants and operators on the Project site shall ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved courses (such as the free, one-day Course #512).

MM 4.7-14 **Truck Routing Plan.** The Project Applicant or successor in interest shall establish and submit for approval to the Town of Apple Valley a Truck Routing Plan that provides for routes between the Project site and the State Highway System. The Truck

Routing Plan shall include measures, such as signage, pavement markings, and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The Truck Routing Plan shall make every effort to avoid passing sensitive receptors, to the greatest extent possible, unless otherwise superseded by an applicable truck routing ordinance adopted by the Town of Apple Valley. The tenant/operator of the Project shall be responsible for enforcement of the Truck Routing Plan. A revised plan shall be submitted to the Town of Apple Valley prior to a business license being issued by the Town of Apple Valley for any new tenant/operator of the Project site. The revised plan shall expand upon the original Truck Routing Plan and describe the operational characteristics of the use of the tenant/operator, including, but not limited to, hours of operations, types of items to be stored within the building, and whether any modifications to the Project's designated truck routes are necessary. The Town of Apple Valley shall have discretion to determine if changes to the Truck Routing Plan are necessary including any additional measures to alleviate truck routing and parking issues that may arise during the life of the Project. Signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.

MM 4.7-15 **Transportation Demand Management Plan.** For occupants with more than 250 employees, a Transportation Demand Management (TDM) program to reduce employee commute vehicle emissions shall be established, subject to review and approval by the Town of Apple Valley. The TDM plan shall apply to Project tenants through tenant leases. The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. Examples of trip reduction measures may include, but are not limited to:

- Transit passes
- Car-sharing programs
- Telecommuting and alternative work schedules
- Ride sharing programs

MM 4.7-16 **Yard Sweeping to Reduce Fugitive Dust.** The following measure shall be implemented during all ongoing business operations and shall be included as part of contractual lease agreement language to ensure that tenants and operators of the Project are informed of the following operational responsibility:

- Yard and parking area sweeping shall be periodically conducted to minimize dust generation from the Project site. The building manager or their designee shall be responsible for enforcing this requirement.

MM 4.7-17 **Provision of Information Regarding Programs to Reduce Emissions from Trucks.** Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the Town of Apple Valley demonstrating that occupants/tenants of the Project site have been provided informational documentation regarding:

- Funding opportunities that provide incentives for using cleaner than-required engines and equipment, such as the Carl Moyer Program and Voucher Incentive Program. The U.S. EPA SmartWay Program, which assists freight shippers, carriers, logistics companies, and other stakeholder partner with the U.S. EPA to measure, benchmark, and improve logistics operations and reduce air pollutant emissions from transport of cargo.

MM 4.7-18 **Fire Pump Requirements.** All diesel-fueled fire pump shall meet U.S. EPA-certified Tier 4 Interim emissions standards, at a minimum.

MM 4.7-19 The Project Applicant/Developer/Owner shall require tenants to use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are commercially available, as reasonably determined by the Lead Agency.

4.7.9 Significance of Impacts After Mitigation

Thresholds a and b: Significant and Unavoidable Impact. Mitigation Measures MM 4.7-1 through MM 4.7-19 would reduce operational emissions by reducing the Project's water and energy consumption with measures such as on-site solar generation, Energy Star-rated appliances, low-water use appliances and fixtures, and drought-tolerant plants, implementing solid waste reduction measures, using electrical cargo handling equipment, installing EV charging stations, reducing idling and queuing on public streets, reducing fugitive dust, and using use zero-emission light- and medium-duty trucks. While Mitigation Measures MM 4.7-1 through MM 4.7-19 are identified as part of the Project and are expected to contribute to reductions in operational emissions, the reductions associated with these measures are not easily quantified. Therefore, as a conservative measure, emission credits or reductions from the implementation of these measures are not presented. The predominance of the Project's operational-source emissions are generated by passenger cars and trucks accessing the Project. Neither the Project Applicant nor the Town have regulatory authority to control tailpipe emissions, and no feasible Mitigation Measures beyond the measures identified herein exist that would reduce Project operational-source GHG emissions to levels that are less-than-significant. Therefore, impacts would remain significant and unavoidable.

4.7.10 References

Intergovernmental Panel on Climate Change (IPCC), 2021. *Climate Change 2021 The Physical Science Basis*. August 6, 2021. Accessed on December 11, 2025. Available: https://www.ipcc.ch/report/sixth-assessment-report-working-group-i/.

Town of Apple Valley, 2021. *Town of Apple Valley Climate Action Plan 2019 Update*. May 2021. Accessed on March 3, 2025. Available: https://www.applevalley.org/home/showpublisheddocument/31233/637623641454430000

Urban Crossroads (UXR), 2025d. *Apple Valley 84 Greenhouse Gas Analysis*. November 3, 2025. *Technical Appendix G*.

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following analysis is based in part on information obtained from the following technical reports:

- Consolidated Consulting Group, LLC (CCG), 2022. *Phase I Environmental Site Assessment*. April 29, 2022. (*Technical Appendix H1*), which covered APNs 472-301-01, 472-211-01, -02, -09, -10, -11, -19, -20
- Advanced Environmental Concepts, Inc. (AEC), 2023. *Phase I Environmental Site Assessment*. February 8, 2023. (*Technical Appendix H2*), which covered APN 472-211-03
- AEC, 2024. *Phase I Environmental Site Assessment*. September 9, 2024. (*Technical Appendix H3*), which covered APNs 472-211-17, -18, and -21

Refer to Sections 4.8.10 and 7.0, *References*, for a complete list of reference sources.

4.8.1 Environmental Setting

For the purposes of this EIR, the term "recognized environmental concern (REC)" is defined as (1) the presence of hazardous substances or petroleum products in, on, or at the Project site due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the Project site due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the Project site under conditions that pose a material threat of a future release to the environment. The term "historical recognized environmental concern (HREC)" is defined as a previous release of hazardous substances or petroleum products affecting the Project site that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the Project site to any controls (for example, activity and use limitations or other property use limitations). A HREC is not a REC. The HREC designation requires the comparison of residual contamination concentrations, if any, to current regulatory standards. The term " controlled recognized environmental concern (CREC)" is defined as an REC affecting the Project site that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations). The term "de minimis conditions" is defined as a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a de minimis condition is not a REC nor a controlled recognized environmental condition.

For the purposes of this EIR, the term "toxic substance" is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

The term "hazardous material" is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness. Hazardous waste is defined in the California Code of Regulations, Title 22, § 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the EPA as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, §§ 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

A. Historical and Regulatory Review

Based on the review of historical documentation, the Project site has been undeveloped since at least 1932 (AEC, 2023; AEC, 2024). There are remnants of an apparent single-family residence are located on the southwest corner of the Project site. The structure was constructed before 1952; however, it is unclear when the structure was razed / abandoned. (CCG, 2022). No potential environmental concerns were identified in association with the current or former use of the site. The Project site was not identified in any regulatory database.

B. Site Reconnaissance

No potential environmental concerns were identified at the Project site during the onsite reconnaissance conducted as part of the Phase I ESA. Adjacent properties were also observed (from the Project site) and exhibited no obvious environmental concerns. (CCG, 2022; AEC, 2023; AEC, 2024)

C. Airport Hazards

The Project site is located approximately 3.2 miles northwest of the Apple Valley Airport. According to the Apple Valley Airport Comprehensive Airport Land Use Plan, the Project site is not within the Airport Influence Area or any Airport Overlay Districts (San Bernardino County, 1995).

D. Wildland Fire Hazards

According to the California Department of Forestry and Fire Protection (CalFire), the Project site is located within the limits of the Town of Apple Valley outside of the SRA and is not located within a VHFHSZ. The Project site is located in a Local Responsibility Area (LRA) within a Moderate Fire Hazard Severity Zone. (CalFire, 2025)

4.8.2 Regulatory Framework

A. Federal

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

2. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

3. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

B. State

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health

Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses.

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law.

3. California Code of Regulations (CCR), Titles 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated

community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22."

C. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley General Plan Hazardous and Toxic Materials Element identifies factors that need to be considered in order to provide protection to residents and visitors from potentially harmful hazardous and toxic materials within the Town. Such hazards may pose a threat to life and property, or may call for costly public improvements. The Hazardous and Toxic Materials Element characterizes hazards and presents methods to reduce or eliminate them by establishing policies and programs to ensure the utilization of appropriate management practices, as well as the effective and secure use, storage, and transport of hazardous and toxic substances in the community. Project-applicable goals and policies of the Hazardous and Toxic Materials Element and a discussion of the Project's consistency are presented in Table 4.10-2, *General Plan Consistency Analysis*, in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Emergency Operations Plan

The Town of Apple Valley has developed an Emergency Operations Plan (EOP) to incorporate and coordinate all the facilities and personnel of the Town into an efficient organization capable of responding to any emergency, including hazardous material incidents. The EOP is compliant with the California Standardized Emergency Management System (SEMS), which enables a multiple agency response to an incident, and the National Incident Response Management System (NIMS), which is intended to standardize agency response across federal, state, and local jurisdictions. (Town of Apple Valley, 2024)

3. Town of Apple Valley Local Hazard Mitigation Plan

The Town updated its Local Hazard Mitigation Plan (LHMP) in 2017 in an effort to identify hazards, determine their likely impacts, and set mitigation goals and strategies, to expedite the recovery from a disaster to normalcy and increase the Town's resiliency to disasters. The LHMP focused on six hazards that were determined to be most significant to the Town: wildfire, flood, earthquake, erosion, flooding, and climate change. The LHMP included a vulnerability assessment and identified mitigation goals and actions for each of the six hazards and those that apply to all hazards such as improving emergency services management capability through implementation of a public notification system and ensuring continual power supply at the Emergency Operations Center. (Town of Apple Valley, 2017)

4.8.3 Methodology

The analysis of potential hazards and hazardous materials-related impacts is based upon hazardous materials investigations prepared specifically for the Project site. The investigations included a site

reconnaissance, review of published reports, maps, and aerial photographs, and interviews with key personnel pursuant to American Society of Testing and Materials (ASTM) International E1527-13 and E1527-21. The analysis also included a review of the Town's General Plan, information sources from State and federal agencies, hazardous materials mapping, fire hazard mapping, and other resource databases.

4.8.4 Basis for Determining Significance

Section IX of Appendix G to the CEQA Guidelines addresses typical adverse effects due to hazards and hazardous materials, and includes the following threshold questions to evaluate the Project's impacts from hazards and hazardous materials:

a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;*

c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*

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

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

f. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;*

g. *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

4.8.5 Impact Analysis

Threshold a:	**Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
Threshold b:	**Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

A significant impact may occur if a project would involve the use or disposal of hazardous materials as part of its routine operations or would have the potential to generate toxic or otherwise hazardous emissions that could adversely affect sensitive receptors. The analysis below addresses the potential for hazardous materials effects associated with Project construction and operation.

A. On-Site Conditions

Based on a review of regulatory databases and a site reconnaissance, the Project site does not contain any hazards, nor is the Project site affected by any off-site hazards. No unusual or noxious odors, pools of liquid or potentially hazardous substances, hazardous materials storage structures, stained soil, aboveground storage tanks, pits, or ponds were observed. The Phase I ESA did not identify any environmental issues pertaining to past uses of the Project site during the course of the assessment (CCG, 2022; AEC, 2023; AEC, 2024). Therefore, past and existing uses do not represent a significant environmental concern for the Project site. As a result, implementation of the Project would result in less than significant impacts related to on-site conditions.

B. Temporary Construction-Related Activities

During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Handling of these materials is extensively regulated at the local, State and federal levels. The Project would be required to comply with all applicable regulations, including but not limited to the federal Hazardous Materials Transportation Act and California Hazardous Waste Control law. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations. On this basis, potential impacts due to routine transport, use, or disposal of hazardous materials during construction are considered less than significant.

C. Long-Term Operation

The Project could involve the use, temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels.

The precise materials that would be located onsite are not known, as the tenants of the Project are not yet defined. In the event that hazardous materials, other than those common materials described above, are associated with future warehouse operations, the business would be required

to prepare and submit a Hazards Materials Business Emergency Plan (HMBEP) in order to register the business as a hazardous materials handler. Such businesses are also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to San Bernardino County Fire Department (SBCFD) and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

Project operations would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, and disposal of hazardous substances including potential transport of refrigerants. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project are not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment. Impacts would be less than significant.

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

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest existing school is Phoenix Academy, located approximately 4.5 miles southeast of the Project site. Accordingly, the Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. As such, no impact would occur.

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

Government Code Section 65962.5 requires DTSC, the State Department of Health Services, State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. The Project site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5 (DTSC, n.d.). As such, no impact would occur.

Threshold 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?**

According to the Apple Valley Airport Comprehensive Airport Land Use Plan, the Project site is not within the Airport Influence Area or Airport Overlay Districts. The Project site is located

approximately 3.2 miles northwest of the Apple Valley Airport. Based on the preceding, the potential for the Project to result in a safety hazard or excessive noise for people residing or working in the Project area is considered less than significant.

Threshold f:	**Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The Project would include improvements to adjacent roadways for access onto the Project site. All proposed roadway improvements would be constructed in accordance with the Town's General Plan and Town's development standards. The Town's Local Hazard Mitigation Plan 2017 Update identifies Interstates as major emergency response and evacuation routes (Town of Apple Valley, 2017). The Project does not propose or require permanent alteration of vehicle circulation routes nor does the Project propose or require facilities or operations that would interfere with any identified emergency response or emergency evacuation plan. Construction of the Project would be generally confined to the Project site and would not physically impair access to the site or the Project area. In accordance with Town policies, coordination with the local fire and police departments during construction would ensure that potential interference with emergency response and evacuation efforts are avoided.

Under operational conditions, the Project would maintain adequate emergency access for emergency vehicles on-site. As part of the Town's discretionary review process, the Town has reviewed the Project's access driveways and circulation to ensure appropriate emergency ingress and egress would be available to Project site and determined that the Project would not substantially impede emergency response routes in the local area. The Project is not anticipated to interfere or impede with an adopted emergency response plan or emergency evacuation route during construction or operations. As such, impacts would be less than significant.

Threshold g:	**Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

According to CalFire, the Project site is located within the limits of the Town of Apple Valley outside of the SRA and is not located within a VHFHSZ. The Project site is located in a Local Responsibility Area (LRA) within a Moderate Fire Hazard Severity Zone. (CalFire, 2025)

Pre-construction coordination with the Apple Valley Fire Protection District and adherence to local fire regulations during construction and operation of the Project would be required. The Town and Apple Valley Fire Protection District would require that fire prevention/fire suppression measures are incorporated in the Project designs and that water delivery systems serving the Project site provide adequate fire flow. Creation and maintenance of firebreaks and fire-defensible spaces adjacent to building and roadways as required by the Town and Fire Protection District would further reduce the potential for exposure to wildland fires and the spread of wildland fires. The Town would also enforce weed abatement measures, minimizing potential fire fuel loads. Based on the preceding, the

potential for the Project to result in significant risk of loss, injury or death involving wildland fires is considered less than significant.

4.8.6 Cumulative Impact Analysis

The cumulative impact area when considering potential hazards and hazardous materials issues includes the area to be developed within the Project site, as well as off-site locations that might be affected by or contribute to hazards or hazardous conditions resulting from the Project and its operations. The cumulative hazards and hazardous materials impact analysis evaluates the effects of Project construction and operations and reflects long-term buildout conditions within the cumulative impact area.

As discussed previously, the Project does not propose uses or activities that would require substantial handling or use of hazardous materials, hazardous substances, or hazardous waste that could result in potential adverse effects. To the extent that such materials or substances may be present during Project construction or operations they will be transported, stored, used and disposed of consistent with multiple and broad regulatory requirements. No other hazards, such as aircraft hazards, emergency services issues, or wildfire hazards have been identified. Project impacts related to hazards and hazardous materials would be less than significant.

As with the Project, other related projects within the cumulative impact area would be required to comply with hazards/hazardous material regulatory requirements. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively impacts.

Based on compliance with established policies and regulations, the Project's potential contribution to hazards/hazardous materials cumulative impacts is not considerable, and the cumulative effects of the Project are less than significant.

4.8.7 Significance of Impacts Before Mitigation

Threshold a & b: Less than Significant Impact. No significant hazards due to existing conditions, Project construction, or Project operations have been identified.

Threshold c: No Impact. The Project site is not located within one-quarter mile of any existing or proposed school. No impact would occur in this regard.

Threshold d: No Impact. The Project site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.

Threshold e: Less than Significant Impact. The Project site is located approximately 3.2 miles northwest of the Apple Valley Airport. The potential for the Project to result in significant airport-related hazards is considered less than significant.

Threshold f: Less than Significant Impact. The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the Project propose or require facilities or operations that would interfere with any identified emergency response or emergency evacuation plan.

Threshold g: Less than Significant Impact. The Project site is located in a Local Responsibility Area (LRA) within a Moderate Fire Hazard Severity Zone. Additionally, pre-construction coordination with the Town and Fire Protection District would ensure appropriate fire prevention/fire suppression measures are incorporated into the Project. The potential for the Project to result in significant risk of loss, injury or death involving wildland fires is considered less than significant.

4.8.8 Mitigation

No mitigation is required.

4.8.9 Significance of Impacts After Mitigation

The Project would result in less than significant impacts related to hazards and hazardous materials; no mitigation is required.

4.8.10 References

Advanced Environmental Concepts, Inc. (AEC), 2023. *Phase I Environmental Site Assessment*. February 8, 2023. *Technical Appendix H2*

AEC, 2024. *Phase I Environmental Site Assessment*. September 9, 2024. *Technical Appendix H3*

California Department of Forestry and Fire Protection (CalFire), 2025. *Fire Hazard Severity Zone Viewer*. Effective April 1, 2024. Accessed on September 4, 2025. Available: https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/

California Department of Toxic Substances Control (DTSC), n.d. *EnviroStor*. No date. Accessed on March 3, 2025. Available: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=apple+valley

Consolidated Consulting Group, LLC (CCG), 2022. *Phase I Environmental Site Assessment*. April 29, 2022. *Technical Appendix H1*

San Bernardino County, 1995. *Town of Apple Valley Comprehensive Airport Land Use Compatibility Plan*. March 1995. Accessed on March 3, 2025. Available: https://lus.sbcounty.gov/wp-content/uploads/sites/48/Airports/AppleValley.pdf

Town of Apple Valley, 2017. Local Hazard Mitigation Plan. Accessed on March 3, 2025. Available: https://www.applevalley.org/home/showpublisheddocument/24623/636571391905830000

Town of Apple Valley. Emergency Operations Plan. Accessed on March 3, 2025. Available: https://www.applevalley.org/home/showpublisheddocument/34459/638555115049530000

4.9 HYDROLOGY AND WATER QUALITY

The following analysis is based in part on information obtained from the following technical reports:

- Huitt-Zollars, Inc., 2025a. *Preliminary Hydrology Report*. July 1, 2025. (*Technical Appendix I1*)
- Huitt-Zollars, Inc., 2025b. *Preliminary Water Quality Management Plan*. July 2, 2025. (*Technical Appendix I2*)
- Water Systems Consulting, Inc. (WSC), 2025. *Water Supply Assessment (WSA) for Apple Valley 84*. October, 2025. (*Technical Appendix I3*)

Refer to Sections 4.9.10 and 7.0, *References*, for a complete list of reference sources.

4.9.1 Environmental Setting

A. Regional Hydrology

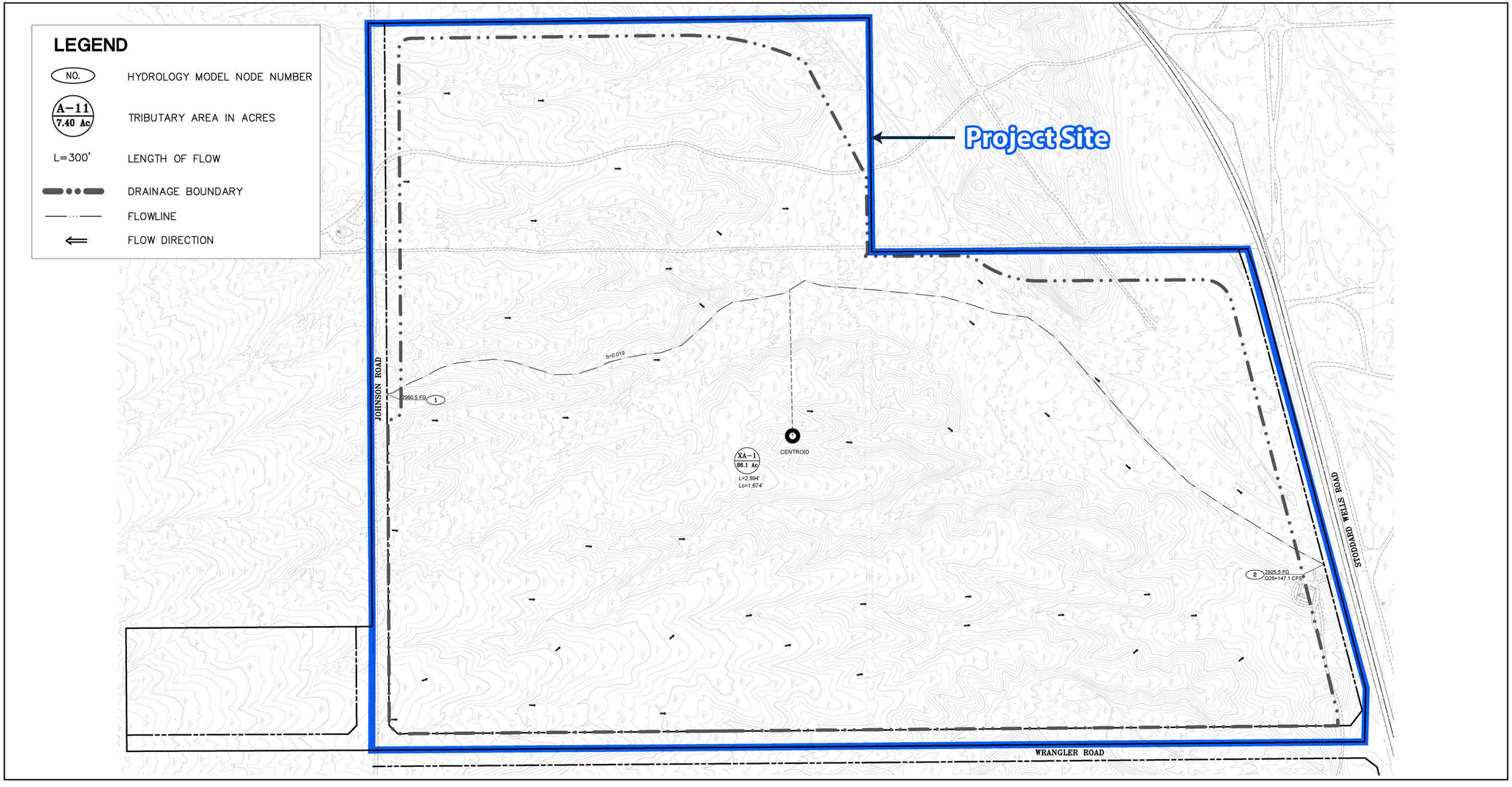
The Project site lies within the Mojave Region which is a hydrologically diverse area covering over 5,400 square miles in the California High Desert – part of the Mojave Desert, in San Bernardino County. The site lies within the Mojave River Watershed, which drains an approximate area of 3,800 square miles. The Mojave River is fed by rainfall and snow pack from the San Bernardino Mountains. The River is formed by the confluence of two smaller streams at the northern foot of the mountains, in the southern portion of the Mojave Region. From there, the River runs north and northeastward for about 100 miles, through the City of Victorville, City of Barstow, and eventually through Afton Canyon. (MWA, 2020)

B. Site Hydrology

Figure 4.9-1, *Existing Hydrology Conditions* presents the existing hydrology for the Project site. The existing site is vacant and undeveloped land located north of Stoddard Wells Road and east of Wrangler Road. The Project site slopes from north to south and the desert terrain has numerous significant undulations creating multiple paths for stormwater over the entire site. The highest elevation, located at the northwest corner is approximately 2990 feet MSL. The lowest site elevation, at the southwest corner is approximately 2921 feet MSL. All runoff is tributary to the Bell Mountain Wash on the south side of Stoddard Wells Road.(Huitt-Zollars, 2025a)

C. Flooding and Dam Inundation

The Federal Emergency Management Agency (FEMA) provides flood hazard and risk data products to help communicate flood risk and inform mitigation actions. According to FEMA's Flood Map Service Center, the Project site is located in Zone D, which is identified as an area with possible but undetermined flood hazards (FEMA, 2008).



Source(s): Huitt-Zollars (07-01-2025)

Figure 4.9-1

Not to Scale

Existing Hydrology Conditions

D. Water Quality

The Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act [CWA]) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards due to excessive concentrations of pollutants are placed on a list of impaired waters pursuant to Section 303(d) of the CWA. The Project site's receiving waters include the Bell Mountain Wash, Mojave River, Silver Lake, and Soda Lake. The Mojave River (Upper Narrows to Lower Narrows) is included on the CWA's Section 303(d) list of impaired waters for the following excessive concentrations: dissolved oxygen, fluoride, sulfates, total dissolved solids, manganese, and sodium. (Huitt-Zollars, 2025b)

E. Groundwater

The Project site is located within the Upper Mojave River Valley Groundwater Basin (California Department of Water Resources [DWR] Basin No. 6-042) as mapped by the DWR. The Basin is an adjudicated groundwater basin and is exempt from the requirements of developing a Groundwater Sustainability Plan (GSP) as it is designated as a very-low priority basin. Because the Project site is within an adjudicated area, it is not subject to the requirements of California's Sustainable Groundwater Management Act (SGMA), but instead is subject to groundwater pumping allocations under the court adjudication set up to mitigate long-term overdraft, to keep subareas in balance, and to meet biological resource mitigation obligations. (DWR, 2020)

F. Seiches and Tsunami Hazards

Seiches are standing waves oscillating in a body of water that are caused when strong winds and rapid changes in atmospheric pressure push water from one end of a water body to the other. When the wind stops, the water rebounds to the other side of the enclosed area. The water then continues to oscillate back and forth for hours or even days. In a similar fashion, earthquakes, tsunamis, or severe storm fronts may also cause seiches along ocean shelves and ocean harbors. (NOAA, n.d.)

Tsunamis are giant waves caused by earthquakes or volcanic eruptions under the sea. In the depths of the ocean, tsunami waves do not dramatically increase in height, but as the waves travel inland, they build up to higher and higher heights as the depth of the ocean decreases. (NOAA, n.d.)

In the vicinity of the Project site, there are no open reservoirs, lakes, or other large bodies of water. The Project site is located approximately 6.5 miles northeast of Spring Valley Lake, and approximately 78 miles northeast of the Pacific Ocean. The Project site is not susceptible to a seiche or tsunami conditions.

G. Water Supply

The Project site is located in the water supply service area of Liberty Utilities. Liberty Utilities is an investor-owned public utility, thus considered a Public Water System. Liberty Utilities provides water

service primarily within the Town of Apple Valley and unincorporated areas of San Bernardino County, California, and is bordered by the Mojave River and the cities of Victorville and Hesperia on the west and south. Liberty Utilities' water service area encompasses approximately 50 square miles and is located in the "High Desert" region of San Bernardino County. (WSC, 2025) As of 2020, Liberty Utilities provides approximately 21,000 municipal connections.

Groundwater is the only source of water supply for the Liberty Utilities' distribution system and the only source proposed for the Project. Liberty Utilities provides domestic water from potable supply wells within its service area and provides water for agricultural purposes from groundwater wells which are separate from Liberty Utilities' potable water system. (Liberty Utilities, 2021)

4.9.2 Regulatory Framework

A. Federal

1. Clean Water Act

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

2. Federal Flood Insurance Program

The U.S. Congress established the National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods. The Federal Insurance and Mitigation Administration (FIMA) within FEMA is responsible for administering the

NFIP and administering programs that provide assistance for mitigating future damages from natural hazards.

3. Federal Antidegradation Policy

The Federal Antidegradation Policy (40 CFR 131.12) requires states to develop and implement statewide antidegradation policies. Pursuant to the Code of Federal Regulations, state antidegradation policies and implementation methods must, at a minimum, (1) protect and maintain existing in-stream water uses; (2) protect and maintain existing water quality, where the quality of the waters exceeds levels necessary to support existing beneficial uses (unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area); and (3) protect and maintain water quality in waters considered an outstanding national resource.

B. State

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code § 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of the nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs)

for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans.

2. Other California Code Requirements

Water quality provisions are contained in numerous other California Code sections, including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies.

3. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. CDFW, through provisions of the Fish & Game Code (§§ 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the RWQCB, water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is

through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

4. California Toxics Rule (CTR)

The California Toxics Rule (CTR) fills gap in California's water quality standards necessary to protect human health and aquatic life beneficial uses. The CTR criteria are similar to those published in the National Recommended Water Quality Criteria. The CTR supplements, and does not change or supersede, the criteria that EPA promulgated for California waters in the National Toxics Rule (NTR). The human health NTR and CTR criteria that apply to drinking water sources (those water bodies designated in the Basin Plans as municipal and domestic supply) consider chemical exposure through consumption of both water and aquatic organisms (fish and shellfish) harvested from the water. For waters that are not drinking water sources (e.g., enclosed bays and estuaries), human health NTR and CTR criteria only consider the consumption of contaminated aquatic organisms. The CTR and NTR criteria, along with the beneficial use designations in the Basin Plans and the related implementation policies, are the directly applicable water quality standards for toxic priority pollutants in California waters.

5. Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts. The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups.

6. Sustainable Groundwater Management Act (SGMA)

The 2014 SGMA requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The DWR categorizes the priority of groundwater basins. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also

requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement GSPs or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability.

6. National Pollutant Discharge Elimination System Construction General Permit

Pursuant to Section 402(p) of the CWA, which requires regulations for permitting certain storm water discharges, the SWRCB has issued a statewide general NPDES Permit for storm water discharges from construction sites ([NPDES No. CAS000002] Water Quality Order 2022-0057-Division of Water Quality (DWQ). The SWRCB adopted the 2022 Construction Stormwater General Permit, Order 2022-0057-DWQ, on September 8, 2022, and it went into effect on September 1, 2023. Under this Construction General Permit, storm water discharges from construction sites with a disturbed area of one acre or more are required to either obtain individual NPDES permits for storm water discharges or to be covered by the Construction General Permit. Coverage under the Construction General Permit is accomplished by determining the risk level of the construction site and by preparing a Storm Water Pollution Prevention program (SWPPP) that includes a site evaluation and assessment, Best Management Practices (BMPs) to be implemented at the construction site, and an inspection program. The SWPPP should also outline the monitoring and sampling program to verify compliance with discharge Numeric Action Levels (NALs) according to the Risk Level for the site, as set by the Construction General Permit. The primary objective of the SWPPP is to ensure that the responsible party properly constructs, implements, and maintains BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site. Permit Registration Documents (SWPPP, Notice of Intent, and other documents), as well as annual reports, Notice of Terminations, and NAL exceedance reports, must be electronically submitted to the SWRCB and the permit fee mailed to the SWRCB for Construction General Permit coverage.

C. Regional

1. Mojave River Watershed Technical Guidance Document for WQMPs

The 2013 Phase II Small MS4 Permit, adopted by the SWRCB, and issued Statewide, requires all new development projects covered by this Order to incorporate low-impact development (LID) BMPs to the maximum extent practicable. In San Bernardino County, the Phase II MS4 Permit is applicable within the Mojave River Watershed. In addition, the Order also requires the development of a standard design and post-development BMP guidance for incorporation of site design/LID, source control, treatment control BMP (where feasible and applicable), and hydromodification mitigation measures to the maximum extent practicable to reduce the discharge of pollutants to receiving waters. The purpose of this technical guidance document for the Water Quality Management Plans is to provide direction to project proponents on the regulatory requirements applicable to a private or public development activity, from project conception to completion. This technical guidance document is intended to serve as a living document, which will be updated as needed to remain applicable beyond the current Phase II MS4 Permit term. Any non-substantive updates to the technical guiding document and WQMP template are provided in an annual report. Future

substantive updates shall be submitted to the Lahontan RWQCB for review and approval, prior to implementation. (San Bernardino County, 2016a)

2. Water Quality Control Plan for the Lahontan Region

The Lahontan RWQCB is responsible for the protection of the beneficial uses of waters within the Project area in San Bernardino County. The Lahontan RWQCB uses its planning, permitting, and enforcement authority to meet its responsibilities adopted in the Lahontan Basin Plan to implement plans, policies, and provisions for water quality management.

In accordance with State policy for water quality control, the RWQCB employs a range of beneficial use definitions for surface waters, groundwater basins, marshes, and mudflats that serve as the basis for establishing water quality objectives and discharge conditions and prohibitions. The Lahontan Basin Plan has identified existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction. Beneficial uses of waters within the Mojave River Watershed are addressed in the Mojave River Basin Plan Amendment of the Lahontan Basin Plan. (Lahontan RWQCB, 2021)

3. Mojave River Watershed Storm Water Management Program

The NPDES General Permit NO. CAS000004, Waste Discharge Requirements for stormwater discharges from Small MS4s, requires that Permittees develop a Storm Water Management Program (SWMP). The purpose of this SWMP is to keep the Mojave River clean to the maximum extent practicable using BMPs. These practices would reduce stormwater runoff and non-storm water runoff flowing to the river. BMPS would also serve to keep contaminations, including sediment, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons, pesticides, herbicides, and trash from entering the storm drain system. (San Bernardino County, 2003)

D. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley General Plan Water Resources Element addresses water sources, availability, current and future demand, conservation, water quality, and the future of the water resources serving the community. A discussion of local water purveyors and the importance of coordination between the purveyors and the Town is also included below. The topics covered by this element include regional and local water supplies, consumptive demand within the Town and Sphere-of Influence, and groundwater conservation and protection. Project-applicable goals and policies of the Water Resources Element and a discussion of the Project's consistency are discussed in Table 4.10-2, *General Plan Consistency Analysis*, in EIR Subsection 4.10, Land Use and Planning.

4.9.3 Methodology

Information from the Project's Preliminary Hydrology Report, Preliminary WQMP, the WSA, the Town of Apple Valley General Plan, and FEMA Flood Map Service Center were utilized in the analyses of the Project's potential impacts to hydrology and water quality. The Hydrologic analysis was performed per the San Bernardino County Flood Control District Hydrology Manual and the County's Basin Policy. The Project's preliminary WQMP was prepared in accordance with the requirements of the State of California Water Resources Control Board Order No. 2013-0001-DWQ.

4.9.4 Basis for Determining Significance

Section X of Appendix G to the CEQA Guidelines addresses typical adverse effects to hydrology and water quality, and includes the following threshold questions to evaluate the Project's impacts on hydrology and water quality:

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;*

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

c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which 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; or*

    iv. *Impede or redirect flood flows.*

d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.*

e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

4.9.5 Impact Analysis

Threshold a:	**Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

A. Construction-Related Water Quality Impacts

Construction-related activities have the potential to result in impacts to water quality. The grading and construction phases would require the disturbance of surface soils and removal of existing vegetation cover. During the construction period, grading activities would result in exposure of soil to storm runoff, potentially causing erosion and sedimentation in runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which could be conveyed to nearby storm drain facilities and/or receiving waters. Substances such as fuels, oil and grease, solvents, paints and other building construction materials, wash water, and dust control water could also enter storm runoff and be transported to nearby waterways. This could potentially degrade the quality of the receiving waters and potentially result in the impairment of downstream water sources.

Construction of the Project would disturb more than 1 acre and therefore would be subject to NPDES permit requirements. The Town of Apple Valley is a co-permittee under the San Bernardino County Municipal NPDES MS4 Phase II Stormwater permit. The NPDES MS4 Permit requires the Town to implement a Construction Site Stormwater Runoff Control Program in accordance with the regional SWMP) for the Mojave River Watershed. To comply with the regulatory requirements of the SWMP, the Town requires the implementation of an Erosion and Sediment Control Plan (ESCP), which would ensure that appropriate BMPs are implemented to prevent, to the maximum extent practicable, pollutants from leaving the site during all phases of construction. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. The intent of the BMPs is to slow stormwater runoff and allow sediment to fall out of the stormwater and be captured on site rather than drain into the receiving waters.

Mandatory compliance with the SWMP and ESCP would ensure that implementation of the Project would not result in a violation of any water quality standards or waste discharge requirements during construction activities. Therefore, short-term water quality impacts associated with temporary construction activities would be less than significant.

B. Post-Development Water Quality Impacts

The NPDES MS4 Phase II Stormwater Permit requires the Town to implement a Post-Construction Storm Water Management Program in accordance with the regional SWMP. This Program sets limits of pollutants being discharged into waterways and requires all new development to incorporate structural and non-structural BMPs to improve water quality. To meet the requirements of the SWMP, the Town requires the incorporation of LID features into new development and redevelopment projects, as specified in the Mojave River Watershed Technical Guidance Document

for Water Quality Management Plans. The Project Applicant would be required to implement the WQMP to demonstrate compliance with the Town's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. As identified within the Project-specific WQMP (*Technical Appendix I2)*, the Project has been designed to include onsite structural-source control BMPs, as well as operational-source controls.

Structural-source control BMPs include, but are not limited to, storm drain system stenciling and signage, efficient irrigation system and landscape design, and slope protection. Non-structural source control BMPS include, but are not limited to, litter/debris control program, employee training, catch basin inspection program and vacuum sweeping of private streets and parking lots.

As shown on Figure 4.9-2, *WQMP Site Plan,* the Project's drainage system would consist of one (1) drainage management area. The Project would be designed to closely replicate the existing drainage patterns to minimize downstream impacts. Runoff would be collected by multiple catch basins located throughout the Project site and directed to an on-site underground infiltration system located in the southern section of the property. The underground infiltration system would be sized to accommodate the Design Capture Volume and provide peak storm detention (100-year storm event). Prior to entering the infiltration system, stormwater would pass through hydrodynamic separator units (e.g., Contech CDS or approved equivalent) for pre-treatment, ensuring removal of debris and pollutants.

Once the system reaches its maximum storage capacity, excess runoff would overflow through two proposed 36-inch on-site storm drains and discharge into a new 60-inch public storm drain along Wrangler Road. From there, the overflow would be conveyed downstream to the Bell Mountain Wash, Mojave River, then to Silver Lake, and ultimately to Soda Lake.

By complying with the NPDES permit and WQMP requirements, the Project would ensure effective control of and would not provide substantial additional sources of polluted runoff to receiving waters.

Mandatory compliance with regulatory requirements for the protection of water quality would ensure that the Project does not violate any water quality standards or waste discharge requirements during operation. Therefore, water quality and waste discharge impacts associated with operation of the Project would be less than significant.


WRANGLER ROAD
WRANGLER ROADD
STODDARD WELLS ROAD
JOHNSON ROAD
PROPOSED BUILDING
PROPOSED BUILDING
DA 1
DMA A
DA 1
DMA A
PROP. 42" RCP STORM DRAIN
PROP. 24" RCP STORM DRAIN
PROP. 18" RCP STORM DRAIN
PROP. 36" RCP STORM DRAIN
PROP. 30" RCP STORM DRAIN
PROP. 24" RCP STORM DRAIN
PROP. 18

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

A. Groundwater Recharge

The Project site is underlain by the Upper Mojave River Valley Groundwater Basin. Groundwater, which may be consumed by the Project, and the service area as a whole, would be recharged pursuant to Liberty Utilities' policies and programs. The Project site is not a designated groundwater recharge area. The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas. Based on the preceding, the potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin is considered less than significant.

B. Groundwater Supply

Water is provided to the Project area by Liberty Utilities, which relies solely on groundwater obtained from 20 active wells in the Mojave Basin Area. Liberty Utilities only pumps the amount of water necessary to serve the demand. To estimate the water demand for the Project, recent consumption data for industrial users within Liberty Utilities' service area was reviewed and compared with other published industrial factors for other water suppliers. Liberty Utilities provided three years of consumption data for two existing industrial customers for evaluation. According to the Project's WSA (*Technical Appendix I3)*, the projected operational water demand for the Project is 104 acre-feet per year (AFY). The Project's water demand was compared to the Liberty Utilities' existing and projected demand for industrial uses presented in the 2020 UWMP. Liberty Utilities may pump groundwater above its free production allowance (FPA) to meet demands (and purchase replacement water assessment (RWA) for any groundwater pumped above the FPA). Therefore, it is expected that Liberty Utilities can serve the additional demand projected by the Project with existing supply sources. According to the Liberty Utilities Urban Water Management Plan and the 2021-2022 Watermaster Report and the Project's WSA, Liberty Utilities can meet its water demands (including the Project) during normal years, single dry years, and multiple dry years over the next 20 years (WSC, 2025). Therefore, the Project would not substantially decrease groundwater supplies and would not impede sustainable groundwater management of the basin and impacts associated with groundwater supplies would be less than significant.

Threshold c:	**Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impeded or redirect flood flows?**

The Project incorporates necessary drainage and stormwater management systems, and would comply with stormwater system design, construction, and operational requirements mandated under the Town Municipal Code, and with regulations established by other agencies, including the Lahontan RWQCB and California Department of Water Resources.

The Project would implement a storm drain system that will collect and detain stormwater runoff. The Project has been designed to reduce the impacts of additional runoff that would be generated by the Project. Final design, configuration, and locations of proposed drainage system improvements will be reviewed and approved by the Town prior to, or concurrent with, the application for grading permits. A complete description of the proposed drainage system for the site is presented in previous EIR Section 3.0, *Project Description*.

A. Erosion or Siltation On- or Off-Site

Although the Project would alter the subject property's drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site. Under post-development conditions, a majority of the site would be covered with impervious surfaces and, therefore, the amount of exposed soils on the Project site would be minimized. Also, as discussed under Threshold a, the Project would construct an integrated storm drain system on-site with BMPs to minimize the amount of water-borne pollutants carried from the Project site. The system would include catch basins and an underground infiltration basin to retain and infiltrate water onsite and address the Hydromodification Performance Criteria required for the proposed Project in accordance with MS4 Phase II Storm Water permit requirements. Adherence to water quality control requirements consistent with MS4 Phase II Storm Water permit would ensure that the proposed changes to drainage patterns would result in less than significant impacts related to erosion or siltation in runoff on- or off-site.

B. Runoff and Flooding On- or Off-Site

The Project's proposed grading, earthwork activities, and the addition of impervious surfaces on the Project site would alter the site's existing interior drainage characteristics. The purpose of the Project's Preliminary Hydrology Report (*Technical Appendix I1* to this EIR) is to determine the post-development peak flow rate for the 100-year storm event and to determine the sizing of the on-site

underground infiltration system under proposed conditions to ensure stormwater is released below the existing 25-year flow rate.

All proposed drainage and storm drain facilities would be appropriately sized for the 100-year storm event. The design of these facilities would ensure that none of these storm events has a higher peak discharge in the post-development condition than in the predevelopment condition. Therefore, the proposed storm drainage system would ensure that the Project would not result in a substantial increase in rate or amount of runoff that would result in on- or off-site flooding or exceed existing or planned stormwater systems.

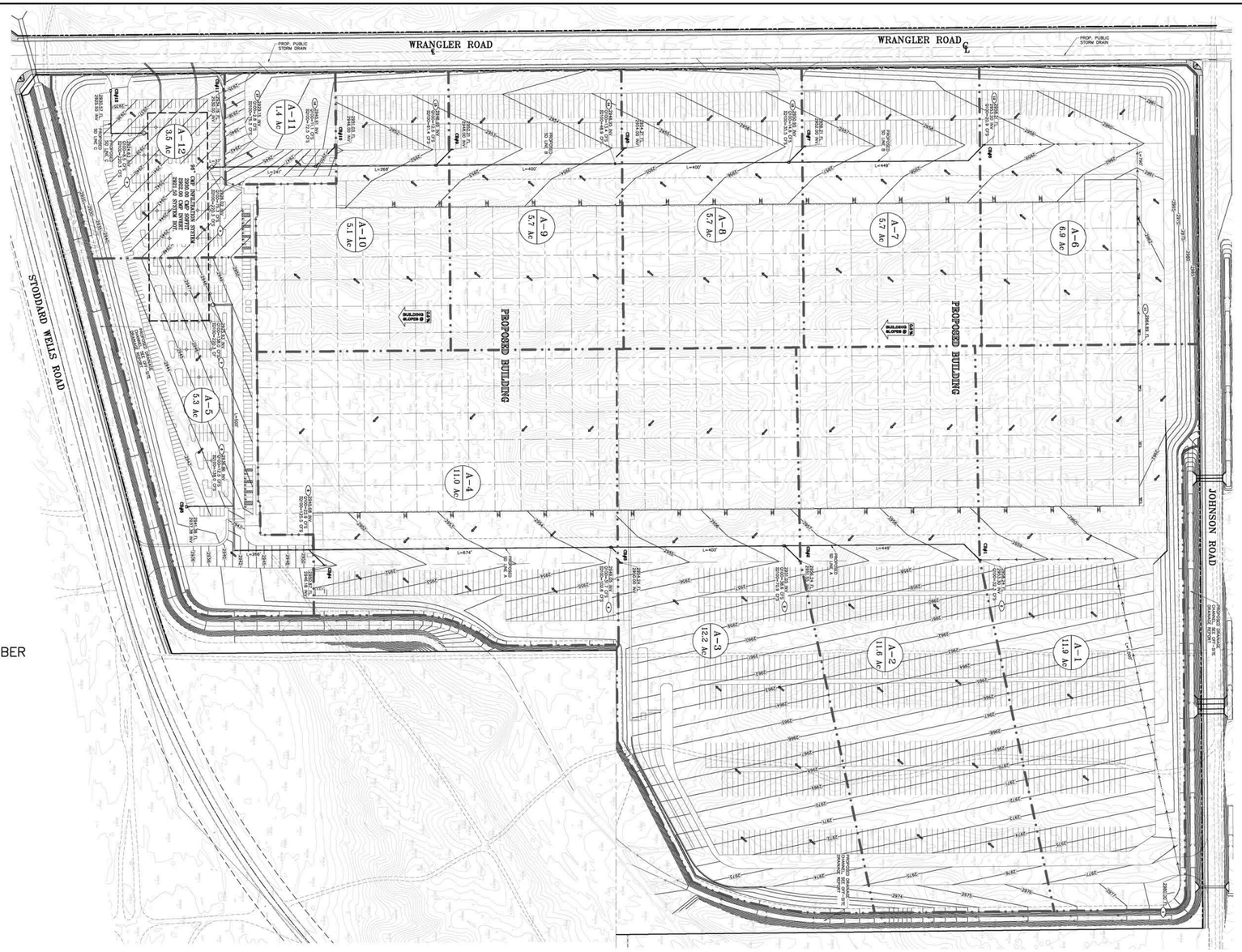
An off-site drainage study has been prepared to address the off-site run-on and includes sizing calculations for the proposed culverts along Johnson Road and the proposed drainage channels along the north, east, and south perimeter of the property. The culverts and drainage channels would divert existing flows around and through the Project site without the untreated runoff coming onto the proposed development.

C. Storm Drain Systems and Polluted Runoff

As shown on Figure 4.9-3, *Proposed Hydrology Conditions*, the underground infiltration system would be designed to accommodate the treatment of the design capture volume and provide peak storm detention. The proposed drainage system would be designed to convey runoff in compliance with the Town of Apple Valley and the County of San Bernardino WQMP and SWMP requirements. In addition, the Project would incorporate LID features, including on-site infiltration/retention and detention basins and ongoing maintenance requirements to ensure continued successful operation.

Based on the existing and proposed hydrology analyses, the underground infiltration system has been sized for water quality treatment and to mitigate outflow below the existing 25-year storm condition. The maximum allowable flow rate into the proposed public storm drain on Wrangler Road is 90% of the existing 25-year flow rate, which is 147 cubic feet per second (cfs). In the proposed condition, through Basin Routing Analysis, the peak 100-year discharge flow is 93 cfs. Therefore, the total peak discharge flow is less than 90% of the existing 25-year flow rate.

As a result, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts associated with stormwater drainage systems capacity and polluted runoff sources would be less than significant.



LEGEND

NO.	HYDROLOGY MODEL NODE NUMBER
A-11 7.40 Ac	TRIBUTARY AREA IN ACRES
L=300'	LENGTH OF FLOW
	PROPOSED STORM DRAIN
	DRAINAGE BOUNDARY
	FLOWLINE
	FLOW DIRECTION

Source(s): Huitt-Zollars (07-01-2025)

Figure 4.9-3

Not to Scale

Proposed Hydrology Conditions

D. Flood Flows

According to FEMA's Flood Map Service Center, the Project site is located in Zone D, which is identified as an area with possible but undetermined flood hazards (FEMA, 2008). Although onsite drainage patterns would be altered as a result of Project development, the Project would maintain adequate stormwater conveyance and would not result in an increase of surface runoff that would result in flooding on- or off-site associated with the 100-year storm event. Therefore, impacts associated with impeding or redirecting flood flows would be less than significant.

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

The Project site is not located within an identified flood hazard, tsunami, or seiche zone. The site is located approximately 78 miles inland; as such, tsunamis are not a concern at the site. The nearest large body of surface water (Spring Valley Lake) is approximately 6.5 miles southwest of the Project site. At this distance, seiches are not a concern. As shown on Exhibit III-12 of the Town's General Plan, the Project site is not located within an identified 100- or 500-year flood zone. As illustrated in the Town's General Plan Exhibit III-13, the Project site is not located in or near any identified dam inundation area. As such, the potential for the Project to risk release of pollutants due to Project inundation is considered less than significant.

Threshold e: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Project site is located within the Mojave River Basin; Project-related construction and operational activities would be required to comply with the Water Quality Control Plan for the Lahontan Region. Consistent with MS4 Permit requirements, the Applicant would be required to develop and implement a construction SWPPP acting to reduce and control potential erosion, siltation, and discharge of pollutants during Project construction. Project operations would comply with the Project's mandated Town-approved WQMP to minimize storm water pollutants of concern and document implementation of required BMPs. By complying with the NPDES permit and WQMP requirements, the Project would not conflict with a water quality control plan. Impacts would be less than significant.

With respect to groundwater management, Liberty Utilities would be supplying water to the Project site and sources its water from groundwater in the Alto Subarea of the Upper Mojave River Valley Groundwater Basin. The WSA prepared for the proposed Project which relied in part on the 2020 UWMP for Apple Valley, determined that demand of the Project can be met in normal, single year dry, and multiple dry year scenarios (*Technical Appendix I3*). Further, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge and would not conflict with or obstruct a sustainable groundwater management plan. Therefore, impacts associated with sustainable groundwater management plans would be less than significant.

4.9.6 Cumulative Impact Analysis

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional RWQCB.

Development of the Project site would incrementally increase impervious surfaces within the cumulative impact area, with related potential increases in the rate and quantity of local stormwater discharges. As presented within the preceding discussions, no significant impacts have been identified. The Project would implement stormwater management components, and structural and non-structural BMPs, which collectively act to ensure that post-development stormwater discharge rates are adequately conveyed within available system capacities.

The Project drainage concept would implement drainage systems and detention areas to accept developed stormwater discharges. The Project drainage and stormwater management systems would be required to comply with all stormwater system design, construction, and operational requirements mandated under the Town Municipal Code. The Project drainage and stormwater management systems would also be required to comply with regulations established by other jurisdictional agencies including Lahontan RWQCB, San Bernardino County, and California Department of Water Resources. Additionally, consistent with established building code regulations, approved site-specific drainage studies reflecting precise pad locations, proposed drainage structures, detention facilities, etc., would be required prior to the issuance of building permits within the Project site.

Stormwater management systems implemented by the Project, mandated compliance with Town, Lahontan RWQCB, County, and State stormwater management requirements and policies, collectively ensure that adequate stormwater conveyance and treatment facilities would be provided to support development and operations of the Project.

In summary, the contribution to cumulative hydrology/water quality impacts is not considerable, and the cumulative effects of the Project are determined to be less than significant.

4.9.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. Through compliance with the NPDES permit and implementation of the SWMP, ECSP, and WQMP would ensure that construction and operation of the Project would not violate any water quality standards or waste discharge requirements, or conflict with implementation of a water quality control plan.

Threshold b: Less than Significant Impact. Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project would not involve substructures or other intrusions at depths that would significantly impair or alter the direction or rate of flow of groundwater. The Project site is not a designated groundwater recharge area, nor does

the Project propose or require facilities or operations that would otherwise adversely affect designated recharge areas.

Threshold c: Less than Significant Impact. Implementation of the Project's SWPPP, on-site stormwater management system and associated WQMP, and compliance with NPDES Permit requirements, act to protect local and regional water quality by preventing or minimizing potential stormwater pollutant discharges to the watershed. Additionally, the Project drainage concept would implement drainage systems and detention areas to accept developed stormwater discharges and reduce peak flow runoff below existing levels.

Threshold d: Less than Significant Impact. The Project site would not be subject to inundation from flood hazards, tsunamis, or seiches.

Threshold e: Less than Significant Impact. Compliance with the NPDES permit and WQMP requirements would ensure the Project would not conflict with a water quality control plan. Additionally, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge and would not conflict with or obstruct a sustainable groundwater management plan. Impacts would be less than significant.

4.9.8 Mitigation

No mitigation is required.

4.9.9 Significance of Impacts After Mitigation

Impacts would be less than significant and no mitigation is required.

4.9.10 References

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4.10 LAND USE AND PLANNING

The following analysis is based in part on information obtained from the Town of Apple Valley General Plan, Town of Apple Valley Municipal Code, and SCAG's 2024-2050 Connect SoCal. Refer to Sections 4.10.10 and 7.0, *References*, for a complete list of reference sources.

4.10.1 Environmental Setting

A. Project site

The Project is primarily bounded by Johnson Road to the north, Stoddard Wells Road to the south, and vacant land to the east and west. The Project site is comprised of 12 parcels that total approximately 92.73 gross acres in size (APNs: 0472-211-01, -02, -03, -09, -10, -11, 17, -18, -19, -20, -21, and 0472-301-01).

Under existing conditions, the Project site is wholly vacant and undeveloped. The concrete foundation of a removed structure is located on the southerly part of the site, approximately 75 feet north of Stoddard Wells Road. Properties located to the north, east, and west are vacant and undeveloped. There is an existing commercial/residential property located south of the site on APN 0472-212-08, south of the Project site.

B. Surrounding Land Uses

Adjacent properties to the north, east, and west consist of vacant and undeveloped land. The property located to the south consists of a commercial/residential use and vacant and undeveloped land. The area surrounding the Project site is zoned for industrial overlay (I-N), regional commercial (C-R), office professional (O-P), estate residential (R-E) uses. Refer to Table 2-1, *Surrounding Land Uses*, for a discussion of the surrounding General Plan Land Use and Zoning Designations.

C. General Plan Land Use Designation

The Town General Plan Land Use Map (as amended in 2022) designates the Project site as Office Professional (O-P). The O-P land use designation allows for professional offices and is intended to act as a buffer between General Commercial and residential land uses. This designation encourages high quality professional services with only ancillary retail commercial components. There is no minimum size for project sites in this designation, but assemblage of smaller parcels is encouraged. (Town of Apple Valley, 2009)

D. Zoning

The existing zoning for the Project site is Office Professional (O-P). According to the Town's Municipal Code Section 9.35.020 – Commercial and Office Districts, the Office Professional (O-P) district is intended as a buffer to general commercial uses and is primarily for the development of professional and administrative offices and ancillary retail uses. Setbacks, landscaping and architectural requirements designed to make such uses sensitive to surrounding land uses, especially residential

uses, are required, consistent with the Office Professional (O-P) land use designation of the General Plan. A maximum floor area ratio (FAR) of 1.0 is permitted in the O-P District.

4.10.2 Regulatory Framework

A. State

1. California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, §§ 65000 - 66499.58. Under State of California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

B. Regional

1. SCAG Regional Transportation Plan and Sustainable Communities Strategy

SCAG is the regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a COG, a RTPA, and a MPO. The Project site is within SCAG's regional authority. In April 2024, SCAG adopted the 2024-2050 RTP/SCS; also referred to herein as "Connect SoCal" with goals to: 1) build and maintain an integrated multimodal transportation network; 2) develop, connect and sustain communities that are livable and thriving; 3) create a healthy region for the people of today and tomorrow; and 4) support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP.

Connect SoCal includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region. Connect SoCal also provides objectives for meeting emissions reduction targets set forth by CARB; these objectives were provided in a direct response to SB 375 which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. Connect SoCal is updated periodically to allow for the consideration and inclusion of new transportation strategies and methods.

C. Local

1. Town of Apple Valley General Plan

State law requires that general plans address seven topics (referred to as "Elements") of land use, circulation (mobility), housing, open space, safety, and noise (California Government Code Section 65302). A General Plan may also include other topics of local interest, as chosen by the local jurisdiction (California government Code Section 65303). On August 11, 2009, the Town Council adopted the 2009 General Plan and certified the Environmental Impact Report. The Town of Apple Valley General Plan is organized into five chapters and 19 elements that include the following:

- Introduction
- Community Development
    - Land Use Element
    - Circulation Element
    - Parks and Recreation Element
    - Housing Element
- Environmental Resources
    - Water Resources Element
    - Open Space and Conservation Element
    - Biological Resources Element
    - Archaeological and Historic Resources Element
    - Air Quality Element
    - Energy and Mineral Resources Element
- Environmental Hazards
    - Geotechnical Element
    - Flooding and Hydrology Element
    - Noise Element
    - Hazardous and Toxic Materials Element
- Public Services and Facilities
    - Water, Wastewater and Utilities Element
    - Public Building and Facilities Element
    - Schools and Libraries Element
    - Police and Fire Protection Element
    - Emergency Preparedness Element

Information presented in the Town of Apple Valley General Plan chapters relevant to the Project are discussed in Table 4.10-2, *General Plan Consistency Analysis* below.

2. Town of Apple Valley Development Code

Title 9 – Development Code of the Town of Apple Valley Municipal Code implements the goals and objectives of the General Plan by regulating the location and use of structures and land through various zoning designations. It is intended to assure orderly and beneficial development, reduce

hazards resulting from the inappropriate location or use of improvements, and maintain the Town's distinctive character. The Zoning Map assigns zoning designations to all parcels in the Town. It is consistent with the General Plan and directly corresponds to General Plan land use designations.

4.10.3 Methodology

This analysis discusses potential land use impacts of the Project by focusing on consistency with SCAG's 2024-2050 RTP/SCS (Connect SoCal), the Town of Apple Valley General Plan, and the Town of Apple Valley Municipal Code.

4.10.4 Basis for Determining Significance

Section XI of Appendix G to the CEQA Guidelines addresses typical adverse effects to land use and planning resources, and includes the following threshold questions to evaluate the Project's impacts on land use and planning resources:

a. *Physically divide an established community;*

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

4.10.5 Impact Analysis

Threshold a:	**Would the Project physically divide an established community?**

Under existing conditions, the Project site is vacant and undeveloped. The area surrounding the Project site is zoned for industrial overlay (I-N), regional commercial (C-R), office professional (O-P), estate residential (R-E) uses. Surrounding properties to the north, east, and west consist of vacant and undeveloped land. The property located to the south consists of a commercial/residential use, approximately 280 feet south of the Project site, and vacant and undeveloped land. No housing exists within the Project site. No residents would be displaced by the Project, nor would the physical arrangement of any neighboring residential communities be modified or divided by the Project. Therefore, implementation of the Project would not physically divide an established community. No impacts would occur.

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

The Project's consistency with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect is discussed below. This section includes an analysis of consistency with SCAG's Connect SoCal, the Town of Apple Valley General Plan, and the Town's Development Code.

1. Connect SoCal

SCAG's Connect SoCal goals are meant to provide guidance for municipalities throughout the SCAG jurisdictional area within the context of regional goals and policies. On April 4, 2024, SCAG's Regional Council adopted the 2024-2050 Connect SoCal. Table 4.10-1, *SCAG 2024-2050 Connect SoCal Consistency Analysis* provides an analysis of Project consistency with applicable policies with the 2024-2050 Connect SoCal. As shown, the Project would not conflict with any applicable 2024-2050 Connect SoCal policies. (SCAG, 2024a)

Table 4.10-1 SCAG 2024-2050 Connect SoCal Consistency Analysis

2024-2050 RTP/SCS Regional Planning Policies	Project Consistency
Mobility	
Complete Streets	
03. Pursue the development of Complete Streets that comprise a safe, multimodal network with flexible use of public rights-of-way for people of all ages and abilities using a variety of modes (e.g., people walking, biking, rolling, driving, taking transit).	**No Conflict.** The Project would be responsible for fair share costs towards the transportation improvements detailed in Section 6.0 of the Traffic Analysis. The Project is also subject to the Town's Development Impact Fee (DIF) program, thus contributing to a safe, multimodal network. Additionally, as discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project would widen Wrangler Road and Stoddard Wells Road to their ultimate sections and construct Johnson Road along the Project frontage. Sidewalks would also be constructed along the Project's frontage at Stoddard Wells Road, Johnson Road, and Wrangler Road to facilitate pedestrian connections.
05. Facilitate the implementation of Complete Streets and curb space management strategies that accommodate and optimize new technologies, micromobility devices and first/last mile connections to transit and last-mile delivery.	**No Conflict.** The Project Applicant would be required to pay DIF, and fair share fees; and the Project would include roadways improvements consistent with Town Requirements to accommodate site access and maintain acceptable peak hour operations. Additionally, the Project proposes to develop a Class A industrial building in the Town of Apple Valley in close proximity to the State highway system such as Interstate and State Route 18. Due to the Project site's proximity to State highway systems, development of the site with the Project would facilitate first/last mile delivery for the movement of goods.
Communities	
Priority Development Areas	
34. Seek to realize scale economies or a critical mass of jobs and destinations in areas across the region that can support non- single occupant vehicle	**No Conflict.** The Project would increase employment opportunities in the Inland Empire area, reducing the need for members of the local

2024-2050 RTP/SCS Regional Planning Policies	Project Consistency
(SOV) options and shorter trip distances, combined trips and reduced vehicle miles traveled.	workforce to commute outside the area for employment. Additionally, the Project would establish development intensities that could support future transit in the local area.
Environment	
Sustainable Development	
48. Promote sustainable development and best practices that enhance resource conservation, reduce resource consumption and promote resilience.	**No Conflict.** As discussed in Section 4.5, *Energy*, of the Draft EIR, the Project would be designed and constructed in accordance with the Town's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. The Project would also provide parking and EV infrastructure that would further promote fuel-efficient vehicles. Compliance with applicable federal and State regulations and requirements, including the provisions of the Title 24 Building Energy Standards, would reduce the Project's resource consumption and help promote sustainable development.
Air Quality	
51. Reduce hazardous air pollutants and greenhouse gas emissions and improve air quality throughout the region through planning and implementation efforts.	**No Conflict.** An Air Quality Impact Analysis, Health Risk Assessment, and GHG Analysis (*Technical Appendices B1, B2, G*) have been conducted to assess the Project's impacts related to air quality and greenhouse gas emissions. As discussed in Section 4.2, *Air Quality*, of the Draft EIR, operation of the Project would not result in an exceedance of applicable MDAQMD regional thresholds for all emissions, or cause a significant human health or cancer risk to nearby land uses as a result of Project construction and operational activity. Implementation of Mitigation Measure MM 4.2-1 would ensure construction-related VOC emissions are reduced to less than significant levels. As discussed in Section 4.7, *Greenhouse Gas Emissions*, of the Draft EIR, Mitigation Measures (MM 4.7-1 to MM 4.7-19) have been proposed to reduce greenhouse gas emissions to the extent feasible.

2. Town of Apple Valley General Plan

The Town of Apple Valley General Plan designated the Project site as Office Professional (O-P). The proposed General Plan Amendment would amend the Town's General Plan Land Use Map to modify the land use designation for the Project site from O-P to Regional Commercial (C-R) with I-N

Industrial Overlay. Although the Project would result in a change to the General Plan land use designations for the Project site, these changes would not result in a conflict with applicable plans, polices, or regulations adopted for the purpose of avoiding or reducing an environmental effect, as demonstrated in the analysis below. Accordingly, a less-than-significant environmental impact would result from the Project.

Table 4.10-2, *General Plan Consistency Analysis*, provides an analysis of the Project's consistency with all applicable General Plan goals and policies that were adopted for the purpose of avoiding or mitigating an environmental effect. As shown, the Project would not conflict with any applicable General Plan goals or policies. Accordingly, the Project would have a less than significant impact.

Table 4.10-2 General Plan Consistency Analysis

General Plan Policy	Project Consistency
Land Use Element	
Goal 1: The Town shall respect its desert environment	
Policy 1.A: The Town will require low water use through drought tolerant and native desert plants for landscaping.	**No Conflict.** As shown in Figure 3-7, *Proposed Landscape Plan*, the Project landscape plan incorporates drought tolerant species, as well as California native species of trees and plants, including the Blue Palo Verde, Sugar Bush, Allen Chickering Sage, and Dwarf Coyote Bush.
Policy 1.B: New development shall be designed to minimize grading, and avoid mass grading to the greatest extent possible.	**No Conflict.** As depicted on Figure 3-8, *Conceptual Grading, Utility, and Drainage Plan*, grading activities on site would require approximately 738,987 cubic yards (CY) of cut and approximately 744,043 CY of fill, requiring approximately 5,056 CY of soil import. Project development would adhere to the Town's grading standards. The Project's final grading plan would be subject to review and approval by the Town prior to the issuance of a grading permit.
Goal 2: A well planned, orderly development pattern that enhances community values, and assures development of adequate infrastructure.	
Policy 2.B: All new development and redevelopment proposals shall be required to install all required infrastructure, including roadways and utilities, and shall have complied with requirements for public services prior to occupancy of the project.	**No Conflict.** As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project includes the installation of all infrastructure necessary to support the proposed land use. Roadways improvements would be constructed along the Project's frontage to facilities vehicular travel. The Project would connect to existing utility infrastructures along Project roadways. The Town's review of Project Plans would ensure compliance with all Town's or affected purveyor requirements.
Policy 2.C: The Town shall require quality design in all development and redevelopment proposals and	**No Conflict.** As shown in Table 4.1-2, *Zoning Development Standards Consistency Analysis*, the

General Plan Policy	Project Consistency
shall encourage the enhancement of existing development.	Project has been designed consistent with the Town's Development Code pertaining to architecture, landscaping, lighting, walls and fences, and signage.
Goal 3: Minimal impact to existing neighborhoods.	
Policy 3.A: The Town will support measures that buffer both new and established residences from commercial, industrial and agricultural uses.	**No Conflict.** The Project site is located in an area anticipated for urban uses. The nearest residence is located approximately 388 feet south of the Project site. The Project would include fencing and landscaping along the perimeter of the site, acting as a buffer between onsite uses and the surrounding environment.
Goal 7: Industrial development which supports a broad-based economy, and encourages the jobs-housing balance.	
Policy 7.A: Industrial development shall be permitted only in areas with provisions for adequate circulation, utilities, infrastructure and public services.	**No Conflict.** The Project site is located in an area anticipated for urban uses. As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project would include connections to existing utility infrastructure along Project roadways. As discussed in Section 4.15, *Utilities and Service Systems,* of the Draft EIR, there is adequate capacity in the existing infrastructure systems to serve the Project. Moreover, as discussed in Section 4.12, *Public Services*, of the Draft EIR, there is adequate capacity from fire protection and police protection services to serve the Project. Additionally, the Project would construct roadway improvements necessary to serve the proposed uses and would improve emergency access to the Project site and surrounding areas.
Circulation Element	
Goal 1: Mobility - The Town shall continue to maintain and expand a safe and efficient transportation system that serves the mobility needs of a dynamic and prosperous Apple Valley	
Policy 1.A. Develop and maintain a roadway network consistent with the Town's Circulation Map that meets Apple Valley's needs and responds to new development.	**No Conflict.** All roadway improvements constructed as part of the Project would be implemented consistent with Town standards. As discussed in Section 3.0, *Project Description*, the Project would widen Wrangler Road (88 feet for Secondary Roadways) and Stoddard Wells Road (128 feet for Major Divided Arterial) to their ultimate sections and construct Johnson Road along the Project frontage. The Project would construct a total of four (4) driveways, one on the northeast along Johnson Road, two on the southwest along Wrangler Road, and one on the southeast along Stoddard

General Plan Policy	Project Consistency
	Wells Road. The Project would also install a traffic signal at the intersection of Stoddard Wells Road and Wrangler Road.
Policy 1.B. Ensure the efficient movement of traffic.	**No Conflict**. As detailed in the Traffic Analysis (*Technical Appendix K1*) prepared for the Project, fair share fee contributions would be assessed of the Project toward the improvement of area roadways. All roadway improvements constructed as part of the Project would be implemented consistent with Town standards.
Goal 2: Safety - The Town shall provide a safe, accessible, and equitable transportation system that serves the mobility needs of all users.	
Policy 2.A. Complete Streets. Require that new roadways include provisions for complete streets consistent with Assembly Bill 1358.	**No Conflict.** As shown in Figure 3-4, *Site Plan*, the Project would construct curb, gutter, and sidewalk improvements along Stoddard Wells Road, Johnson Road, and Wrangler Road.
Goal 3: Sustainability – Foster improved traffic flow and air quality by encouraging the use of non-motorized transportation, alternative fuel vehicles, and multi-occupant vehicles.	
Policy 3.B: Reduce Greenhouse Gas Emissions. Provide a transportation network that adapts to and encourages innovations for reducing greenhouse gas emissions.	**No Conflict.** Implementation of the Mitigation Measure MM 4.13-1 would reduce a portion of the Project's VMT impact as it promotes transit and alternative transportation, use of alternatively fueled vehicles, and practices to reduce vehicle trips. Additionally, implementation of Mitigation Measures MM 4.7-1 through MM 4.7-19 would reduce operational GHG emissions by reducing the Project's water and energy consumption with measures such as on-site solar generation, Energy Star-rated appliances, low-water use appliances and fixtures, and drought-tolerant plants, implementing solid waste reduction measures, using electrical cargo handling equipment, installing EV charging stations, reducing idling and queuing on public streets, reducing fugitive dust, and using use zero-emission light- and medium-duty trucks.
Goal 4: Goods Movement - Provide for the safe and efficient movement of goods through the Town that maximizes economic benefits and minimizes negative impacts	
Policy 4.A. Freight Planning. Provide the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses.	**No Conflict.** As detailed in Chapter 12.36 Truck Routes of the Town Municipal Code, Stoddard Wells Road, from I-15 to the northern Town boundary is designated at a local truck route. The Project would utilize Stoddard Wells Road which provides for the effective transport of goods.

General Plan Policy	Project Consistency
Policy 4.B. Sustainable Freight. Support the safe and sustainable movement of trucks.	**No Conflict.** The Project would comply with Chapter 12.36 Truck Routes of the Town Municipal Code which prohibits trucks from being operated or driven on any restricted streets. The Project would utilize Stoddard Wells Road which supports the safe and sustainable movement of trucks.
Water Resources Element	
Goal: A dependable supply of safe, high-quality domestic water to meet the needs of all segments of the community.	
Policy 1.A: The Town shall coordinate land development and assure a balance of development and water supply that ensures the long-term maintenance of an adequate supply of water, and its continued high quality.	**No Conflict.** As discussed in Section 4.15, *Utilities and Service Systems*, of the Draft EIR, the Project's Water Supply Assessment (WSA; *Technical Appendix I3*) concluded that there is adequate water supply to serve the Project.
Policy 1.B: To ensure that overall and per capita water demand from new development is reduced, the Town shall continue to require the use of drought-tolerant, low water consuming landscaping, intelligent irrigation controllers, and other water-conserving strategies and technologies in irrigated areas.	**No Conflict.** The Project would comply with Chapter 9.75 Water Conservation/Landscaping Regulations of the Town's Municipal Code which provides water conservation and landscape development standards to ensure water efficiency. As discussed above, the Project would include the use of drought-tolerant landscaping.
Policy 1.D: To the greatest extent practicable, the Town shall direct new development to provide irrigation systems that are able to utilize reclaimed water, when available, for use in common area and streetscape landscaping.	
Policy 1.E: To the greatest extent practicable, the Town shall continue to require new development to connect to the community sewer system. Where sewer service is not available and lots are created of less than one (1) acre in size, the Town shall require the installation of "dry sewers" and the payment of connection fees for future sewer main extensions.	**No Conflict.** As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project proposes 6-inch laterals from the southwestern corners of the building to the existing 8-inch sewer main on Wrangler Road.
Policy 1.F: Consistent with community design standards and local and regional drainage plans, the Town shall provide development standards and guidelines for the construction of on-site storm water retention facilities.	**No Conflict.** The Project's proposed drainage system would be reviewed by Town staff to ensure compliance with the Town's development standards for construction of onsite storm water retention facilities.
Policy 1.H: The Town shall confer with appropriate water agencies and purveyors, as necessary, to assure adequate review and mitigation of potential impacts of proposed development on local water resources.	**No Conflict.** As discussed in Section 4.15, *Utilities and Service Systems*, the Project's WSA examined the availability of water supply under normal-year, single-dry-year, and multiple-dry-year conditions over a 20-year projection. The WSA concluded that water supply exists to adequately serve the Project.

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	Additionally, Liberty Utilities has provided a Conditional Will Serve Letter.
Open Space & Conservation Element	
Goal 2: The Town shall encourage the preservation of significant native trees, native vegetation, landforms and wildlife habitat.	
Policy 2.A: The Town shall seek to reduce soil erosion caused by wind and water.	**No Conflict.** The Project site would be required to comply with the NPDES permit by preparing and implementing a SWPPP specifying BMPs for minimizing pollution of stormwater with soil and sediment during Project construction. Additionally, the Project would be required to comply with Mojave Desert Air Quality Management District Rules 402 and 403, which would reduce construction erosion impacts.
Policy 2.B: The Town will only allow types and patterns of development that will minimize destruction of, or damage to, significant biotic resources, such as wildlife corridors along the Mojave River.	**No Conflict.** The Project site is not located within an area identified as a special survey area in Exhibit III-6 of the General Plan. Additionally, as discussed in Section 4.3, *Biological Resources*, of the Draft EIR, the Project would incorporate mitigation measures to minimize potential impacts to significant biotic resources.
Policy 2.C: The Town will encourage the planting and preservation of native species of trees and plants to enhance the environment.	**No Conflict.** As shown in Figure 3-7, *Proposed Landscape Plan*, the Project landscape plan incorporates drought tolerant species, as well as California native species of trees and plants, including the Blue Palo Verde, Sugar Bush, Allen Chickering Sage, and Dwarf Coyote Bush.
Goal 3: The Town will encourage and support the preservation of historic and cultural resources.	
Policy 3.B: The Town will require that archaeological, cultural, and historical resources are preserved or salvaged if threatened by new development	**No Conflict.** As discussed in Section 4.4, *Cultural Resources,* and Section 4.14, *Tribal Cultural Resources*, of the Draft EIR, the Project would incorporate mitigation measures (MM 4.4-1 to MM 4.4-3 and MM 4.14-1) to preserve and properly treat archaeological, cultural and/or historical resources.
Biological Resources Element	
Goal 1: Establish a pattern of community development that supports a functional, productive, and balanced relationship between the manmade environment and the natural environment.	
Policy 1.B: The Town shall promote the use of native vegetation for landscaping to enhance and create viable habitat for local species.	**No Conflict.** As shown in Figure 3-7, *Proposed Landscape Plan*, the Project landscape plan incorporates drought tolerant species, as well as California native species of trees and plants, including the Blue Palo Verde, Sugar Bush, Allen Chickering Sage, and Dwarf Coyote Bush.

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Goal 2: The Town shall work with local, state, and regional agencies to protect, preserve, and manage biological resources, especially threatened, endangered, and sensitive plants and wildlife species and their habitats.	
Policy 2.A: The Town shall coordinate with CDFG and USFWS when working on projects that are proposed to be located within or adjacent to linkage areas or special survey areas.	**No Conflict.** The Project site is not located within an area identified as a special survey area in Exhibit III-6 of the General Plan. Additionally, the Project would not impact a migratory wildlife linkage or corridor.
Policy 2.B: The Town shall support and cooperate with other agencies in establishing multiple use corridors that link open space areas through drainage channels and utility easements, thereby encouraging the connectivity of natural communities.	
Policy 2.D: The Town shall work with CDFG and USFWS to ensure that state and federal protections required by the Migratory Bird Treaty Act addressed during the planning process.	**No Conflict.** The Project includes Mitigation Measure 4.3-7 which requires, consistent with the Migratory Bird Treaty Act, that any necessary vegetation clearing should take place outside of the typical avian nesting season for protected species (February 1 through August 31). If work needs to take place during the nesting season for protected avian species, a pre-activity clearance survey for nesting birds should be completed prior to the onset of ground disturbance. An activity exclusion buffer zone around occupied nests shall be maintained during physical ground disturbing undertakings.
Policy 2.E: The Town shall work with CDFG, RWQCB and ACOE to ensure that state and federal jurisdictional areas are properly identified.	**No Conflict.** As discussed in Section 4.3, *Biological Resources*, of the Draft EIR, there are no federal jurisdictional areas located within the Project site. Mitigation Measure MM 4.3-6 would ensure that the Project complies with California Fish and Game Code Section 1600 and California Water Code Section 13260 to mitigate impacts to 2.17 acres of non-riparian ephemeral streambeds to less than significant.
Archaeological and Historic Resources Element	
Goal: That all elements of the Town's cultural heritage, including archaeological and historic sites, artifacts, traditions and other elements, shall be professionally documented, maintained, preserved, conserved and enhanced.	
Policy 1.A: Early in the planning process, the Town shall implement its obligation to identify, document and assess archaeological, historical and cultural resources that proposed development projects and other activities may affect.	**No Conflict.** A cultural resources assessment has been prepared for the Project to identify, document, and assess archaeological and historical resources. Refer to Section 4.4, *Cultural Resources,* and Section 4.14, *Tribal Cultural Resources*, of the Draft EIR.
Air Quality Element	

General Plan Policy	Project Consistency
Goal: To preserve and enhance local and regional air quality	
Policy 1.D: All proposals for development activities within the Town shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.	**No Conflict.** An Air Quality Impact Analysis, Health Risk Assessment, and GHG Analysis (*Technical Appendices B1, B2, G*) have been conducted to assess the Project's impacts related to air quality and greenhouse gas emissions. As discussed in Section 4.2, *Air Quality*, of the Draft EIR, operation of the Project would not result in an exceedance of applicable MDAQMD regional thresholds for all emissions, or cause a significant human health or cancer risk to nearby land uses as a result of Project construction and operational activity. Implementation of Mitigation Measure MM 4.2-1 would ensure construction-related VOC emissions are reduced to less than significant levels. As discussed in Section 4.7, *Greenhouse Gas Emissions*, of the Draft EIR, Mitigation Measures (MM 4.7-1 to MM 4.7-19) have been proposed to reduce greenhouse gas emissions to the extent feasible.
Policy 1.G: Future residential, commercial, and industrial development and remodeling projects, shall strive to exceed Title 24 standards by 15% and/or achieve LEED certification or similar performance standards for buildings.	**No Conflict.** The Project would be constructed to meet all Title 24 standards, and would strive to exceed these standards as feasible.
Policy 1.H: Residential, commercial, and industrial projects that reduce VMTs by providing alternative transportation options, home office and live/work spaces, and/or promote employees living close to work are preferred.	**No Conflict.** The Project would increase employment opportunities in the area that will reduce the need for members of the local workforce to commute outside the area for employment. Mitigation Measure MM 4.13-1 has been incorporated to reduce VMT to the extent feasible.
Policy 1.J. The Town shall promote the use of solar and alternative energies and give priority to projects that include the use of solar cells and other alternative energy sources in their designs.	**No Conflict.** The Project includes solar energy in its design. As discussed in Section 4.7, *Greenhouse Gas Emissions*, of the Draft EIR, the Project would commit to on-site solar generation sufficient to meet at least 75% of the Project's total operational energy requirements from within the building envelope (see Mitigation Measure MM 4.7-1).
Energy and Mineral Resources Element	
Goal: Assure the long-term availability and affordability of energy and mineral resources through conservative consumption, efficient use and environmentally sensitive management practices.	
Policy 1.A: The community and all economic sectors shall be urged to conserve energy, with particular focus on the inclusion of energy saving	**No Conflict.** As discussed in Section 4.5, *Energy*, of the Draft EIR, the Project would be designed and constructed in accordance with the Town's latest adopted energy efficiency standards, which are

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measures in transport systems, and in the planning and construction of urban uses.	based on the California Title 24 energy efficiency standards, and CALGreen standards. The Project would also provide parking and EV infrastructure that would further promote fuel-efficient vehicles.
Policy 1.B: Promote building design and construction that integrates alternative energy systems, including but not limited to solar, thermal, photovoltaics and other clean energy systems.	**No Conflict.** The Project would integrate alternative energy systems by utilizing solar energy to meet a portion of the Project energy demands. As discussed in Section 4.7, *Greenhouse Gas Emissions*, of the Draft EIR, the Project would commit to on-site solar generation sufficient to meet at least 75% of the Project's total operational energy requirements from within the building envelope (see Mitigation Measure MM 4.7-1).
Geotechnical Element	
Goal: The protection and safety of human life, land, and property from the effects of seismic and geotechnical hazards shall be increased.	
Policy 1.B: In areas identified as being susceptible to slope instability, development shall be avoided unless adequately engineered to eliminate geotechnical hazards.	**No Conflict.** As shown in Exhibit III-8, Slope Distribution, of the General Plan EIR, the Project site is not located in an area identified as being susceptible to slope instability. The Project site and surrounding area are generally flat with no significant slopes.
Policy 1.C: The Town shall require that future development avoid disturbing unique rock outcroppings within the Town boundary and Sphere of Influence.	**No Conflict.** There are no rock outcroppings located within or adjacent to the Project site. The Project would not disturb unique rock outcroppings.
Policy 1.E: In areas identified as being susceptible to rockfall, landslide, liquefaction and/or other associated hazards as depicted in the General Plan EIR, development shall be required to prepare detailed technical analysis, which shall include mitigation measures intended to reduce potential hazards below levels of significance.	**No Conflict.** As shown in Exhibit III-11, Seismic Related Hazards, of the General Plan EIR, the Project site is not located in an area identified as being susceptible to rockfall, landslide, or liquefaction. According to the site-specific Geotechnical Investigation (*Technical Appendix F1*), the site is not subject to significant geological hazards. Additionally, the Project would be developed consistent with all CBC and Geotechnical Investigation standards and recommendations, precluding significant impacts.
Policy 1.F: Development in areas susceptible to collapsible or expansive soils as shown in soils mapping in the General Plan EIR shall be required to conduct soil sampling and laboratory testing and to implement mitigation measures that reduce potential hazards below levels of significance.	**No Conflict.** According to the site-specific Geotechnical Investigation (*Technical Appendix F1*), on-site soils have been classified as very low to non-expansive. Therefore, the Investigation determined that no design considerations related to expansive soils are considered warranted for the Project site. Additionally, the Project would be developed consistent with all CBC and Geotechnical

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	Investigation standards and recommendations, precluding significant impacts.
Flood and Hydrology Element	
Goal: Protect lives and property from flooding hazards through a comprehensive system of flood control facilities throughout the Town.	
Policy 1.D: All new development within the Town shall be required to incorporate adequate flood mitigation measures, including the adequate siting of structures located within flood plains, grading that prevents adverse drainage impacts to adjacent properties, and on-site retention of runoff.	**No Conflict.** The Project site is not located within a flood plain as shown on the Town's General Plan, Exhibit IV-4. As discussed in Section 4.9, *Hydrology and Water Quality*, of the Draft EIR, the Project's storm drain system would be sized and designed in accordance with the area's master drainage plan to ensure that offsite flows that are conveyed through the Project site and flows originating offsite are discharged from the site at a volume and rate that can be accommodated by existing and planned downstream storm drain facilities. The Project would be designed to ensure that peak flood volumes and flows would not exceed that of the designed capacity of the existing storm drain system.
Noise Element	
Goal: Noise levels that are consistent with the Town's rural character and high quality of life.	
Policy 1.B: New development projects shall assure that exterior noise levels in back yards and/or useable open space do not exceed 65 dBA CNEL, and that interior noise levels are consistent with the requirements of the Building Code.	**No Conflict.** As discussed in Section 4.11, *Noise*, of the Draft EIR, the daytime hourly noise levels at the off-site receiver locations are expected to range from 35.6 to 47.1 dBA L_{eq} and the nighttime hourly noise levels at the existing off-site receiver locations are expected to range from 35.5 to 47.0 dBA $L_{eq.}$ Therefore, Project operational noise levels would not exceed exterior noise level standards at nearby noise-sensitive receiver locations. Additionally, off-site traffic noise level increases would not exceed the incremental noise level thresholds at the study area roadway segments. Therefore, operational noise impacts would be less than significant,
Policy 1.D: The development review and environmental review process shall require all development proposals within the noise impact area of U.S. I-15, State Route 18, the High Desert Corridor or the railroads to mitigate both noise and vibration to acceptable levels through the preparation of focused studies.	**No Conflict.** A Noise Impact Analysis (*Technical Appendix J)* has been conducted to evaluate the Project's noise impacts and offsite traffic noise impacts. As discussed in Section 4.11, *Noise*, of the Draft EIR, the Project's noise impacts are less than significant.
Hazardous & Toxic Materials Element	
Goal: Ensure that the environment and all residents, workers, and visitors are protected from exposure to hazardous materials and wastes.	

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Policy 1.A: The Town shall cooperate with regulators and encourage the enforcement of laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify such materials, and notify the appropriate county, state and/or federal agencies as required by law.	**No Conflict.** As discussed in Section 4.8, *Hazards and Hazardous Materials*, of the Draft EIR, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Neither the Project site, nor adjacent properties contain potentially hazardous or toxic materials. Any business that operates at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit an HMBEP to the SBCFD in order to register the business as a hazardous materials handler.
Policy 1.D: The Town shall require all business that use, store, or produce hazardous material to comply with the County's Business Plan.	
Policy 1.F: The Town shall thoroughly evaluate development proposals for lands directly adjacent to sites known to be contaminated with hazardous or toxic materials, or sites that use or contain potentially hazardous or toxic materials.	
Policy 1.J: Land use designations that may involve the production, storage, transportation, handling, or disposal of hazardous materials will be located at a safe distance from land uses that may be adversely impacted by such activities.	
Water, Wastewater and Utilities Element	
Goal: The provision of a range of water, wastewater and other utility services and facilities that is comprehensive and adequate to meets the Town's near and long-term needs in a cost-effective manner.	
Policy 1.B: The Town shall continue to require sewer connection where feasible at the time that a lot is developed, or when service becomes available.	**No Conflict.** As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project proposes 6-inch laterals from the southwestern corners of the building to the existing 8-inch sewer main on Wrangler Road.
Policy 1.G: To the greatest extent feasible, the Town shall encourage commercial and industrial establishments to minimize the amount of packaging and potential waste associated with product manufacturing and sales.	**No Conflict.** As discussed in Section 4.15, *Utilities and Service Systems*, of the Draft EIR, the Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Act of 1991) and other applicable Federal, State, and local solid waste disposal standards.
Police and Fire Protection Element	
Goal: The highest possible level of services and quality for fire and police protection to ensure the preservation and protection of the health, welfare and property for all types of development and socio-economic segments of the community.	
Policy 1.A: The Town shall review all new development proposals, as well as significant remodeling projects to determine potential impacts to public safety and the provision of police and fire protection services.	**No Conflict.** The Project would be subject to review by the Town, Apple Valley Fire Protection District, and the Apple Valley Police Department to ensure appropriate safety requirements are met. Additionally, the Project is subject to payment of

General Plan Policy	Project Consistency
	Development Impact Fees to ensure adequate provision of services and maintenance of facilities.
Policy 1.B: All proposed development shall be designed to provide unencumbered access for police, fire, and paramedic vehicles, to the satisfaction of the Sheriff's Department and the Fire Marshal.	**No Conflict.** The Project would be subject to review by the Town, Apple Valley Fire Protection District, and the Apple Valley Police Department to ensure appropriate provisions for emergency access are maintained.
Policy 1.E: The Town shall utilize the process of reviewing development and building plans, and of conducting building inspections, to strictly enforce fire standards and regulations.	**No Conflict.** The Project would be subject to review by the Town and the Apple Valley Fire Protection District to ensure appropriate fire standards and regulations are met.
Policy 1.F: The use and storage of potentially hazardous materials shall be regulated by the Town, County Department of Environmental Health, Apple Valley Fire Protection District and other appropriate agencies	**No Conflict.** As discussed in Section 4.8, *Hazards and Hazardous Materials*, of the Draft EIR, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Any business that operates at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit an HMBEP to the SBCFD in order to register the business as a hazardous materials handler.
Policy 1.J: New and substantially remodeled development shall incorporate crime prevention design techniques, including the use of "defensible space," high security hardware, optimal site planning and building orientation, and other design approaches to enhance security.	**No Conflict.** The Project site plan and proposed building designs would be reviewed by the Apple Valley Police Department to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting.

3. Town of Apple Valley Development Code

The Town's Development Code is contained within Title 9 of the Town's Municipal Code and establishes specific standards for the use and development of all properties within the Town by regulating land uses, development intensity, including limits on building setbacks, landscaping standards, and building heights. The Project Applicant proposes a Zone Change and Development Code Amendment to rezone the Project site as Regional Commercial (C-R) with I-N Industrial Overlay and amend the existing C-R e-commerce fulfillment and distribution center overlay boundaries to include the Project site. The Town's approval of and implementation of the Zone Change and Development Code Amendment would ensure that the Project would not conflict with the Town's zoning regulations. Therefore, the Project would not introduce an incompatible land use in the Town. Impacts related to consistency with the zoning ordinance would be less than significant.

4.10.6 Cumulative Impact Analysis

The Project would not conflict with applicable General Plan Goals and Policies adopted for the purpose of avoiding or mitigating an environmental effect. The Town comprehensively updates and amends General Plan and Zoning documents to reflect cumulative land use changes within the impact area. Regional agencies employ development-specific information and General Plan/Zoning information provided by the Town in developing regional plans and growth projections. In combination, these actions ensure that potential cumulative effects of evolving land use plans are appropriately addressed at local and regional levels.

Based on the preceding discussions, the Project's contributions to potential cumulative land use and planning impacts are not considerable, and the cumulative effects of the Project would be less than significant. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively significant impacts. Other development projects within the cumulative impact area would also be required to comply with requirements of necessary land use and planning discretionary actions and permits, acting to preclude or minimize potential land use and planning impacts.

4.10.7 Significance of Impacts Before Mitigation

Threshold a: No Impact. No residents would be displaced by the Project, nor would the physical arrangement of any neighboring residential communities be modified or divided by the Project.

Threshold b: Less than Significant Impact. Implementation of the Project would not conflict with Connect SoCal, the Town of Apple Valley General Plan, or the Town Development Code. The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

4.10.8 Mitigation

No mitigation is required.

4.10.9 Significance of Impacts After Mitigation

Impacts would be less than significant, and mitigation is not required.

4.10.10 References

Southern California Association of Governments (SCAG), 2024a. *2024-2050 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS)*. Accessed on December 10, 2025. Retrieved from https://scag.ca.gov/connect-socal

Town of Apple Valley, 2009. *Town of Apple Valley General Plan*. Adopted August 11, 2009.

Town of Apple Valley. 2025a. General Plan Circulation Element Update. Adopted October 2025

Town of Apple Valley, 2025b. *Town of Apple Valley Municipal Code*. Version: January 28, 2025. Accessed on February 10, 2025. Available: https://library.municode.com/ca/apple_valley/codes/code_of_ordinances?nodeId=15357

4.11 NOISE

The following analysis is based in part on information obtained from the following technical reports:

- Urban Crossroads (UXR), 2025e. *Apple Valley 84 Noise and Vibration Analysis*. December 10, 2025. (*Technical Appendix J*)

Refer to Sections 4.11.11 and 7.0, *References*, for a complete list of reference sources.

4.11.1 Acoustic Fundamentals

A. Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm, or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear.

B. Range of Noise

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 1,000 feet, which can cause serious discomfort.

C. Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used metric is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the “average” noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level, is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq} sound levels

in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when noise can become more intrusive. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The Town of Apple Valley relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources.

D. Noise Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding.

1. Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

2. Ground Absorption Noise

The propagation path of noise from a highway to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source.

3. Atmospheric Effects

Receivers located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects.

4. Shielding

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an "out of sight, out of mind" effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby residents. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of-sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The Federal Highway Administration (FHWA) does not consider the planting of vegetation to be a noise abatement measure.

E. Noise Barrier Attenuation

Effective noise barriers can reduce noise levels by 10 to 15 dBA, cutting the loudness of traffic noise in half. A noise barrier is most effective when placed close to the noise source or receiver. Noise barriers, however, do have limitations. For a noise barrier to work, it must block the line-of-sight path of sound from the noise source.

F. Land Use Compatibility with Noise

Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than commercial or industrial developments and related activities. As ambient noise levels affect the perceived amenity or livability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process. The FHWA encourages State and Local government to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized.

G. Response to Noise

Approximately 16 percent of the population has a very low tolerance for noise and will object to any noise that is not of their making. Consequently, even in the quietest environment, some complaints may occur. Twenty to 30 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment. Surveys have shown that community response to noise varies from no reaction to vigorous action for newly introduced noises averaging from 10 dB below existing to 25 dB above existing. According to research originally published in the Noise Effects Handbook, the percentage of high annoyance ranges from approximately 0 percent at 45 dB or less, 10 percent are highly annoyed around 60 dB and increases rapidly to approximately 70 percent being highly annoyed at

approximately 85 dB or greater. A change of 3 dBA is considered barely perceptible, and changes of 5 dBA are considered readily perceptible.

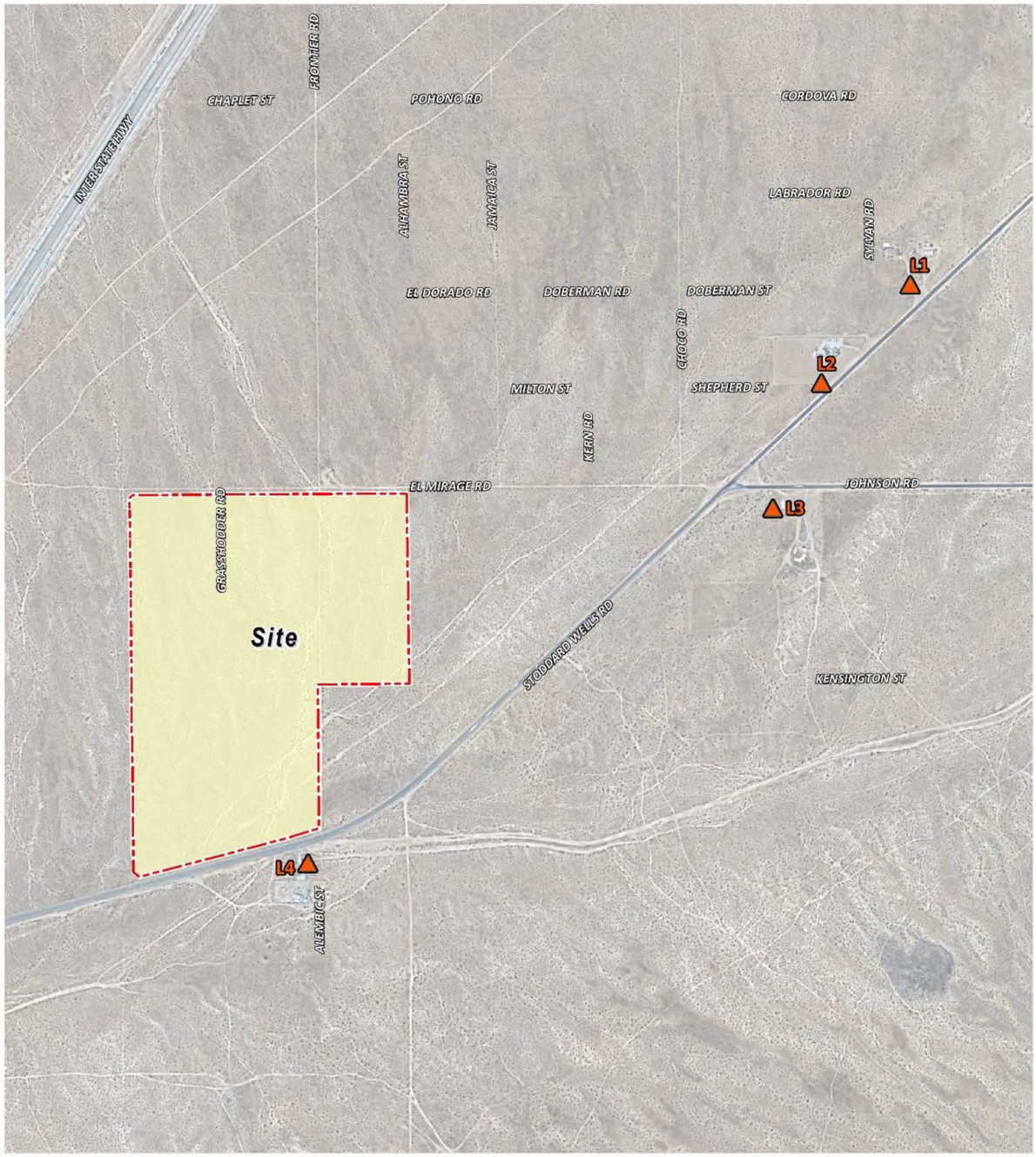
H. Vibration

Vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of groundborne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. The background vibration-velocity level in residential areas is generally 50 vibration decibels (VdB). Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

4.11.2 Environmental Setting

A. Existing Study Area Noise Conditions

Urban Crossroads recorded 24-hour noise readings at five (5) locations in the Project area on May 29, 2025. The noise measurement locations are identified in Figure 4.11-1, *Noise Measurement Locations*. The results of the existing noise level measurements are summarized below. Noise measurement worksheets for the hourly noise levels and the minimum and maximum observed noise levels at each measurement location are provided in the Noise and Vibration Analysis (*Technical Appendix J* of this EIR).



Source(s): Urban Crossroads (09-19-2025)

Figure 4.11-1

Not to Scale

Noise Measurement Locations

- Location L1 represents the noise levels located northeast of the site near the residence at 19934 Doberman St. The noise level measurements collected show an average daytime noise level calculated to be 72.1 dBA L_{eq} and an average nighttime noise level calculated to be 66.3 dBA L_{eq} at location L1.

- Location L2 represents the noise levels located northeast of the site near the residence at 19414 Stoddard Wells Rd. The noise level measurements collected show an average daytime noise level calculated to be 71.8 dBA L_{eq} and an average nighttime noise level 65.7 dBA L_{eq}.

- Location L3 represents the noise levels Located east of the site near the residence at 19823 Johnson Rd. The noise level measurements collected show an average daytime noise level calculated to be 65.1 dBA L_{eq} and an average nighttime noise level calculated to be 60.3 dBA L_{eq} at location L3.

- Location L4 represents the noise levels Located south of the site near the residence at 19277 Stoddard Wells Rd. The noise level measurements collected show an average daytime noise level calculated to be 69.8 dBA L_{eq} and an average nighttime noise level calculated to be 63.9 dBA L_{eq} at location L4.

B. Existing Groundborne Vibration

Based on the nature of the existing uses on the Project site, there are no sources of groundborne vibration on the Project site under existing conditions because no heavy impact machinery is used on the site.

C. Existing Off-Site Traffic Noise Levels

Table 4.11-1, *Existing Conditions Roadway Noise Levels*, presents the Existing Conditions CNEL noise levels along 6 roadway segments, which range from 63.2 to 71.4 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography, which over predicts the noise levels and provides a conservative analysis. Accounting for noise attenuation features would result in lower noise levels compared to those reported below.

Table 4.11-1 Existing Conditions Roadway Noise Levels

ID	Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]
1	Quarry Rd.	n/o Stoddard Wells Rd.	Non-Sensitive	68.6
2	Stoddard Wells Rd.	w/o Quarry Rd.	Non-Sensitive	63.2
3	Stoddard Wells Rd.	e/o Quarry Rd.	Non-Sensitive	69.1
4	Stoddard Wells Rd.	e/o I-15 NB Ramps	Non-Sensitive	71.1
5	Stoddard Wells Rd.	e/o Wrangler Rd.	Non-Sensitive	71.4

ID	Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]
6	Stoddard Wells Rd.	e/o Dwy. 1	Sensitive	71.4

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of the receiving adjacent land use.
Source: (UXR, 2025e, Table 7-1)

4.11.3 Regulatory Framework

The following is a brief description of the federal, State, and local environmental laws and related regulations related to noise.

A. Federal

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to (1) establish a means for effective coordination of Federal research and activities in noise control; (2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products.

While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control.

2. Federal Transit Administration

The Federal Transit Administration (FTA) has published a Noise and Vibration Impact Assessment (NVIA), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents. In the interest of promoting quality and uniformity in assessments, the manual is used by project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally funded transit projects and for determining what can be done to mitigate such impact.

The NVIA also establishes criteria for acceptable ground-borne vibration, which are expressed in terms of root mean square (rms) velocity levels in decibels and the criteria for acceptable ground-borne noise are expressed in terms of A-weighted sound levels. As shown in Table 4.11-2, *Indoor GBV and GBN Impact Criteria*, the FTA identifies three categories of land uses and provides Ground-Based Vibration (GBV) and Ground-Based Noise (GBN) criteria for each category of land use.

Table 4.11-2 Indoor GBV and GBN Impact Criteria

Land Use Category	GBV Impact Levels (VdB re I micro-inch/sec)			GBN Impact Levels (dBA re 20 micro Pascals)		
	Frequent Events	Occasional Events	Infrequent Events	Frequent Events	Occasional Events	Infrequent Events
Category I: Buildings where vibration would interfere with interior operations.	65 VdB	65 VdB	60 VdB	N/A	N/A	N/A
Category 2: Residences and buildings where people normally sleep.	72 Vdb	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primary daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA
*This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. For equipment that is more sensitive, a Detailed Vibration Analysis must be performed. ** Vibration-sensitive equipment is generally not sensitive to ground-borne noise; however, the manufacturer's specifications should be reviewed for acoustic and vibration sensitivity						

Source: (FTA, 2018)

3. Federal Aviation Administration

The Federal Aviation Administration (FAA) regulates the maximum noise level that an individual civil aircraft can emit through requiring aircraft to meet certain noise certification standards. These standards designate changes in maximum noise level requirements by "stage" designation. The standard requires that the aircraft meet or fall below designated noise levels. For civil jet aircraft, there are four stages identified, with Stage 1 being the loudest and Stage 4 being the quietest. For helicopters, two different stages exist, Stage 1 and Stage 2. As with civil jet aircraft, Stage 2 is quieter than Stage 1. In addition, the FAA is currently working to adopt the latest international standards for helicopters, which will be called Stage 3 and will be quieter than Stage 2.

The FAA has undertaken a phase out of older, noisier civil aircraft, resulting in some stages of aircraft no longer being in the fleet. Currently within the contiguous US, civil jet aircraft over 75,000 pounds maximum take-off weight must meet Stage 3 and Stage 4 to fly. In addition, aircraft at or under 75,000 pounds maximum take-off weight must meet Stage 2, 3, or 4 to operate within the U.S. In addition, by December 31, 2015, all civil jet aircraft, regardless of weight must meet Stage 3 or Stage 4 to fly within the contiguous U.S. Both Stage 1 and Stage 2 helicopters are allowed to fly within the U.S.

The U.S. noise standards are defined in the Code of Federal Regulations (CFR) Title 14 Part 36 – *Noise Standards: Aircraft Type and Airworthiness Certification* (14 CFR Part 36). The FAA publishes certificated noise levels in the advisory circular, *Noise Levels for U.S Certificated and Foreign Aircraft*. This advisory circular provides noise level data for aircraft certificated under 14 CFR Part 36 and categorizes aircraft into their appropriate "stages." Any aircraft that is certified for airworthiness in the U.S. needs to also comply with noise standard requirements to receive a noise certification. The purpose of the noise certification process is to ensure that the latest available safe and airworthy noise reduction technology is incorporated into aircraft design and enables the noise reductions offered by those technologies to be reflected in reductions of noise experienced by communities. As noise reduction technology matures, the FAA works with the international community to determine if a new stringent noise standard is needed. If so, the international community through the International Civil Aviation Organization (ICAO) embarks on a comprehensive analysis to determine what that new standard will be.

The current FAA noise standards applicable to new type certifications of jet and large turboprop aircraft is Stage 4. It is equivalent to the ICAO Annex 16, Volume 1 Chapter 4 standards. Recently, the international community has established and approved a more stringent standard within the ICAO Annex 16, Volume 1 Chapter 14, which became effective July 14, 2014. The FAA adopted this standard and promulgated the rule for Stage 5 effective for new type certificates after December 31, 2017 and December 31, 2020, depending on the weight of the aircraft. The Final Rule for Stage 5 was published in the Federal Register on October 4, 2017.

For helicopters, the FAA has noise standards for a Stage 3 helicopter that became effective on May 5, 2014. These more stringent standards apply to new type helicopters and are consistent with ICAO Annex 16, Volume 1 Chapter 8 and Chapter 11.

The FAA Modernization and Reform Act of 2012, in Section 513, had a prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels, and on July 2, 2013, the FAA published a Final Rule in the Federal Register for the *Adoption of Statutory Prohibition the Operation of Jets Weighing 75,000 Pounds or Less That Are Not Stage 3 Noise Compliant*. In 1990, Congress passed the Aviation Noise and Capacity Act, which required that by the year 2000 all jet and large turboprop aircraft at civilian airports be Stage 3.

4. Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency responsible for administering the Federal-aid highway program in accordance with Federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, applies to highway construction projects where a State department of transportation has requested Federal funding for participation in the project. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing

highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design.

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations require the following during the planning and design of a highway project:

- Identification of traffic noise impacts;
- Examination of potential mitigation measures;
- The incorporation of reasonable and feasible noise mitigation measures into the highway project; and
- Coordination with local officials to provide helpful information on compatible land use planning and control.

The regulations contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway.

5. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes. Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels. (OSHA, 2002) This analysis does not evaluate the noise exposure of construction workers within the Project site based on CEQA requirements, and instead, evaluates the Project-related construction noise levels at the nearby sensitive receiver locations in the Project study area. Further, periodic exposure to high noise levels in short duration, such as Project construction, is typically considered an annoyance and not impactful to human health. It would take several years of exposure to high noise levels to result in hearing impairment.

B. State

1. State of California Noise Requirements

California Health and Safety Code (HSC) Sections 46000 - 46080 states that the State is responsible for controlling, preventing, and abating noise to protect the health and welfare of its citizens. The

State's policy is to provide an environment free from noise that jeopardizes health or welfare. The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

2. California Building Standards Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. The latest version is the 2022 California Building Standards Code (Cal. Code Regs., Title 24), with an effective date of January 01, 2023. It should be noted that the 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels.

3. California Assembly Bill (AB) 2496

AB 2496 Vehicles: Exhaust Systems requires a court to require a certificate of compliance for a violation of the noise limit requirements mentioned for mufflers or exhaust systems for specified vehicles. The bill requires the court to utilize notification procedures and if a certificate of compliance is not provided to the court within three months of the violation date, the bill requires the court to treat this failure as noncompliance and inform the Department of Motor Vehicles.
This bill would also require stations providing referee functions to provide for the testing of exhaust systems of motor vehicles and the issuance of certificates of compliance for vehicles that have received a citation for installing, operating, or engaging in the business of installing a whistle-tip onto a vehicle's exhaust system and for motorcycles that have received a citation for the violations mentioned above.

4. California Senate Bill (SB) 1079

SB 1079 authorizes local jurisdictions to use sound-activated enforcement devices to capture vehicle noise levels that exceed legal limits. Under California Vehicle Code, exhaust noise is limited to 95 dbA for vehicles and 80 dbA for motorcycles. However, vehicle owners can install new exhaust systems or make other vehicle modifications that change the level of sound produced by their vehicle. These illegal modifications are accessible and easily installed at any in-home garage, resulting in much louder noise disruptions than would be allowed by law.

5. California Department of Transportation Technical Noise Supplement

The purpose of the Caltrans Technical Noise Supplement is to provide technical background information on transportation-related noise in general and highway traffic noise in particular. It is designed to elaborate on technical concepts and procedures referred to in the protocol. Under controlled conditions in an acoustics laboratory, the trained healthy human ear is able to discern changes in sound levels of 1 dBA when exposed to steady single-frequency (pure tone) signals in the midfrequency range. Outside such controlled conditions, the trained ear can detect changes of 2 dBA in normal environmental noise. It is widely accepted that the average healthy ear, however, can barely perceive noise level changes of 3 dBA. (Caltrans, 2013)

6. California Department of Transportation and Construction Vibration Guidance Manual

The Caltrans Transportation and Construction Vibration Guidance manual provides screening tools for assessing the potential for adverse vibration effects related to human perception and structural damage. General information on the potential effects of vibration on vibration-sensitive research and advanced technology facilities is also provided. (Caltrans, 2020)

C. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley identifies policies that relate to noise in the Noise Element of the General Plan. Applicable public service policies are discussed in Table 4.10-1, *General Plan Consistency Analysis*, presented in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

Municipal Code Section 9.73.060[F][1], Construction/Demolition, limits construction work to between weekday hours of 7 p.m. and 7 a.m., or at any time on weekends or holidays, except for emergency work of public service utilities or by variance issued by the Town. In addition, Municipal Code Section 9.73.060[F][2] requires construction activities to be conducted in such a manner that the noise levels at affected residential properties will not exceed the daytime (7:00 a.m. to 7:00 p.m.) mobile exterior noise level limit of 75 dBA L_{eq} and 60 dBA L_{eq} during the nighttime hours of 7:00 p.m. to 7:00 a.m.

Operational noise is subject to Municipal Code, Table 9.73.050-A, which establishes the exterior noise level limits by the receiving land use. For noise-sensitive residential properties, a base daytime (7:00 a.m. to 10:00 p.m.) exterior noise level limit of 50 dBA L_{eq} and 40 dBA L_{eq} during the nighttime (10:00 p.m. to 7:00 a.m.) hours is identified. In addition, in the event the measured ambient noise level exceeds the base exterior noise level limit, the allowable noise exposure standard shall be adjusted in five dBA increments in each category as appropriate to encompass or reflect said ambient noise level. In effect, when the ambient noise levels exceed the base exterior noise level limits, the noise level standard shall be adjusted as appropriate to encompass or reflect the ambient noise level.

4.11.4 Methodology

A. Noise Receiver Locations

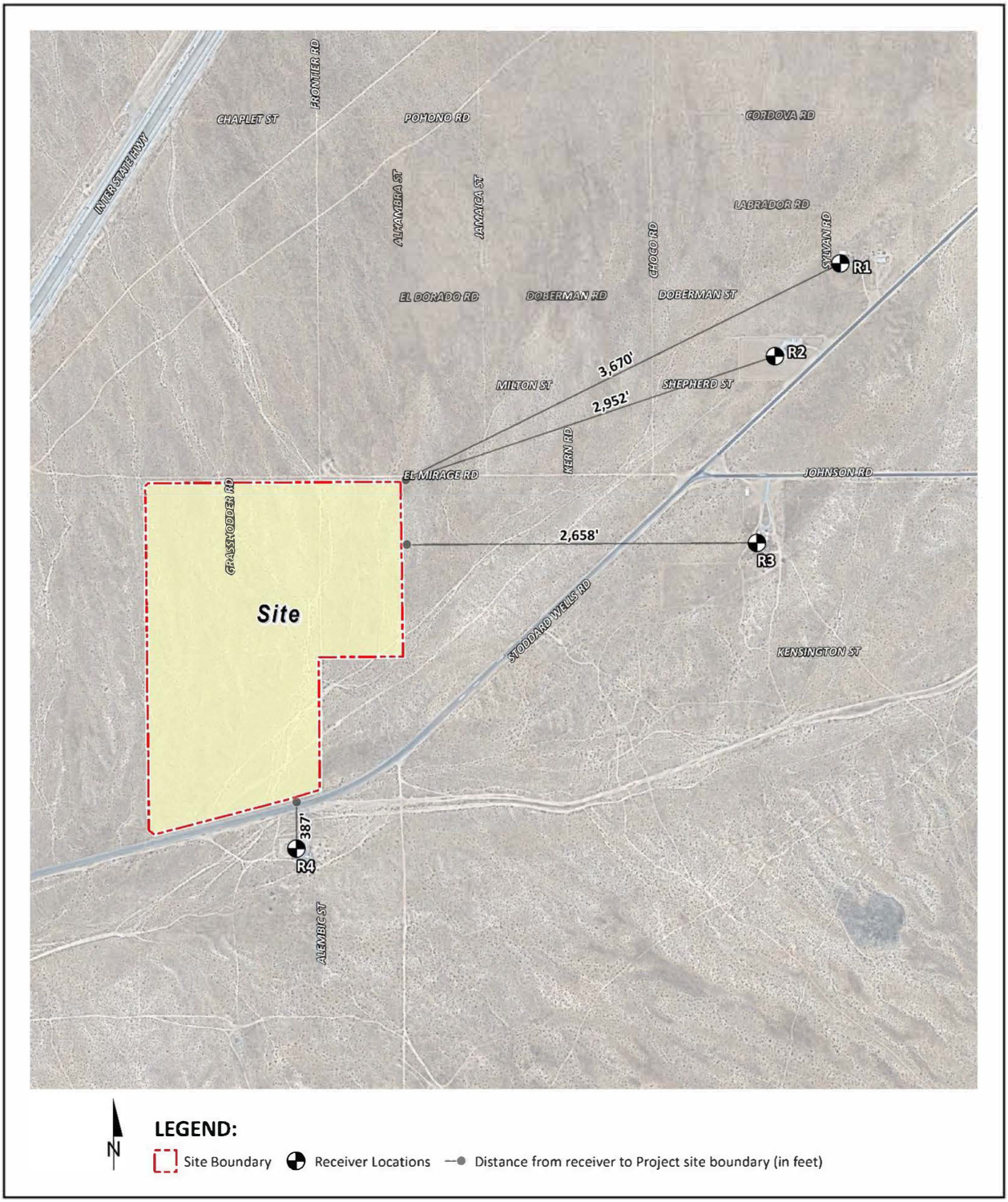
To assess the potential for long-term operational and short-term construction noise impacts, sensitive receiver locations were identified as representative locations for analysis, shown on Figure 4.11-2, *Sensitive Receptors Location*. The selection of receiver locations is based on FHWA guidelines and is consistent with additional guidance provided by Caltrans and the FTA.

Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multifamily dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

To describe the potential off-site Project noise levels, four receiver locations in the vicinity of the Project site were identified. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this noise study will experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the Project boundary to each receiver location.

- Location R1 represents the existing residence at 19934 Doberman Street, approximately 3,670 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R1 is placed at the building façade. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

- Location R2 represents the existing residence at 19414 Stoddard Wells Road, approximately 2,952 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.



Source(s): Urban Crossroads (09-19-2025)

Figure 4.11-2

Not to Scale

Sensitive Receptors Location

- Location R3 represents the existing residence at 19823 Johnson Road, approximately 2,658 feet east of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R3 is placed at the building façade. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

- Location R4 represents the existing residence at 19277 Stoddard Wells Road, approximately 388 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R4 is placed at the building façade. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.

B. Construction-Related Noise

To describe construction noise activities, the analysis was prepared using reference construction equipment noise levels from the Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation. Table 4.11-3, *Construction Reference Noise Levels*, shows the reference noise levels.

Table 4.11-3 Construction Reference Noise Levels

Construction Stage	Reference Construction Equipment[1]	Reference Noise Level @ 50 feet (dBA L_{eq})	Composite Reference Noise Level (dBA L_{eq})[2]	Reference Power Level (dBA Lw)[3]
Site Preparation	Tractor	80	84.0	115.6
	Backhoe	74		
	Grader	81		
Grading	Scraper	80	83.3	114.9
	Excavator	77		
	Dozer	78		
Building Construction	Crane	73	81.1	112.8
	Tractor	80		
	Welder/Torch	70		
Paving	Paver	74	77.8	109.5
	Dump Truck	72		
	Roller	73		
Architectural Coating	Man Lift	68	79.8	111.4
	Compressor (air)	74		
	Generator	78		

[1] FHWA Road Construction Noise Model.
[2] Represents the combined noise level for all equipment assuming they operate at the same time.
[3] The total amount of acoustical energy produced by a sound source independent of distance or surroundings.
Source: (UXR, 2025e, Table 10-1)

C. Operational Noise

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. The reference noise level measurements shown in Table 4.11-4, *Operational Reference Noise Levels*, were used to estimate the Project operational noise impacts. It is important to note that the following projected noise levels assume the worst-case noise environment with the cold storage loading dock activity, tractor trailer storage activity, roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, and truck movements all operating at the same time. These sources of noise activity will likely vary throughout the day.

Table 4.11-4 Operational Reference Noise Levels

Reference Noise Source	Noise Source Height	Min./Hour[1]		Reference Noise Level (dBA L_{eq}) @ 50 Feet	Sound Power Level (dBA)[2]
Cold Storage Loading Dock Activity	8'	60	60	65.7	111.5
Tractor Trailer Storage Activity	8'	60	60	62.8	103.4
Truck Movements	8'	60	60	59.8	93.2
Trash Enclosure Activity	5'	60	30	57.3	89.0
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Parking Lot Vehicle Movements	5'	60	60	52.6	81.1

[1] Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site. "Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
[2] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.
Source: (UXR, 2025e, Table 9-1)

D. Off-Site Traffic Noise

Consistent with the Town of Apple Valley General Plan Noise Element, all transportation-related noise levels are presented in terms of the 24-hour CNEL's. Unlike a simple arithmetic average noise level, CNEL represents the logarithmic summation of the equivalent hourly noise levels with evening and nighttime noise penalties recognizing that noise may have different impacts on people depending on when it occurs. The expected roadway noise level increases from vehicular traffic were calculated using a computer program that replicates the FHWA Traffic Noise Prediction Model-

FHWA-RD-77-108. This methodology is commonly used to describe the off-site traffic noise levels throughout southern California.

E. Vibration

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibration levels associated with various types of construction equipment are summarized in Table 4.11-5, *Vibration Source Levels for Construction Equipment*. Based on the representative vibration levels presented for various construction equipment types, it is possible to estimate the potential for human response (annoyance) and building damage using the following vibration assessment methods defined by the FTA.

Table 4.11-5 Vibration Source Levels for Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Vibratory Roller	0.210

Source: (UXR, 2025e, Table 10-7)

4.11.5 Basis for Determining Significance

According to Section XIII of the CEQA Guidelines, the proposed Project would result in a significant impact to noise if the Project or any Project-related component would result in:

a. *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*

b. *Generation of excessive groundborne vibration or groundborne noise levels;*

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

Table 4.11-6, *Significance Criteria Summary*, shows the significance criteria summary matrix that includes the allowable criteria used to identify potentially significant incremental noise level increases. Noise impacts shall be considered significant if any of the following occur as a direct result of the proposed development.

Table 4.11-6 Significance Criteria Summary

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Off-Site Traffic	Noise-Sensitive	If ambient is < 60 dBA CNEL[1]	≥ 5 dBA CNEL Project increase	
		If ambient is 60 - 65 dBA CNEL[1]	≥ 3 dBA CNEL Project increase	
		If ambient is > 65 dBA CNEL[1]	≥ 1.5 dBA CNEL Project increase	
	Non-Noise-Sensitive	If ambient is > 75 dBA CNEL[2]	≥ 3 dBA CNEL Project increase	
Operational	Noise-Sensitive	Exterior Noise Level Standards[3]	50 dBA L_{eq}	40 dBA L_{eq}
		If ambient is < 60 dBA L_{eq}[1]	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA L_{eq}[1]	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA L_{eq}[1]	≥ 1.5 dBA L_{eq} Project increase	
Construction	Noise-Sensitive	Noise Level Threshold[4]	75 dBA L_{eq}	60 dBA L_{eq}
		Exterior Noise Level Increase[5]	20 dBA L_{eq}	5 dBA L_{eq}
		Vibration Level Threshold[7]	0.04 PPV (in/sec)	

[1] FICON, 1992.
[2] Town of Apple Valley General Plan Noise Element Table IV-4 (See Exhibit 3-1 of *Technical Appendix J*)
[3] Town of Apple Valley Municipal Code, Table 9.73.050-A, Single-Family Residential (Table 3-1, Appendix 3.1 of *Technical Appendix J*)
[4] Town of Apple Valley Municipal Code Section 9.73.060[F][2], (Appendix 3.1 of *Technical Appendix J*)
[5] Reasonable daytime increase that can be tolerated without significant adverse effects.
[6] City of Los Angeles Department of City Planning, Construction Noise and Vibration Updates to Thresholds and Methodology.
[7] Town of Apple Valley Municipal Code 9.73.020[34], (Appendix 3.1 of *Technical Appendix J*)
Operational: "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m. (Table 9.73.050-A)
Construction: "Daytime" = 7:00 a.m. to 7:00 p.m.; "Nighttime" = 7:00 p.m. to 7:00 a.m. (Section 9.73.060[F][2])
Source: (UXR, 2025e, Table 4-1)

4.11.6 Impact Analysis

Threshold a: Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

A. Construction Noise

Each stage of construction has a specific equipment mix, depending on the work to be completed during that stage. As a result of the equipment mix, each stage has its own noise characteristics; some stages have higher continuous noise levels than others, and some have higher impact noise levels than others. Project construction activities are expected to occur in the following stages: site preparation, grading, building construction, paving, and architectural coating.

The construction noise analysis was prepared using reference construction equipment noise levels (see Table 4.11-3, *Construction Reference Noise Levels*) from the FHWA published the RCNM, which

includes a national database of construction equipment reference noise emission levels. The RCNM equipment database provides a comprehensive list of the noise-generating characteristics of specific types of construction equipment.

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts at the nearest sensitive receiver locations were completed. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location (building façade or outdoor living areas). Consistent with FTA guidance for general construction noise assessment, Table 4.11-7, *Construction Equipment Noise Level Summary*, presents the combined noise level for all equipment, assuming they operate at the same time. As shown, the construction noise levels are expected to range from 42.6 to 56.4 dBA L_{eq} at the nearby receiver locations.

Table 4.11-7 Construction Equipment Noise Level Summary

Location	Site Prep	Grading	Building Construct.	Paving	Arch. Coating	Highest Levels
R1	42.6	41.9	39.7	36.5	38.4	42.6
R2	44.5	43.8	41.6	38.4	40.3	44.5
R3	46.1	45.4	43.2	40.0	41.9	46.1
R4	56.4	55.7	53.5	50.3	52.2	56.4

[1] Construction noise source and receiver locations are shown on Figure 4.11-2.
[2] Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Appendix 10.1 of *Technical Appendix J*.
Source: (UXR, 2025e, Table 10-2)

To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 75 dBA L_{eq} is used as a reasonable threshold to assess the daytime construction noise level impacts. As shown in Table 4.11-8, *Construction Noise Compliance*, , construction noise levels at the receiver locations would not exceed the daytime 75 dBA L_{eq} significance threshold during Project construction activities. Therefore, impacts would be less than significant.

Table 4.11-8 Construction Noise Compliance

Receiver Location[1]	Construction Noise Levels (dBA Leq)		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	42.6	75	No
R2	44.5	75	No
R3	46.1	75	No

Receiver Location[1]	Construction Noise Levels (dBA Leq)		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R4	56.4	75	No

[1] Construction noise source and receiver locations are shown on Exhibit 10-1 of *Technical Appendix J*.
[2] Nighttime Concrete Pour noise model inputs are included in Appendix 10.2 of *Technical Appendix J*.
[3] Construction noise level thresholds as shown on Table 4.11-6.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (UXR, 2025e, Table 10-3)

1. Temporary Construction Noise Increases

To describe the temporary Project construction noise contributions to the existing ambient noise environment, the Project construction noise levels were combined with the existing ambient noise levels measurements at the nearest off-site receiver locations. The difference between the combined Project-construction and ambient noise levels is used to describe the construction noise level contributions. Temporary noise level increases that would be experienced at sensitive receiver locations when Project construction-source noise is added to the ambient daytime conditions are presented on Table 4.11-9, *Daytime Construction Noise Increases*. As previously outlined in Table 4.11-6, a temporary noise level increase of 20 dBA L_{eq} is considered significant.

As indicated in Table 4.11-9, the Project will contribute construction noise increases ranging from 0.0 to 0.2 dBA L_{eq} during the daytime hours at the nearest receiver locations. The construction noise analysis shows that the nearest receiver locations will not exceed the 20 dBA L_{eq} noise increase significance threshold during Project construction activities. Therefore, temporary construction noise increase due to Project construction noise would be less than significant.

Table 4.11-9 Daytime Construction Noise Increases

Receiver Location[1]	Typical Project Construction Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	42.6	L1	72.1	72.1	0.0	20	No
R2	44.5	L2	71.8	71.8	0.0	20	No
R3	46.1	L3	65.1	65.2	0.1	20	No
R4	56.4	L4	69.8	70.0	0.2	20	No

[1] Construction noise source and receiver locations are shown on Exhibit 10-1 of *Technical Appendix J*.
[2] Typical Project daytime construction noise levels as shown on Table 4.11-8.
[3] Reference noise level measurement locations as shown on Figure 4.11-1.
[4] Observed daytime ambient noise levels as shown on Table 5-1 of *Technical Appendix J*.
[5] Represents the combined ambient conditions plus the Project construction activities.
[6] The noise level increase expected with the addition of the proposed Project construction activities.
[7] Temporary construction noise increases that can be tolerated without significant adverse effects.
Source: (UXR, 2025e, Table 10-5)

2. Nighttime Concrete Pour

In addition to the daytime activities discussed above, nighttime concrete pouring activities will occur as a part of Project building construction activities. Nighttime concrete pouring activities are often used to support reduced concrete mixer truck transit times and lower air temperatures than during the daytime hours and are generally limited to the actual building pad area. Since the nighttime concrete pours take place outside the hours permitted by the Town of Apple Valley Municipal Code Section 9.73.060, the Project Applicant will be required to obtain authorization for nighttime work from the Town of Apple Valley.

Concrete pour noise sources may include concrete mixer truck movements and pouring activities, concrete paving equipment, rear mounted concrete mixer truck backup alarms, engine idling, air brakes, generators, and workers communicating/whistling. Noise levels that can be expected during the nighttime concrete pour activities are shown in Table 4.11-10, *Nighttime Concrete Pour Noise Level Compliance*.

Table 4.11-10 Nighttime Concrete Pour Noise Level Compliance

Location	Concrete Pour Construction Noise Levels (dBA L_{eq})		
	Exterior Noise Levels	Threshold	Threshold Exceeded ?
R1	27.3	60	No
R2	29.2	60	No
R3	30.8	60	No
R4	41.1	60	No

[1] Construction noise source and receiver locations are shown on Exhibit 10-1 of *Technical Appendix J*.
[2] Nighttime Concrete Pour noise model inputs are included in Appendix 10.2 of *Technical Appendix J*.
[3] Construction noise level thresholds as shown on Table 4.11-6.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (UXR, 2025e, Table 10-5)

As shown above, nighttime concrete pour activities will not exceed the 60 dBA L_{eq} nighttime residential noise level threshold at any of the nearest noise sensitive receiver locations. Therefore, noise impacts due to Project construction nighttime concrete pour noise activity would be less than significant at all receiver locations with prior authorization for nighttime work from the Town of Apple Valley.

To describe the temporary concrete pour noise contributions, the concrete pour noise levels were combined with the existing nighttime ambient noise levels measurements at the nearest off-site receiver locations. The difference between the combined Project-construction and ambient noise levels is used to describe the construction noise level increases. As shown in Table 4.11-11, *Nighttime Concrete Pour Noise Increases*, the Project nighttime concrete pour activities would not contribute to measurable noise increases during the nighttime hours at the nearest receiver locations and would not exceed the 5 dBA noise increase threshold during nighttime concrete pour

activities. Therefore, temporary concrete pour construction noise increase would be less than significant.

Table 4.11-11 Nighttime Concrete Pour Noise Increases

Receiver Location[1]	Typical Project Construction Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	27.3	L1	66.3	66.3	0.0	5	No
R2	29.2	L2	65.7	65.7	0.0	5	No
R3	30.8	L3	60.3	60.3	0.0	5	No
R4	41.1	L4	63.9	63.9	0.0	5	No

[1] Construction noise source and receiver locations are shown on Exhibit 10-1 of *Technical Appendix J*.
[2] Concrete pour construction noise levels calculations are included in Appendix 10.2 of *Technical Appendix J*.
[3] Reference noise level measurement locations as shown on Figure 4.11-1.
[4] Observed daytime ambient noise levels as shown on Table 5-1 of *Technical Appendix J*.
[5] Represents the combined ambient conditions plus the Project construction activities.
[6] The noise level increase expected with the addition of the proposed Project construction activities.
[7] City of Los Angeles Department of City Planning, Construction Noise and Vibration Updates to Thresholds and Methodology.
Source: (UXR, 2025e, Table 10-6)

Based on the preceding discussions, construction-source noise would not result in a substantial temporary increase in ambient noise levels in the vicinity of the Project in excess of established standards. As such, construction noise impacts would be less than significant.

B. Operational Noise

To present the potential worst-case noise conditions, this noise analysis assumed the Project would be operational 24 hours per day, seven days per week. Consistent with similar warehouse and industrial uses, the Project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays.

Operational source noise levels were calculated using reference noise levels to represent the proposed Project operations, including cold storage loading dock activity, tractor trailer storage activity, roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, and truck movements. Operational noise levels that can be expected from the Project are shown Table 4.11-12, *Daytime Project Operational Noise Levels*, and Table 4.11-13, *Nighttime Project Operational Noise Levels*, respectively.

As shown, the daytime hourly noise levels at the off-site receiver locations are expected to range from 35.6 to 47.1 dBA L_{eq}. The nighttime hourly noise levels at the existing off-site receiver locations are expected to range from 35.5 to 47.0 dBA L_{eq}.

Table 4.11-12 Daytime Project Operational Noise Levels

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA L_{eq})			
	R1	R2	R3	R4
Cold Storage Loading Dock Activity	34.0	35.9	37.4	45.0
Tractor Trailer Storage Activity	29.8	31.7	33.3	41.5
Truck Movements	19.1	21.2	22.9	35.1
Trash Enclosure Activity	10.2	11.9	14.0	28.7
Roof-Top Air Conditioning Units	16.8	18.4	19.7	29.5
Parking Lot Vehicle Movements	0.0	0.0	0.0	20.8
Total (All Noise Sources)	**35.6**	**37.5**	**39.0**	**47.1**

[1] See Exhibit 9-1 of *Technical Appendix J* for the noise source locations. CadnaA noise model calculations are included in Appendix 9.1 of *Technical Appendix J*.
Source: (UXR, 2025e, Table 9-2)

Table 4.11-13 Nighttime Project Operational Noise Levels

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA L_{eq})			
	R1	R2	R3	R4
Cold Storage Loading Dock Activity	34.0	35.9	37.4	45.0
Tractor Trailer Storage Activity	29.8	31.7	33.3	41.5
Truck Movements	19.1	21.2	22.9	35.1
Trash Enclosure Activity	6.3	8.0	10.0	24.7
Roof-Top Air Conditioning Units	14.4	16.0	17.3	27.0
Parking Lot Vehicle Movements	0.0	0.0	0.0	19.8
Total (All Noise Sources)	**35.5**	**37.4**	**39.0**	**47.0**

[1] See Exhibit 9-1 of *Technical Appendix J* for the noise source locations. CadnaA noise model calculations are included in Appendix 9.1 of *Technical Appendix J*.
Source: (UXR, 2025e, Table 9-3)

To demonstrate compliance with local noise regulations, Table 4.11-14, *Operational Noise Level Compliance* evaluates the Project-only operational noise levels against the applicable exterior noise level thresholds at nearby noise-sensitive receiver locations. As demonstrated in Table 4.11-14, *Operational Noise Level Compliance*, Project operational noise would not exceed exterior noise level standards at nearby noise-sensitive receiver locations.

Table 4.11-14 Operational Noise Level Compliance

Receiver Location[1]	Project Operational Noise Levels (dBA L_{eq})[2]		Noise Level Standards (dBA L_{eq})[3]		Noise Level Standards Exceeded?[4]	
	Day	Night	Day	Night	Day	Night
R1	35.6	35.5	75.0	70.0	No	No
R2	37.5	37.4	75.0	70.0	No	No
R3	39.0	39.0	70.0	65.0	No	No
R4	47.1	47.0	70.0	65.0	No	No

[1] See Figure 4.11-2 for the receiver locations.
[2] Proposed Project unmitigated operational noise levels as shown on Table 4.11-12 and Table 4.11-13.
[3] Exterior noise level standards, adjusted in five (5) dBA increments to reflect the ambient noise levels (see Table 5-1 *Technical Appendix J*) per Town of Apple Valley Municipal Code Section 9.73.050[A][1][c].
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
Source: (UXR, 2025e, Table 9-4)

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations that may be potentially impacted by Project operational noise sources. Table 4.11-15, *Daytime Operational Noise Level Increases,* and Table 4.11-16, *Nighttime Operational Noise Increases*, present the operational noise level increases that can be expected at the nearest receiver locations.

Table 4.11-15 Daytime Operational Noise Level Increases

Location[1]	Typical Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	35.6	L1	72.1	72.1	0.0	1.5	No
R2	37.5	L2	71.8	71.8	0.0	1.5	No
R3	39.0	L3	65.1	65.1	0.0	1.5	No
R4	47.1	L4	69.8	69.8	0.0	1.5	No

[1] See Figure 4.11-2 for the receiver locations.
[2] Total Project daytime operational noise levels as shown on Table 4.11-12.
[3] Reference noise level measurement locations as shown on Figure 4.11-1.
[4] Observed daytime ambient noise levels as shown on Table 5-1 of *Technical Appendix J*.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4.11-6.
Source: (UXR, 2025e, Table 9-5)

Table 4.11-16 Nighttime Operational Noise Increases

Location[1]	Typical Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Increase Criteria[7]	Increase Criteria Exceeded?
R1	35.5	L1	66.3	66.3	0.0	1.5	No
R2	37.4	L2	65.7	65.7	0.0	1.5	No
R3	39.0	L3	60.3	60.3	0.0	5.0	No
R4	47.0	L4	63.9	64.0	0.1	5.0	No

[1] See Figure 4.11-2 for the receiver locations.
[2] Total Project daytime operational noise levels as shown on Table 4.11-13.

[3] Reference noise level measurement locations as shown on Figure 4.11-1.
[4] Observed daytime ambient noise levels as shown on Table 5-1 of *Technical Appendix J*.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4.11-6.
Source: (UXR, 2025e, Table 9-6)

As shown above, the Project will generate a daytime operational noise level increase ranging from 0.0 to 0.0 dBA L_{eq} and a nighttime operational noise level increase ranging from 0.0 to 0.1 dBA L_{eq} at the nearest receiver locations. As such, Project-related operational noise level increases will not exceed the applicable operational noise level increase significance criteria.

C. Off-Site Traffic Noise

Off-site traffic noise impacts were evaluated based on noise level increases resulting from the Project. Under CEQA, consideration must be given to the magnitude of the increase, the existing ambient noise levels, and the location of noise-sensitive receivers to determine if a noise increase represents a significant adverse environmental impact. To assess the off-site transportation CNEL noise level impacts associated with development of the Project, noise contours were developed based on the Traffic Impact Analysis (*Technical Appendix K1* of this EIR). Noise contours were used to assess the Project's incremental 24-hour dBA CNEL traffic-related noise impacts at receiving land uses adjacent to roadways conveying Project traffic. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA CNEL noise levels. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contributions from the surrounding stationary noise sources within the Project study area.

Tables 7-1 through 7-4 of the Noise Impact Analysis (*Technical Appendix J* of this EIR) present a summary of the noise contours under existing and opening year conditions, with and without the Project. Table 4.11-17, *Existing With Project Traffic Noise Level Increases,* and Table 4.11-18, *Opening Year (2028) With Project Traffic Noise Level Increases*, provide the increases that can be expected along area roadways due to Project-generated traffic under existing and opening year conditions.

Table 4.11-17 Existing With Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Quarry Rd.	n/o Stoddard Wells Rd.	Non-Sensitive	68.6	71.0	2.4	n/a	No
2	Stoddard Wells Rd.	w/o Quarry Rd.	Non-Sensitive	63.2	63.2	0.0	n/a	No
3	Stoddard Wells Rd.	e/o Quarry Rd.	Non-Sensitive	69.1	71.0	1.9	n/a	No
4	Stoddard Wells Rd.	e/o I-15 NB Ramps	Non-Sensitive	71.1	73.7	2.6	n/a	No
5	Stoddard Wells Rd.	e/o Wrangler Rd.	Non-Sensitive	71.4	72.0	0.6	n/a	No
6	Stoddard Wells Rd.	e/o Dwy. 1	Sensitive	71.4	71.6	0.2	1.5	No

1 Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
2 The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
3 Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-6)? "n/a" Per the Town of Apple Valley Noise Element, Table IV-4, Land Use Compatibility for Community Noise Environments, unmitigated normally acceptable exterior noise levels of less than 75 dBA CNEL are considered less than significant and a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the non-noise sensitive noise level is greater than the normally acceptable 75 dBA CNEL land use compatibility guidelines.
Source: (UXR, 2025e, Table 7-5)

Table 4.11-18 Opening Year (2028) With Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Quarry Rd.	n/o Stoddard Wells Rd.	Non-Sensitive	78.1	78.4	0.3	3.0	No
2	Stoddard Wells Rd.	w/o Quarry Rd.	Non-Sensitive	65.5	65.6	0.1	n/a	No
3	Stoddard Wells Rd.	e/o Quarry Rd.	Non-Sensitive	78.2	78.5	0.3	3.0	No
4	Stoddard Wells Rd.	e/o I-15 NB Ramps	Non-Sensitive	81.0	81.4	0.4	3.0	No
5	Stoddard Wells Rd.	e/o Wrangler Rd.	Non-Sensitive	80.1	80.2	0.1	3.0	No
6	Stoddard Wells Rd.	e/o Dwy. 1	Sensitive	80.8	80.8	0.0	1.5	No

1 Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
2 The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
3 Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-6)? "n/a" Per the Town of Apple Valley Noise Element, Table IV-4, Land Use Compatibility for Community Noise Environments, unmitigated normally acceptable exterior noise levels of less than 75 dBA CNEL are considered less than significant and a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the non-noise sensitive noise level is greater than the normally acceptable 75 dBA CNEL land use compatibility guidelines.
Source: (UXR, 2025e, Table 7-6)

As shown above, off-site traffic noise level increases would not exceed the incremental noise level thresholds at the study area roadway segments. Impacts would be less than significant.

D. Summary

Project construction noise, on-site operational noise, and off-site traffic noise would not exceed applicable thresholds. As such, the potential for the Project to generate a substantial increase in ambient noise levels in the vicinity of the Project is considered less than significant.

Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels?

A. Construction Vibration

Table 4.11-19, *Project Construction Vibration Levels*, presents the expected Project-related vibration levels at the nearby receiver locations. At distances ranging from 387 to 3,670 feet from Project construction activities, construction vibration velocity levels are estimated to range from 0.000 to 0.003 PPV (in/sec). Based on maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec), the typical Project construction vibration levels will fall below the damage thresholds

at all the receiver locations. Therefore, the Project-related vibration impacts are considered less than significant during typical construction activities at the Project site.

Table 4.11-19 Project Construction Vibration Levels

Location[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]						Thresholds PPV (in/sec)[4]	Threshold Exceeded?[5]
		Small Bulldozer	Jack-Hammer	Loaded Trucks	Large Bulldozer	Vibratory Roller	Highest Vibration Level		
R1	3,670'	0.000	0.000	0.000	0.000	0.000	0.000	0.04	No
R2	2,952'	0.000	0.000	0.000	0.000	0.000	0.000	0.04	No
R3	2,658'	0.000	0.000	0.000	0.000	0.000	0.000	0.04	No
R4	387'	0.000	0.001	0.001	0.001	0.003	0.003	0.04	No

[1] Construction noise source and receiver locations are shown on Exhibit 10-1 of *Technical Appendix J*.
[2] Distance from receiver building facade to Project construction boundary (Project site boundary).
[3] Based on the Vibration Source Levels of Construction Equipment (Table 4.11-5).
[4] Town of Apple Valley Municipal Code 9.73.020[34], (Appendix 3.1 of *Technical Appendix J*.)
[5] Does the peak vibration exceed the acceptable vibration thresholds?
"PPV" = Peak Particle Velocity
Source: (UXR, 2025e, Table 7-6)

B. Operational Vibration

Under long-term conditions, the operational activities of the Project would not include or require equipment, facilities, or activities that would result in perceptible ground-borne vibration. Trucks would travel to and from the Project site on surrounding roadways; however, vibration and groundborne noise levels for heavy trucks operating at the posted speed limits on smooth, paved surfaces, as is expected on the Project site and surrounding roadways is rarely perceptible. Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant.

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

The Apple Valley Airport is located approximately 3.3 miles east of the Project site. According to the Town of Apple Valley General Plan Noise Element, aircraft noise associated with the operation of the Apple Valley Airport, which is owned and operated by San Bernardino County, is limited to general aviation aircraft. The 60 dBA noise contour boundary for the airport has been identified as occurring within the Airport's property, and noise levels on surrounding lands are not significantly affected. While aircraft overflights may be heard within the Town, aircraft noise does not create significant noise impacts outside the immediate area. Therefore, airport noise impacts are considered less than significant.

4.11.7 Cumulative Impact Analysis

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction-source or operational-source) and would also include roadway corridors affected by Project-related traffic and associated vehicular noise.

A. Construction Noise

As discussed in the preceding analysis, Project construction-source noise would not exceed applicable thresholds and would not substantially contribute to ambient noise conditions or to other related noise sources. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize construction noise consistent with Town policies and regulations, thereby minimizing cumulative impacts. Based on the preceding, the potential for Project construction-source noise to result in or cause cumulatively significant impacts is considered less than significant.

B. Operational Noise

Project operational noise would not exceed applicable thresholds. Noise levels resulting from Project operations would not substantially contribute to ambient noise conditions or to other related noise sources. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize operational noise consistent with Town policies and regulations, thereby minimizing cumulative impacts. Based on the preceding, the potential for Project operational noise to result in or cause cumulatively significant impacts is considered less than significant.

C. Off-Site Traffic Noise

Noise level increases associated with Project-generated off-site traffic would not exceed applicable thresholds along any roadway segments in the study area. As such, the potential for Project off-site traffic noise to result in or cause cumulatively significant impacts is considered less than significant.

D. Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project site could occur on properties abutting these sites. As mentioned above, there are no known active or pending construction projects abutting the Project site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project site. Trucks would travel to and from the site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. Airport Noise

There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.11.8 Significance of Impacts Before Mitigation

Threshold a: Less Than Significant Impact. Project construction noise, on-site operational noise, and off-site traffic noise would not exceed applicable thresholds. As such, the potential for the Project to generate a substantial increase in ambient noise levels in the vicinity of the Project is considered less than significant.

Threshold b: Less Than Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.

Threshold c: Less Than Significant Impact. The Apple Valley Airport is located approximately 3.3 miles east of the Project site. The 60 dBA noise contour boundary for the airport has been identified as occurring within the Airport's property, and noise levels on surrounding lands are not significantly affected. Impacts would be less than significant.

4.11.9 Mitigation

No potentially significant noise impacts have been identified. As such, no mitigation is required.

4.11.10 Significance of Impacts After Mitigation

Impacts would be less than significant. No mitigation is required.

4.11.11 References

California Department of Transportation (Caltrans), 2013. *Technical Noise Supplement to Traffic Noise Analysis Protocol*. September 2013. Accessed on October 2, 2025. Available: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf

California Department of Transportation (Caltrans), 2020. *Transportation and Construction Vibration Guidance Manual*. April 2020. Accessed on October 2, 2025. Available: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf

Federal Transit Administration (FTA), 2018. *Transit Noise and Impact Vibration Manual*. September 2018. Accessed on October 2, 2025. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

Occupational Safety and Health Administration (OSHA). 2002. *Hearing Conservation*. Accessed on October 2, 2025. Available: https://www.osha.gov/sites/default/files/publications/osha3074.pdf

Urban Crossroads (UXR), 2025e. *Apple Valley 84 Noise and Vibration Analysis*. December 10, 2025. *Technical Appendix J*

Urban Crossroads, 2025f. *Apple Valley 84 Traffic Analysis*. December 11, 2025. *Technical Appendix K1*.

4.12 PUBLIC SERVICES

The following analysis is based on information obtained from public service providers, the Town of Apple Valley General Plan (Town of Apple Valley, 2009); and the Town of Apple Valley Municipal Code (Town of Apple Valley, 2025).

Refer to Sections 4.12.10 and 7.0, *References*, for a complete list of reference sources.

4.12.1 Environmental Setting

A. Fire Protection Services

The Project site receives fire protection services from the Apple Valley Fire Protection District (AVFPD). AVFPD is an independent district, and its western boundary is the Mojave River while its eastern boundary extends as far as the dry lakes toward Lucerne Valley. AVFPD covers 206 square miles in the High Desert area of San Bernardino County. The current population within the AVFPD boundaries is approximately 90,000. The AVFPD currently employs 51 full-time and 3 part-time and reserve personnel. The AVFPD staffs five fire stations full time, all of which provide paramedic services. (AVFPD, n.d.)

AVFPD maintains a mutual aid agreement with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management. This agreement allows fire departments in the region to actively support one another regardless of geographic or jurisdictional boundaries. A joint dispatch center that serves the mutual aid agencies is located in Victorville. AVFPD's desired response time is 6 minutes. Within the Town's corporate limits, the average response time is 6 minutes and 25 seconds. The AVFPD's desired ratio of approximately 1 full-time fire personnel per 1,500 persons. (Town of Apple Valley, 2009)

The nearest fire station to the Project site is Station 332 located at 18857 Highway 18, approximately 4.4 miles south of the site. The next closest fire station is AVFPD Station 336, located approximately 6.5 miles south of the site, 19235 Yucca Loma Rd, Apple Valley, CA 92308.

B. Police Protection Services

The Town receives police protection services from the San Bernardino County Sheriff's Department (SBCSD) through a contractual agreement. SBCSD assigns staff to the Apple Valley Police Department (AVPD), which offers police protection services within approximately 72 square miles that are encompassed by the Town's corporate limits. The Apple Valley Patrol Station is located at 14931 Dale Evans Parkway, approximately 3.8 miles southwest of the Project site. The Station consists of 51 officers and 13 general employees (SBCSD, n.d.). The AVPD desires a ratio of 1 police officer for every 1,500 residents. The Station responds to high priority calls within 3 to 7 minutes, depending on the time of the day and traffic flow. (Town of Apple Valley, 2009)

C. School Services

Under existing conditions, the Project site places no demand on the public school system because the Project site is undeveloped and vacant. The Project site is within the attendance boundaries of Apple Valley Unified School District (AVUSD). Sycamore Rocks Elementary School, Phoenix Academy, and Granite Hills High School are the AVUSD schools serving the Project site. (AVUSD, n.d.)

D. Parks

Within the Town and associated Sphere of Influence there are presently seven mini-parks, two neighborhood parks, three community parks and two special-use parks. The Town offers a comprehensive, year-round recreation program providing leisure time activities to all segments of the Apple Valley population. The Town offers programs designed for physically and mentally challenged children, adult athletic leagues, family activities, puppet theater, toddler and pre-school activities, as well as youth activities and athletics. (Town of Apple Valley, 2009)

4.12.2 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to public services.

A. State

1. Fire Protection Services Regulations and Plans

California Constitution Article XIII, Section 35

Section 35 of Article XIII of the California Constitution at subdivision (a)(2) provides: "The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services." Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directs the proceeds of a 0.50-percent sales tax to be expended exclusively on local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include fire protection. Section 30056 mandates that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, the Town is required to use Proposition 172 to supplement its local funds used on fire protection services, as well as other public safety services. In *City of Hayward v. Board of Trustees of California State University* (2015) 242 Cal. App. 4th 833 (City of Hayward), the court found under Section 35 that cities have "a constitutional obligation to provide adequate fire protection services."

Public Resources Code (PRC) Sections 4290-4299

These sections establish minimum statewide fire safety provisions pertaining to: roads for fire equipment access; signs identifying streets, roads, and buildings; minimum private water supply

reserves for emergency fire use; and fire fuel breaks and greenbelts. With certain exceptions, all new construction after July 1, 1991, in potential wildland fire areas, is required to meet these statewide standards. The state requirements, however, do not supersede more restrictive local regulations.

As defined by CalFire, wildland areas defined as State Responsibility Areas (SRAs) may contain substantial wildfire risks and hazards. They consist of lands exclusive of cities, and federal lands regardless of ownership. The primary financial responsibility for preventing and suppressing fires within wildlands belongs to the State of California. However, it is not the State of California's responsibility to provide fire protection services to buildings or structures located within the wildlands unless CalFire has entered into a cooperative agreement with a local agency for those purposes pursuant to PRC Section 4142. As such, wildland areas require disclosure of these fire hazards in real estate transactions, and owners of properties in wildland areas are subject to PRC Section 4291 maintenance requirements. The law requires CalFire every five years (1991, 1996, 2001, etc.) to provide maps identifying the boundaries of lands classified as SRAs to the County Assessor.

PRC Sections 4102-4127 - State Responsibility Areas (SRAs)

PRC Section 4102 specifies that "'State responsibility areas' means areas of the state in which the financial responsibility of preventing and suppressing fires has been determined by the [State Fire] Board pursuant to Section 4125, to be primarily the responsibility of the state." These areas may contain state or privately-owned forest, watershed, and rangeland. §§ 4126-4127 of the PRC further specify the standards that define what does and does not constitute an SRA.

California Code of Regulations (CCR) Title 24, Parts 2 and 9 – Fire Codes

Part 2 of Title 24 of the CCR refers to the California Building Code which contains complete regulations and general construction building standards of State of California adopting agencies, including administrative, fire and life safety and field inspection provisions. Part 9 refers to the California Fire Code, which contains other fire safety-related building standards.

CCR Title 14 – Natural Resources

These regulations constitute the basic wildland fire protection standards of the California Board of Forestry. They were prepared and adopted to establish minimum wildfire protection standards in conjunction with building, construction, and development within SRAs. Among other things, Title 14 requires the design and construction of structures, subdivisions, and developments in an SRA provide for basic emergency access and perimeter wildfire protection measures (fire fuel modification zones, etc.).

Very High Fire Hazard Severity Zones

California Government Code (CGS) Section 51178 specifies that the Director of CalFire, in cooperation with local fire authorities, must identify areas that are Very High Fire Hazard Severity

Zones (VHFHSZs) in Local Responsibility Areas (LRAs), based on consistent statewide criteria and the expected severity of fire hazard. It further specifies that VHFHSZs "shall be based on fuel loading, slope, fire weather and other relevant factors," including areas subject to Santa Ana winds which are a "major cause of wildfire spread." Section 51179 states that a local agency (such as a county) must also designate (and map) the VHFHSZs in its jurisdiction by ordinance. Other portions of the Government Code outline when a local agency may use its discretion to exclude areas from VHFHSZ requirements or add areas not designated by the State of California to its VHFHSZ areas.

CGC Section 51182 – Defensible Space

Pursuant to this code, a person who "owns, leases, controls, operates or maintains an occupied dwelling or occupied structure in, upon or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land or land that is covered with flammable material" in a very high fire hazard severity zone designated by the local agency pursuant to § 51179, shall at all times maintain a specified amount of "defensible space" to protect structures in high fire hazard areas.

PRC Section 4213 - Fire Prevention Fees

Pursuant to PRC Section 4213, in July of 2011, the State of California began assessing an annual "Fire Prevention Fee" for all habitable structures within the State's Responsibility Area (SRA) to pay for fire prevention services. The SRA is the portion of the state where the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within incorporated city boundaries, Tribal or federally owned land. As a result of AB 398, California Global Warming Solutions Act of 2006, the fire prevention fee was suspended as of July 1, 2017.

Health and Safety Code Section 13159.5

Senate Bill 190 was signed into law October 2, 2019, and requires the Office of the State Fire Marshal to develop; in consultation with representatives from local, state, and federal fire services, local government, building officials, utility companies, the building industry, insurers and insurance research organizations, and the environmental community; a model defensible space program to be made available for use by a city, county, or city and county in the enforcement of the defensible space provisions. The bill also adds Health and Safety Code Section 13159.5 to require the Office of the State Fire Marshal to development and make available on its website a Wildland-Urban Interface Fire Safety Building Standards Compliance training intended for use in the training of local building officials, builders, and fire service personnel.

2. School Services Regulations and Plans

Assembly Bill (AB) 16

In 2002, AB 16 created the Critically Overcrowded School Facilities program, which supplements the new construction provisions within the School Facilities Program (SFP). The SFP provides State of California funding assistance for new facility construction projects and modernization projects. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded

school facilities, as determined by the California Department of Education (CDE), to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply.

California State Assembly Bill 2926: School Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorized a levy of impact fees on new residential and commercial/industrial development. The ability of local governments to collect fees was limited by California Senate Bill 50, the Leroy F. Greene School Facilities Act of 1998.

Leroy F. Greene School Facilities Act of 1998 (Senate Bill [SB] 50)

Senate Bill 50 (SB 50) was enacted by the State Legislature in 1998, which amended existing state law governing school fees. In particular, SB 50 amended prior California Government Code (CGC) Section 65995(a) to prohibit state or local agencies from imposing school impact mitigation fees, dedications, or other requirements in excess of those provided in the statute in connection with "any legislative or adjudicative act...by any state or local agency involving...the planning, use, or development of real property...."

The legislation also amended CGC Section 65996(b) to prohibit local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any "legislative or adjudicative act [involving] the planning, use or development of real property." Further, SB 50 established the base amount of allowable developer fees: $1.93 per square foot for residential construction and $0.31 per square foot for commercial. These base amounts are commonly called "Level 1 fees" and are the same caps that were in place at the time SB 50 was enacted. Level 1 fees are subject to inflation adjustment every two years.

In certain circumstances, for residential construction, school districts can impose fees that are higher than Level 1 fees. School districts can impose Level 2 fees, which are equal to 50% of land and construction costs if they: (1) prepare and adopt a school needs analysis for facilities; (2) are determined by the State Allocation Board to be eligible to impose these fees; and (3) meet at least two of the following four conditions:

- At least 30% of the district's students are on a multi-track year-round schedule.
- The district has placed on the ballot within the previous four years a local school bond that received at least 50% of the votes cast.
- The district has passed bonds equal to 30% of its bonding capacity.
- Or, at least 20% of the district's teaching stations are relocatable classrooms.

Additionally, if the State of California's bond funds are exhausted, a school district that is eligible to impose Level 2 fees is authorized to impose even higher fees. Commonly referred to as "Level 3 fees," these fees are equal to 100% of land and construction costs of new schools required as a result of new developments.

B. Local

1. Town of Apple Valley General Plan

The Town of Apple Valley identifies policies that relate to public service facilities within the Town. Applicable public service policies are discussed in Table 4.10-2, *General Plan Consistency Analysis*, presented in EIR Section 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

Town Municipal Code Chapter 3.32, Fire Suppression Development Fee Program, allows for the collection of Fire Suppression Development Fees to finance fire suppression facilities, vehicles, and equipment necessary to continue to provide an adequate level of fire protection services in the Town. Prior to the issuance of a building permit for the construction of any commercial, office, or industrial development project within the Town, each developer must pay the necessary Fire Suppression Development Fee.

4.12.3 Methodology

AVFPD, SBCSD, and AVUSD, were contacted to document the existing and planned facilities and determine whether the Project would require the construction or expansion of new facilities.

4.12.4 Basis for Determining Significance

According to Section XV of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to public services if the Project or any Project-related component would:

a. *Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the 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:*

   - *Fire protection;*
   - *Police protection;*
   - *Schools;*
   - *Parks; or*
   - *Other Public Facilities*

4.12.5 Impact Analysis

Threshold a:	**Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the 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 Fire Protection? Police protection? Schools? Parks? Other Public Facilities?**

Project proposes the construction and operation of one industrial building totaling approximately 1,381,412 square feet. The Project does not include the construction of a new fire station, police station, school, public park, or recreation and other public facilities.

Project impacts could arise from the construction and operation of industrial uses at the Project site. The Project does not propose the construction of new homes or dwelling units that would directly introduce new residents to the area. Based on the estimated employment rates specified in Table II-B of the Employment Density Study Summary Report prepared by SCAG, warehouse uses within San Bernardino County generate approximately one employee per 1,195 sf of building space. As such, the Project may generate approximately 1,156 employees (1,381,412 sf ÷ 1,195 sf/employee ≈ 1,156 employees). (SCAG, 2001a) The Project's employment generation would not induce substantial residential population growth in the area because it is anticipated in the employment growth projections of the Town and would result in industrial-oriented jobs, which are anticipated to attract employees from the Town and surrounding area (see Section 5.4.3, *Population and Housing*, of this EIR). The Project would supply employment opportunities to people already residing in the area.

A. Fire Protection Services

Construction of the Project could result in an increase in demand for fire protection services due to the increase in employees onsite during construction. However, this increase would be temporary, short-term, and would cease upon completion of the construction activities. Therefore, impacts related to fire protection services during construction would be less than significant.

During operation, the Project is expected to create the typical range of fire and emergency service calls and would increase call volumes due to the anticipated employee generation, which impacts response times for emergency and non-emergency services. As per Policy 1.H of the Police and Fire Protection Element of the Town's General Plan, the AVFPD maintains a 6-minute or less response time. Within the Town's corporate limits, the average response time is 6 minutes and 25 seconds. The AVFPD's desired ratio for full-time fire personnel to population is approximately 1:1,500. (Town of Apple Valley, 2009) According to the California Department of Finance Population and Housing Estimates for Cities, Counties, and the State, the Town had an estimated population of 75,262 and estimated housing of 27,485 households as of January 2025 (DOF, 2025). The Town currently has a full-time fire personnel ratio of one firefighter to 1,476 residents, meeting its desired ratio.

Project development would occur in an area of the Town already served by AVFPD; therefore, the Project would not result in an expansion of AVFPD's service area. A need for new or expanded public services, such as fire protection facilities, is typically associated with population increases. The Project does not propose the construction of new homes or dwelling units that would directly introduce new residents to the area and as concluded in Section 5.4.3, *Population and Housing*, the Project would not directly or indirectly induce unplanned population growth in the Town. The Project's permanent employment requirements is expected to be met by the Town's existing labor force without people needing to relocate into the Project region. The AVFPD's ratio for full-time personnel to population would not decrease as the Project would not result in an increase in population growth. Therefore, the Project would not result in an expansion of AVFPD's service area as the service ratio would be maintained.

In the event of an emergency within the Project site that requires more resources than the primary fire station (Station 332, approximately 4.4 miles south of the site) that serves the area could provide, AVFPD would direct resources to the site from other AVFPD stations nearby (Station 336 approximately 6.5 miles south of the site). Additionally, as previously discussed, AVFPD maintains a mutual aid agreement with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management. This agreement allows fire departments in the region to actively support one another regardless of geographic or jurisdictional boundaries.

The Project does not propose or require construction or modification of fire protection facilities. The Project site is not designated or proposed as the location for new or modified fire protection facilities. Incremental fire protection service demands generated by the Project are offset through the payment of Development Impact Fees. A portion of the Town's Development Impact Fees are allocated for fire protection services. The Project Applicant would pay incumbent Town Development Impact Fees at issuance of building permit(s). Furthermore, the Project is required to comply with Town and AVFPD fire prevention and suppression requirements, including building/site design requirements, fire flow adequacy, and provisions for emergency access, thereby reducing potential increased demands for fire protection services. Therefore, the potential for the Project to result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities is considered less than significant.

B. Police Protection Services

Buildout of the Project would increase demands for police protection services in the Project area. During the construction and operation of the Project, the need for police services is expected to grow due to the increase in employment and associated potential for additional crime and accidents. Crime and safety issues during Project construction may include theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. After construction, the Project is anticipated to generate a typical range of police service calls as similar developments, such as vehicle burglaries, disturbances, and driving under the influence.

A need for new or expanded public services, such as police facilities, is typically associated with population increases. The proposed Project does not include the construction of new homes. While the proposed Project would lead to increased employment on site (up to approximately 1,156 employees), the proposed Project would not induce substantial population growth. As concluded in Section 5.4.3, *Population and Housing*, the jobs generated by the Project would assist in providing a more balanced jobs-housing ratio at Project and General Plan buildout. The Project's temporary and permanent employment requirements will be met by the Town's existing labor force without people needing to relocate into the Project region. The Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly, and would not exceed regional or local growth projections.

Police units are continuously mobile, and service calls are responded to by the nearest available mobile unit. The AVPD prefers a ratio of one police officer per 1,500 population. The average response time for highest priority emergency calls is five minutes (Town of Apple Valley, 2009). The Town has approximately one police officer per every 1,476 residents, meeting its desired ratio. No increases in population would result from the implementation of the Project; thus, the Town's service ratio one police officer per every 1,500 residents would be maintained. The increase in potential services needed would not require the construction of a new police station or improvements to the existing station that serves the Project site.

Moreover, the Project does not propose or require construction or modification of police protection facilities. The Project site is not designated or proposed as the location for new or modified police protection facilities. Incremental police protection service demands generated by the Project are offset through the payment of Development Impact Fees. A portion of the Town's Development Impact Fees are allocated for police protection services. The Project Applicant would pay incumbent Town Development Impact Fees at issuance of building permit(s).

Additionally, the Project site plan concept and proposed building designs would be reviewed by the Apple Valley Police Department to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting. These design features would act to reduce Project demands for police protection services. Therefore, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered police protection facilities is considered less than significant.

C. School Services

The Project does not propose residential uses that would result in populations of resident school-aged children requiring public education. As discussed in EIR Section 5.4.3, *Population and Housing*, the Project may generate approximately 1,156 employees which would likely be met by the Town and Project region's existing labor force without employees and their children needing to relocate into the Project region. The Project would not stimulate substantial population growth or a population

concentration above what is assumed in the Town's General Plan. Therefore, the Project would not directly cause or contribute to a need to construct new or physically altered public school facilities.

The Project does not propose or require construction or modification of school facilities. The Project site is not designated or proposed as the location for new or modified school facilities. Project incremental impacts to school services would be offset through payment of school impact fees. The Project Applicant would pay incumbent school impact fees at issuance of building permit(s). Payment of school impact fees would reduce the Project's potential impacts to school services to levels that would be less than significant.

D. Parks

The Project does not propose residential uses and would not directly or indirectly induce unplanned population growth in the Town. Thus, the Project would not increase demands for parks or park services. The potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered parks facilities is less than significant.

E. Other Public Facilities

Given the industrial nature of the Project and the lack of population growth that would result from the Project, the Project would not increase the use of libraries and other public facilities. Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered other public facilities is considered less than significant.

4.12.6 Cumulative Impact Analysis

The cumulative study area is based on the service area for the applicable public service provider serving the Project site. Local population growth would result in an increased demand for public services and facilities. Service providers would continue to evaluate levels of service and potential funding sources to meet demand. The Town performs long-range planning for the provisions of public services and facilities based on its growth projections, which are revised over time.

As discussed above, Project impacts to fire and police protection services would be less than significant. Development of the site has been anticipated by the Town's General Plan and thus included in the planning and forecasting of the provision of public services. Additionally, as with the Project, all development within the Town is subject to payment of Development Impact Fees to ensure the adequate provision of services and maintenance of facilities. Increased property and sales tax from future new developments would provide funding for any capital improvements necessary to maintain adequate fire and police protection facilities, equipment, and/or personnel. By maintaining a consistent level of service through expansion or facility improvements, AVFPD and AVPD would be able to ensure that their performance objectives are consistently met. Furthermore, the Project, as well as all cumulative developments, would be subject to review by the AVFPD and

the AVPD ensuring appropriate safety requirements are met. Accordingly, the Project would have a less than cumulatively considerable impact on fire and police protection services.

Moreover, the Project does not include any residential land uses and, therefore, is not expected to result in a significant increase in demand for schools, parks, or other public facilities. Cumulative projects would also be required to pay school impact fees pursuant to Government Code Section 65995. Since the Project would have a less than significant impact on school service, park services, and other public facilities, cumulative project impacts would be less than significant.

4.12.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The Project does not propose or require construction or modification of any public facilities. Incremental service demands generated by the Project would be offset through the payment of Development Impact Fees, a portion of which is allocated for the maintenance of public facilities. The potential for the Project to result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities is considered less than significant.

4.12.8 Mitigation

No mitigation is required.

4.12.9 Significance of Impacts After Mitigation

Impacts would be less than significant and no mitigation is required.

4.12.10 References

Apple Valley Fire Protection District (AVFPD), n.d. *About Us*. No date. Accessed on February 10, 2025. Available: https://avfpd.org/about-us/

Apple Valley Unified School District (AVUSD), n.d. *School Site Locator*. No date. Accessed on February 10, 2025. Available: https://www.schoolsitelocator.com/apps/applevalley/?data_id=dataSource_1-ssl_test_mapImageService_4376%3A11

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Town of Apple Valley, 2025. *Town of Apple Valley Municipal Code*. Version: January 28, 2025. Accessed on February 10, 2025. Available: https://library.municode.com/ca/apple_valley/codes/code_of_ordinances

4.13 TRANSPORTATION

The following analysis is based in part on information obtained from the following technical reports:

- Urban Crossroads (UXR), 2025f. *Apple Valley 84 Traffic Analysis*. December 11, 2025. *(Technical Appendix K1)*
- Urban Crossroads (UXR), 2025g. *Apple Valley 84 Vehicle Miles Traveled Analysis*. December 9, 2025. *(Technical Appendix K2)*
- Urban Crossroads (UXR), 2025h. *Apple Valley 84 Supplemental Vehicle Miles Traveled Analysis*. December 9, 2025. *(Technical Appendix K3)*

Refer to Section 4.13.10 and Section 7.0, *References*, for a complete list of reference sources.

This Subsection assesses transportation impacts resulting from implementation of the Project. In accordance with Senate Bill (SB) 743, further discussed under Subsection 4.13.2 below, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018, which identify that starting on July 1, 2020, vehicle miles traveled (VMT) is the appropriate metric to evaluate a project's transportation impacts. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts.

4.13.1 Environmental Setting

The Project site is currently vacant and does not generate any vehicle trips. The existing roadway system, truck routes, transit service, and pedestrian facilities are described below.

A. Existing Roadway System

The Project is primarily bounded by Johnson Road to the north, Stoddard Wells Road to the south, and vacant land to the east and west. Wrangler Road, Johnson Road to the north of the Project site, and Grasshopper Road are currently unpaved, dirt roads. There are three existing intersections within the Project vicinity: Quarry Road & I-15 Southbound Ramps, Quarry Road & Stoddard Wells Road, and I-15 Northbound ramps & Stoddard Wells Road. (UXR, 2025f)

Stoddard Wells Road, south of Johnson Road is designated as a major divided arterial, which is designed to accommodate six travel lanes, 12-foot to 14-foot travel lane width, a 12-foot median width, an 8-foot to 10-foot bike or parking lane, and a 12-foot sidewalk and associated landscape width on each side of the roadway, within a 128-foot right-of-way. (Town of Apple Valley, 2025a)

B. Existing Truck Route

According to the Town's General Plan Truck Routes Map, within the Project study area, Stoddard Wells Road and Johnson Road are designated as a Local Truck Route and I-15 and Quarry Road are designated as Through Truck Routes. Refer to Figure 4.13-1, *Town of Apple Valley Truck Routes*, for a map of the Town's Truck Routes. (UXR, 2025f)

C. Existing Transit and Rail Service

The study area is currently served by Victor Valley Transit Authority (VVTA), a public transit agency serving various jurisdictions within San Bernardino County. As shown in Figure 4.13-2, *Existing Transit Services*, as of January 2024, VVTA offers six fixed transit routes within the Town and another fixed route service to and from the Providence St. Mary Medical Center, Barstow, and Victorville. There is no transit service adjacent to or near the Project site. (Town of Apple Valley, 2025a)

Transit service is reviewed and updated by VVTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. (UXR, 2025f)

There are currently no existing passenger rail stations in the Town of Apple Valley, with the closest located in Victorville to the west of the Town boundary with service provided by Amtrak. (Town of Apple Valley, 2025a)

D. Bicycle and Pedestrian Facilities

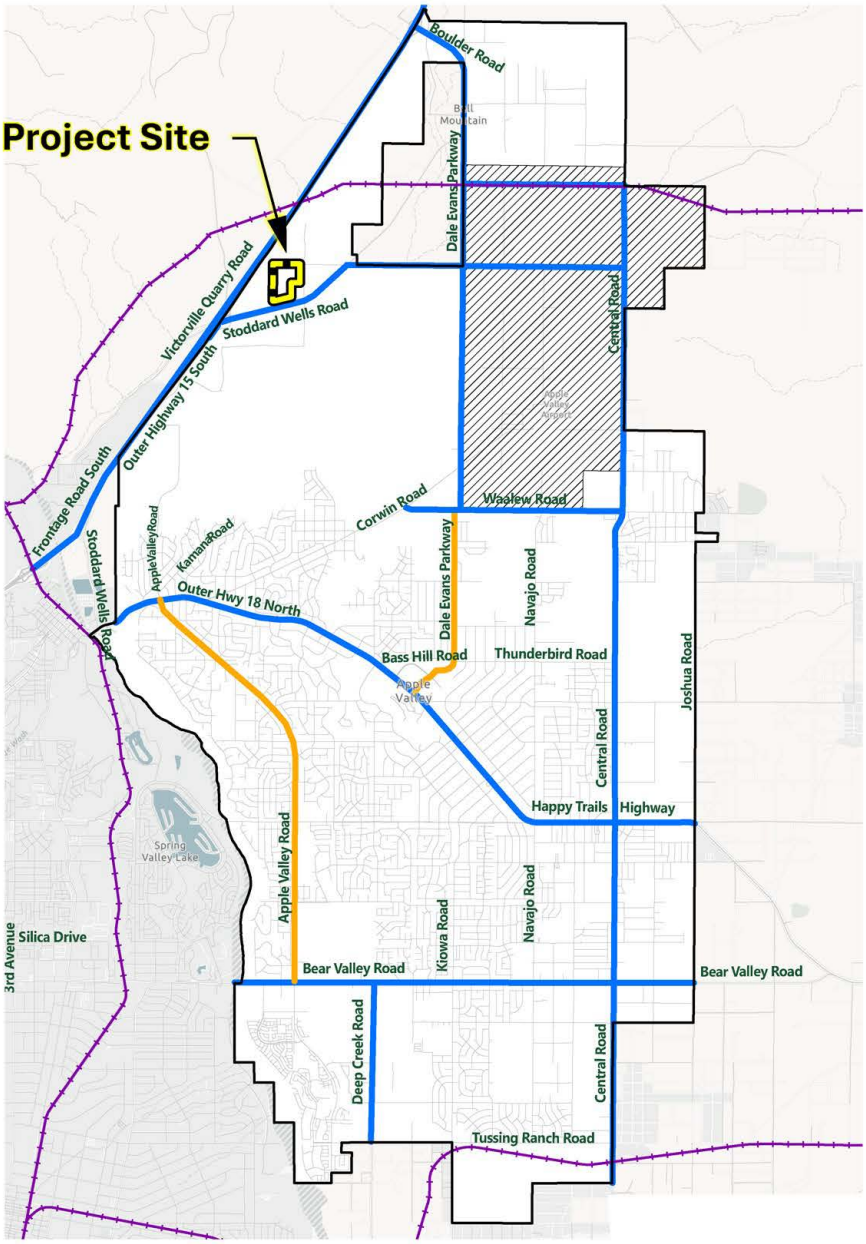
As shown in Figure 4.13-3, *Existing Bike Paths*, there are no bike paths along Stoddard Wells Road. Additionally, there are no pedestrian facilities in close proximity to the Project site. (Town of Apple Valley, 2025a) Field observations indicated nominal pedestrian and bicycle activity near the Project vicinity. (UXR, 2025f)

4.13.2 Regulatory Framework

A. State

1. Senate Bill 743

SB 743, which was codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." To that end, in developing the criteria, the OPR proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation.

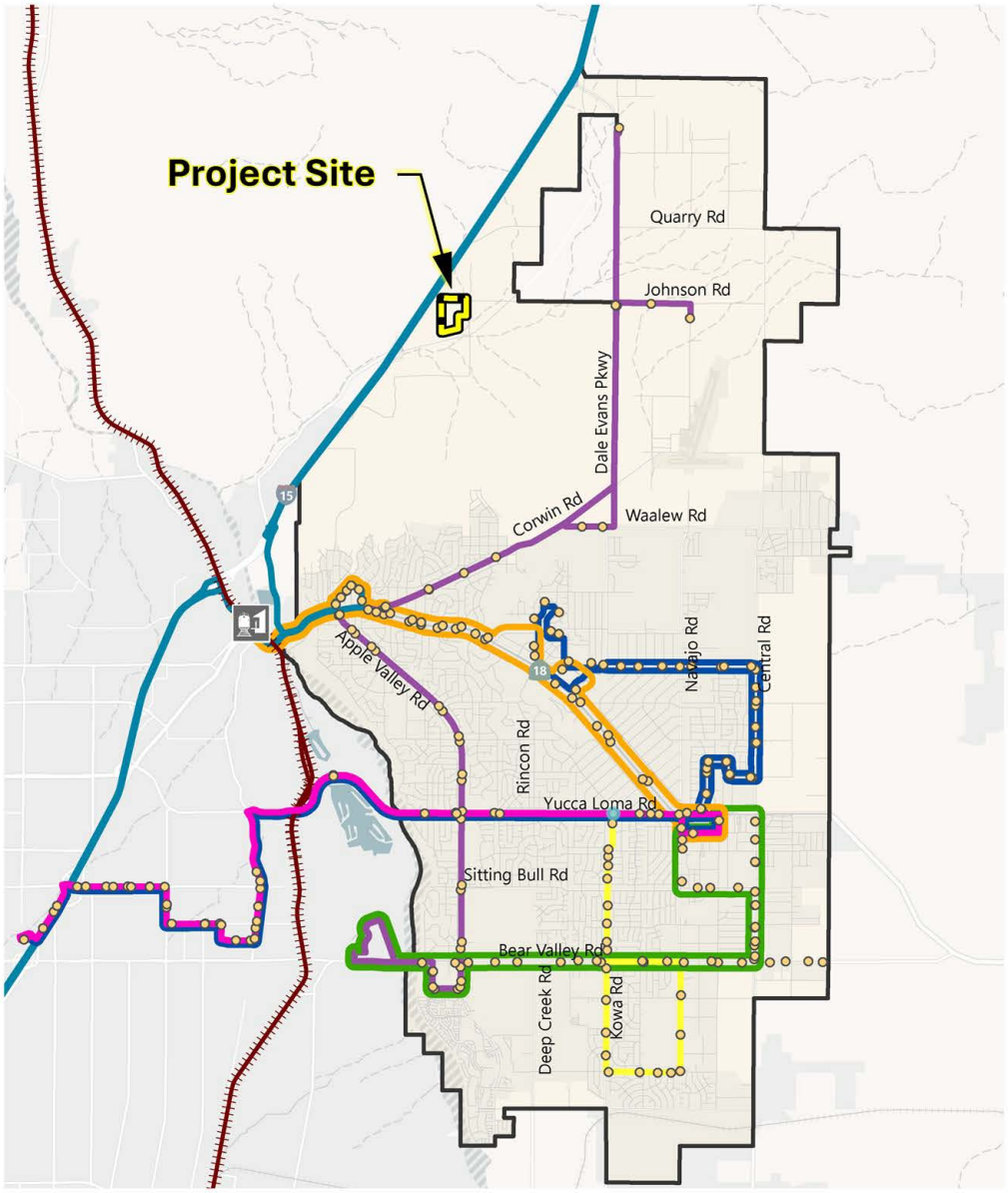


Source(s): Town of Apple Valley (2025)

Figure 4.13-1

Not to Scale

Town of Apple Valley Truck Routes

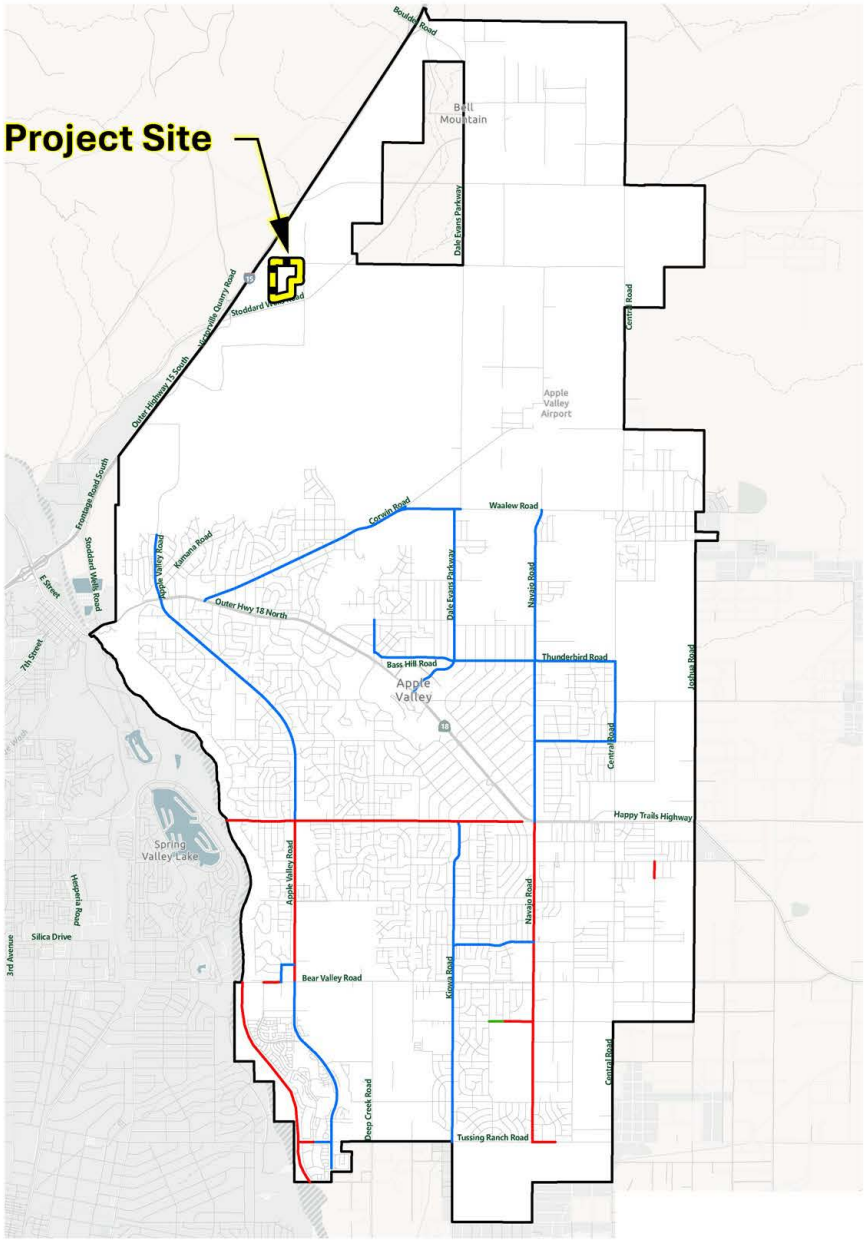


Source(s): Town of Apple Valley (2025)

Figure 4.13-2

Not to Scale

Existing Transit Services



Source(s): Town of Apple Valley (2025)

Figure 4.13-3

Not to Scale

Existing Bike Paths

The updated CEQA Guidelines include the addition of CEQA Guidelines Section 15064.3, of which subsection "b" establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric.

B. Regional

1. SCAG Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project site is within SCAG's regional authority. On April 4, 2024, SCAG adopted the 2024-2050 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) ("RTP/SCS"; also referred to herein as "Connect SoCal") with goals to: 1) build and maintain an integrated multimodal transportation network; 2) develop, connect and sustain communities that are livable and thriving; 3) create a healthy region for the people of today and tomorrow; and 4) support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP.

Connect SoCal includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region. Connect SoCal also provides objectives for meeting emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in a direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. Connect SoCal is updated periodically to allow for the consideration and inclusion of new transportation strategies and methods. (SCAG, 2024a)

2. San Bernardino County Congestion Management Plan

The intent of the Congestion Management Plan (CMP) is to provide the analytical basis for transportation decisions. Although implementation of the CMP was made voluntary by the passage of AB 2419, the CMP requirement has been retained in all five urban counties within the SCAG region. The goals of the San Bernardino County CMP are to:

- Goal 1. Maintain or enhance the performance of the multimodal transportation system and minimize travel delay.
- Goal 2. Assist in focusing available transportation funding on cost-effective responses to subregional and regional transportation needs.
- Goal 3. Provide for technical consistency in multimodal transportation system analysis.

- Goal 4. Help to coordinate development and implementation of subregional transportation strategies across jurisdictional boundaries.

- Goal 5. Anticipate the impacts of proposed new development on the multimodal transportation system, provide consistent procedures to identify and evaluate the effectiveness of mitigation measures and provide for adequate funding of mitigations.

- Goal 6. Promote air quality and improve mobility through implementation of land use and transportation alternatives or incentives that reduce both vehicle trips and miles traveled and vehicle emissions. (San Bernardino County, 2016b)

3. Measure "I" Funds

In 2004, the voters of San Bernardino County approved the 30-year extension of Measure "I", a one-half of one percent sales tax on retail transactions, through the year 2040, for transportation projects including, but not limited to, infrastructure improvements, commuter rail, public transit, and other identified improvements. The Measure "I" extension requires that a regional traffic impact fee be created to ensure development is paying its fair share. A regional Nexus study was prepared by San Bernardino County Transportation Authority (SBCTA) and concluded that each jurisdiction should include a regional fee component in their local programs to meet the Measure "I" requirement. The regional component assigns specific facilities and cost sharing formulas to each jurisdiction and was most recently updated in September 2017. Revenues collected through these programs are used in tandem with Measure "I" funds to deliver projects identified in the Nexus Study.

While Measure "I" is a self-executing sales tax administered by SBCTA, it bears discussion here because the funds raised through Measure "I" have funded in the past, and will continue to fund, new transportation facilities in San Bernardino County, including within the Town of Apple Valley. (SBCTA, n.d.)

C. Local

1. Town of Apple Valley General Plan Circulation Element

The Town of Apple Valley updated its General Plan Circulation Element in October 2025 in order to comply with new State legislation that went into effect since adoption of the General Plan in 2009. The purpose of the Circulation Element of the General Plan is to maintain and expand a safe and efficient circulation and transportation system. The Circulation Element update recognizes the planned Brightline transit station, removes a section of the High Desert Corridor consistent with the State's approved project alignment, identifies new truck routes to support the North Apple Valley Industrial Specific Plan, and reclassifies some street segments to reflect changes in circulation associated with these changes. The new policies support multimodal transportation improvements to support access, mobility, and safety for all users of the Town's transportation system.

The goals, policies and programs applicable to the proposed Project and a discussion of the Project's consistency are provided under the discussion of Threshold a, below. (Town of Apple Valley, 2025a)

2. Town of Apple Valley Development Impact Fee Program

The Town of Apple Valley has implemented a Development Impact Fee (DIF) program. This program collects fees from new single-family residential, multi-family residential, commercial, office use, and industrial developments. These fees serve to fund compliant regional facilities as well as local facilities such as fire protection, law enforcement, storm drainage, sanitary sewer, parks, and general government fees. Under the Town's DIF program, the Town may grant developers a credit against specific components of fees when those developers construct certain facilities and landscaped medians identified in the list of improvements funded by the DIF program.

3. Fair Share Contribution

Project improvements may include a combination of fee payments to established programs, construction of specific improvements, payment of a fair share contribution toward future improvements or a combination of these approaches. Improvements constructed by development may be eligible for a fee credit or reimbursement through the program where appropriate (to be determined at the Town's discretion). When off-site improvements are identified with a minor share of responsibility assigned to proposed development, the approving jurisdiction may elect to collect a fair share contribution or require the development to construct improvements.

4.13.3 Methodology

CEQA Guidelines Section 15064.3(b) establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric. As identified in Section 15064.3(b)(4) of the CEQA Guidelines, a lead agency has the discretion to choose the most appropriate methodology to evaluate a project's VMT. The Governor's Office of Land Use and Climate Innovation released a Technical Advisory on Evaluating Transportation Impacts in CEQA.

To comply with CEQA, the Town of Apple Valley adopted Resolution No. 2021-08, "A Resolution of the Town Council of the Town of Apple Valley, California, Adopting Thresholds of Significance for Vehicle Miles Traveled (VMT) Under the California Environmental Quality Act (CEQA)" on May 11, 2021, which documents the Town's adopted VMT methodology and impact thresholds based on guidance as provided by the San Bernardino County Transportation Authority's (SBCTA) "Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment" (February 2020). The Project's VMT analysis was prepared based on the Town's adopted VMT Guidelines.

4.13.4 Basis for Determining Significance

According to Section XVII of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to transportation and traffic if the Project or any Project-related component would

a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*

b. *Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);*

c. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);*

d. *Result in inadequate emergency access.*

4.13.5 Impact Analysis

Threshold a:	**Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Circulation system and mobility plans and policies applicable to the Project include SCAG's Connect SoCal and the Town of Apple Valley General Plan Circulation Element. An analysis of the Project's potential to conflict with these plans is presented below.

A. SCAG 2024-2050 RTP/SCS

SCAG's Connect SoCal seeks to improve mobility, promote sustainability, facilitate economic development, and preserve the quality of life for the residents in the region. Table 4.10-1, *SCAG Policy Consistency Analysis*, in Section 4.10, *Land Use and Planning*, of this EIR, addresses the Project's consistency with SCAG's Connect SoCal. As shown, the Project would not conflict with any applicable 2024-2050 Connect SoCal policies such as Policy 03 and Policy 05 under the Mobility Element. The Project Applicant would be required to pay DIF, and fair share fees towards transportation improvements. Additionally, the Project would include roadways improvements consistent with Town Requirements. As such, the Project would contribute to SCAG's goal of providing a safe, multimodal network and would include roadway improvements to accommodate site access and maintain acceptable peak hour operations. Project consistency with Connect SoCal illustrates consistency with goals set forth for the Project region. Moreover, the Project proposes to develop a Class A industrial building in the Town of Apple Valley in close proximity to the State highway system which will facilitate SCAG's goal of first/last mile delivery for the movement of goods. As demonstrated, implementation of the Project would not conflict with the goals and policies of SCAG's regional planning program.

B. San Bernardino County Congestion Management Plan

The intent of the San Bernardino County CMP is to provide the analytical basis for transportation decisions. The Project would be consistent with the applicable goals and elements of the San Bernardino County CMP shown in section 4.13.2B.2 above. The Project would not impede the ability to maintain or enhance the performance of the multimodal transportation system. The Project would include roadway improvements to serve internal circulation needs. None of the proposed roadway improvements would interfere with the existing or potential future improvements to the County's multimodal transportation system. The Project would participate in the Town's Development Impact Fee program, which is coordinated with regional planning efforts in Victor Valley to meet regional transportation needs and to provide for adequate funding of mitigation for impacts of new development, consistent with the CMP. The CMP System LOS Element and Performance Measures Element also contain LOS standards for CMP designated highways and roadways. However, there are no designated CMP roadways in the Project study area; therefore, the Project would have no impact on these roadways. Accordingly, the Project would not conflict with the San Bernardino County CMP.

C. Town of Apple Valley General Plan Circulation Element

Table 4.13-1, *General Plan Consistency Analysis*, presents a discussion of the Project's consistency with the goals, policies and programs of the Town's General Plan Circulation Element. As demonstrated below, the Project would not conflict with any program, plan, ordinance or policy addressing the circulation system. Impacts in this regard would be less than significant.

Table 4.13-1 General Plan Consistency Analysis

General Plan Goal, Policy or Program	Consistency Analysis
Goal 1: Mobility - The Town shall continue to maintain and expand a safe and efficient transportation system that serves the mobility needs of a dynamic and prosperous Apple Valley	
Policy 1.A. Develop and maintain a roadway network consistent with the Town's Circulation Map that meets Apple Valley's needs and responds to new development	**No Conflict.** All roadway improvements constructed as part of the Project would be implemented consistent with Town standards. As discussed in Section 3.0, *Project Description*, the Project would widen Wrangler Road (88 feet for Secondary Roadways) and Stoddard Wells Road (128 feet for Major Divided Arterial) to their ultimate sections and construct Johnson Road along the Project frontage. The Project would construct a total of four (4) driveways, one on the northeast along Johnson Road, two on the southwest along Wrangler Road, and one on the southeast along Stoddard Wells Road. The Project would also install a traffic signal at the intersection of Stoddard Wells Road and Wrangler Road.

General Plan Goal, Policy or Program	Consistency Analysis
Policy 1.B. Ensure the efficient movement of traffic	**No Conflict**. As detailed in the Traffic Analysis (*Technical Appendix K1*) prepared for the Project, fair share fee contributions would be assessed of the Project toward the improvement of area roadways. All roadway improvements constructed as part of the Project would be implemented consistent with Town standards.
Goal 2: Safety - The Town shall provide a safe, accessible, and equitable transportation system that serves the mobility needs of all users.	
Policy 2.A. Complete Streets. Require that new roadways include provisions for complete streets consistent with Assembly Bill 1358	**No Conflict.** As shown in Figure 3-4, *Site Plan*, the Project would construct curb, gutter, and sidewalk improvements along Stoddard Wells Road, Johnson Road, and Wrangler Road.
Goal 3: Sustainability – Foster improved traffic flow and air quality by encouraging the use of non-motorized transportation, alternative fuel vehicles, and multi-occupant vehicles.	
Policy 3.B: Reduce Greenhouse Gas Emissions. Provide a transportation network that adapts to and encourages innovations for reducing greenhouse gas emissions.	**No Conflict.** Implementation of the Mitigation Measure MM 4.13-1 would reduce a portion of the Project's VMT impact as it promotes transit and alternative transportation, use of alternatively fueled vehicles, and practices to reduce vehicle trips. Additionally, implementation of Mitigation Measures MM 4.7-1 through MM 4.7-19 would reduce operational GHG emissions by reducing the Project's water and energy consumption with measures such as on-site solar generation, Energy Star-rated appliances, low-water use appliances and fixtures, and drought-tolerant plants, implementing solid waste reduction measures, using electrical cargo handling equipment, installing EV charging stations, reducing idling and queuing on public streets, reducing fugitive dust, and using use zero-emission light- and medium-duty trucks.
Goal 4: Goods Movement - Provide for the safe and efficient movement of goods through the Town that maximizes economic benefits and minimizes negative impacts	
Policy 4.A. Freight Planning. Provide the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses.	**No Conflict.** As detailed in Chapter 12.36 Truck Routes of the Town Municipal Code, Stoddard Wells Road, from I-15 to the northern Town boundary is designated at a local truck route. The Project would utilize Stoddard Wells Road which provides for the effective transport of goods.
Policy 4.B. Sustainable Freight. Support the safe and sustainable movement of trucks.	**No Conflict.** The Project would comply with Chapter 12.36 Truck Routes of the Town Municipal Code which prohibits trucks from being operated or driven on any restricted streets. The Project would

General Plan Goal, Policy or Program	Consistency Analysis
	utilize Stoddard Wells Road which supports the safe and sustainable movement of trucks.

Source: (Town of Apple Valley, 2025a)

As demonstrated above, the Project would not conflict with any program, plan, ordinance or policy addressing the circulation system. Impacts in this regard would be less than significant.

Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

VMT Guidelines, as adopted by the Town, state that a project would result in a significant project-generated impact if either of the following conditions are satisfied:

1. The baseline project generated VMT per Service Population (SP) exceeds the Town of Apple Valley General Plan Buildout VMT per SP, or

2. The cumulative project generated VMT per SP exceeds the Town of Apple Valley General Plan Buildout VMT per SP.

A project's effect on VMT would be considered significant if it results in either of the following conditions to be satisfied:

3. The baseline link-level boundary Town-wide VMT per SP increases under the plus project condition compared to the no project condition, or

4. The cumulative link-level boundary Town-wide VMT per SP increases under the plus project condition compared to the no project condition.

The San Bernardino Transportation Analysis Model (SBTAM) is a travel forecasting model that represents a sub-area (San Bernardino County) of the SCAG regional traffic model and was designed to provide a greater level of detail and sensitivity in the San Bernardino County area as compared to the regional SCAG model. The current version of SBTAM (version 3.2, also referred to as SBTAM+) was last released in June 2024 and represents the most current sub-regional transportation model for San Bernardino County.

The Town of Apple Valley's VMT per capita was calculated utilizing the SBTAM's horizon year (2050) traffic model. All TAZs located within Town of Apple Valley were selected and the Total VMT was calculated from SBTAM. The VMT for the Town was then divided by the Town's service population which results in the Town of Apple Valley's General Plan Buildout average of 35.7 VMT per service population, as presented in Table 4.13-2, *General Plan Buildout VMT per Service Population*.

Table 4.13-2 General Plan Buildout VMT per Service Population

	Town's General Plan Buildout
Service Population	123,280
VMT	4,406,862
VMT per Service Population Threshold	35.7

Source: (UXR, 2025g)

Consistent with the Town's adopted VMT Guidelines, the Origin/Destination (OD) method was utilized to estimate Project-generated VMT and is presented as total VMT per Service Population (SP). Total VMT provides an estimate of the total vehicle travel (inclusive of both cars and trucks), while VMT per person/employee measures the efficiency of travel. Total VMT per SP is an efficiency metric that represents all VMT generated on a typical weekday per person who lives and/or works in a given area (e.g., Project Boundary or Town of Apple Valley). As the Project proposes only industrial land uses, its SP would be comprised solely of employees. Project impacts were estimated using the following methods:

- Origin/Destination (OD) VMT
  The OD method for calculating VMT sums all weekday VMT generated by trips with at least one trip ending in the study area and tracks those trips to their estimated origins/destinations. Origins are all vehicle trips that start in a specific traffic analysis zone (TAZ) and destinations are all vehicle trips that end in a specific TAZ.

- Boundary VMT Method
  Town Guidelines identifies that any VMT analysis should also contain an evaluation of a project's effect on VMT, which can be performed using the boundary method of calculating VMT. The boundary method is the sum of all weekday VMT on the roadway network within a designated boundary (i.e., Town boundary). The boundary method estimates VMT by multiplying vehicle trips on each roadway segment within the boundary by that segment's length. This approach consists of all trips, including those trips that do not begin or end in the designated boundary. Consistent with Town Guidelines, the Town of Apple Valley was used as the boundary for this assessment.

The VMT estimates performed for the Project along with a comparison of the Town's impact threshold are presented in Table 4.13-3, *Project-Generated VMT*.

Table 4.13-3 Project-Generated VMT

	Baseline	Cumulative
Town Threshold	35.7	35.7
Project Employees	1,156	1,156
Project VMT	43,638	48,120
Project VMT per Service Population	37.8	41.6
Potentially Significant?	Yes	Yes

Source: (UXR, 2025g)

As shown above, Project-generated VMT was found to exceed the Town's VMT per SP impact threshold. Impacts would be potentially significant.

The Project's cumulative effect on VMT was calculated using the boundary method. Land use information representing the proposed land use changes contemplated by the Project were coded into the Project TAZ to represent the "With Project" condition. Table 4.13-4, *Cumulative Boundary VMT* summarizes the boundary VMT under the No Project and With Project scenarios for both baseline and cumulative conditions and any increase to VMT per service population would be considered to have a significant cumulative VMT impact. As shown, the Project's cumulative effect on VMT per SP was found to decrease in the With Project scenario compared to the No Project scenario, under both baseline and cumulative conditions, which is below the Town's cumulative impact threshold.

Table 4.13-4 Cumulative Boundary VMT

	Service Population	Boundary VMT	VMT per Service Population	Exceeds Threshold?
Town-wide Baseline No Project	101,801	1,468,489	14.4	-
Town-wide Baseline With Project	102,957	1,475,488	14.3	No
Town-wide Cumulative No Project	123,280	1,886,726	15.3	-
Town-wide Cumulative With Project	124,436	1,895,638	15.2	No

Source: (UXR, 2025g)

A. Supplemental VMT Analysis for Truck Travel

A Supplemental VMT assessment (*Technical Appendix K3*) was prepared to accompany the Project's VMT Analysis (*Technical Appendix K2*), which followed the Town's adopted VMT Guidelines and only considers travel demand model-based truck travel lengths using StreetLight™ Data's Truck Volume

Metrics. Refer to the Supplemental VMT assessment (*Technical Appendix K3*) for further discussion regarding StreetLight data.

To ensure that the survey results reflect the operational characteristics of large-scale warehouse uses comparable to those proposed by the Project, survey data from the Walmart and Big Lots facilities in the Town of Apple Valley was utilized as they represent modern, high-cube warehouse operations with multiple dock-high loading positions and truck circulation features consistent with large-scale logistics development. Although the Big Lots facility ceased operations near the end of 2024, the survey data was collected during 2021–2022 when the site was fully operational.

Data from these facilities captures both truck activity and employee travel patterns characteristic of logistics-oriented warehouses, which offers a reliable and representative basis for evaluating the Project's trip generation and VMT impacts. The data for this survey includes information on Medium Heavy-Duty Trucks (MDT) and Heavy Heavy-Duty Trucks (HDT) that either originated, ended, or passed through the surveyed area during the most recent consecutive 12-month period available from StreetLight™ Data for truck travel volume metrics.

Table 4.13-5, *Project-Generated VMT – Truck Travel* presents an estimation of total VMT for the Project, which utilizes vehicle trip generation rates consistent with the Project's traffic study (*Technical Appendix K1*) multiplied by the average trip length for each vehicle type.

Table 4.13-5 Project-Generated VMT – Truck Travel

Vehicle Type	Vehicle Trips	Vehicle Trip Length	VMT
Automobile	2,240	15.4	34,496
Total Truck	558	62.1	34,652
Total	2,798	-	69,148

Source: (UXR, 2025h)

Table 4.13-6, *VMT per SP* presents the calculation of the efficiency metric total VMT per SP. Table 4.13-6 identifies a comparison between the Project's total VMT per SP to the Town's adopted impact threshold. As specified in the Town of Apple Valley's adopted VMT Guidelines, if the baseline Project-generated VMT per SP exceeds the Town of Apple Valley General Plan Buildout VMT per SP, the Project would result in a significant impact. As calculated from SBTAM, the Town of Apple Valley average VMT per service population is 35.74. As shown, the Project is forecast to generate total VMT per SP of 59.8, which would exceed the Town's VMT impact threshold and result in a significant VMT impact.

Table 4.13-6 VMT per SP

	Project
SP	1,156
Total VMT	69,148
VMT per SP	59.8
Threshold	35.7
VMT Exceeds Threshold?	Yes

Source: (UXR, 2025h)

Threshold c: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project is generally consistent with Town's vision for the area, as evidenced by the site's existing land use designation. The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along adjacent roadways under existing conditions.

Efficient and safe access within, and access to, the Project is provided by the site plan design concept, site access improvements, and site adjacent roadway improvements included as components of the Project. On-site traffic signing and striping would be implemented in conjunction with detailed construction plans for the Project site. Sight distance at each Project access point would be reviewed to ensure conformance with Town sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

Trucks accessing the Project site would be required to travel along Town-designated truck routes. Mandatory use of truck routes would minimize potential conflicts between truck traffic and other motorized and non-motorized transportation modes.

The potential for the Project to substantially increase hazards due to a geometric design feature or incompatible uses is considered less than significant.

Threshold d: Would the Project result in inadequate emergency access?

The Project does not propose elements or aspects that would obstruct or restrict emergency access to or through the area. Additionally, representatives of the Apple Valley Fire Protection District (AVFPD) and San Bernardino County Sheriff's Department (SBCSD) would review the Project's plans to ensure that emergency access is provided consistent with AVFPD and SBCSD requirements.

A. Construction

All Project construction materials and equipment would be stored/staged on the Project site and would not interfere with emergency vehicles traveling adjacent to the site. Any Project construction

activities that would occur within the public right-of-way and require a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that complies with the California Manual on Uniform Traffic Control Devices and that must be approved by the Town to ensure that emergency response is not adversely affected.

B. Operation

The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along surrounding roadways under existing conditions and would not interfere with the circulation of emergency vehicles along public streets adjacent to the Project site. As discussed above, Project plans would be reviewed and approved by AVFPD and SBCSD to ensure that adequate emergency access is provided throughout the site. The preceding, the potential for the Project to result in inadequate emergency access is considered less than significant.

4.13.6 Cumulative Impact Analysis

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development. The analysis under Threshold "a" indicates that the Project would not conflict with relevant SCAG RTP/SCS or Town General Plan programs, plans, and policies addressing the circulation system. Further, the Project does not include any features that would preclude the Town from completing and complying with these guiding documents and policy objectives. Future development in the Town would be expected to comply with all applicable relevant programs, plans, and policies. Therefore, no cumulative impact would occur.

The Governor's Office of Land Use and Climate Innovation's Technical Advisory states that "a project that falls below an efficiency-based threshold (e.g., VMT per service population) that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less than significant project impact would imply a less than significant cumulative impact and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance." As discussed under Threshold b, even with the implementation of mitigation, VMT impacts of the Project would be significant at the Project level, and therefore, would also be cumulatively significant. Related projects in the cumulative impact area would similarly be required to minimize impacts to the extent feasible and demonstrate compliance with Town programs, plans, policies and ordinances addressing the above topics, thereby minimizing potential cumulative impacts.

Based on the review of the Project site driveways, no safety concerns relating to geometric design of the Project site access points would occur. Furthermore, the Project is compatible with the uses in the immediately surrounding area. Therefore, impacts are not considered to be cumulatively-considerable and no significant cumulative impact would occur.

As discussed above, the Project would not result in inadequate emergency access. Therefore, the Project would not cumulatively contribute to inadequate emergency access, and no cumulative impact would occur.

4.13.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The Project would not conflict with a program, plan, policy addressing the circulation system such that the Project would result in a significant impact on the environment.

Threshold b: Potentially Significant Impact. Project-generated VMT was found to exceed the Town's VMT per SP impact threshold and would result in a potentially significant VMT impact on a Project and cumulative basis. However, the Project's cumulative effect on VMT per SP was found to decrease in the With Project scenario compared to the No Project scenario, under both baseline and cumulative conditions, which is below the Town's cumulative impact threshold.

Threshold c: Less than Significant Impact. The Project would not create or substantially increase safety hazards due to a design feature or incompatible use.

Threshold d: Less than Significant Impact. Adequate emergency access would be provided to the Project site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.

4.13.8 Mitigation

MM 4.13-1 Prior to the issuance of the certificate of occupancy for the tenant, the Project operator or tenant shall: 1) prepare and submit a Transportation Demand Management (TDM) Program to the Town Engineer for review, detailing strategies for reducing the use of single occupant vehicles by employees; and 2) provide written documentation to the satisfaction of the Town that the TDM Program requirement is incorporated into any lease agreement for the project site to ensure enforceability. The TDM Program shall include all feasible transportation measures recommended by California Air Pollution Control Officers Association (CAPCOA) and analyzed in the VMT report (see *EIR Technical Appendix K2*) as calculated pursuant to the "CAPCOA Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity" or other substantial evidence. Transportation measures to be considered in the TDM Program may include, but are not limited to:

- **T-7 Commute Trip Reduction (CTR) Marketing**, to educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT, including:
  - Onsite or online commuter information services.

- Employee transportation coordinators.
- Onsite or online transit pass sales.
- Guaranteed ride home service.

- **T-8 Ridesharing Program.**
  - Designating a certain percentage of desirable parking spaces for ridesharing vehicles.
  - Designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles.
  - Providing an app or website for coordinating rides.

- **T-10 End-of-Trip Bicycle Facilities.** The Project shall install and maintain end-of-trip facilities for employee use. End-of-trip facilities may include bike parking, bike lockers, showers, and personal lockers.

4.13.9 Significance of Impacts After Mitigation

Threshold b: Significant and Unavoidable Impact. Implementation of the preceding mitigation is expected to reduce a portion of the Project's VMT impact as it promotes transit and alternative transportation, use of alternatively fueled vehicles, and practices to reduce vehicle trips. However, even with the inclusion of mitigation, the Project will not be able to mitigate its VMT impact to a level of less than significant and impacts would remain significant and unavoidable.

4.13.10 References

San Bernardino County. 2016b. *Congestion Management Plan*. Accessed on December 12, 2025. Available: https://www.gosbcta.com/plan/congestion-management-plan-2016/

San Bernardino County Transportation Authority (SBCTA). n.d.. *Measure I Funding*. Accessed on December 12, 2025. Available: https://www.gosbcta.com/funding/measure-i/

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Town of Apple Valley, 2025b. *Town of Apple Valley Municipal Code*. Version: January 28, 2025. Accessed on February 10, 2025. Available: https://library.municode.com/ca/apple_valley/codes/code_of_ordinances?nodeId=15357

Urban Crossroads, 2025f. *Apple Valley 84 Traffic Analysis*. December 11, 2025. *Technical Appendix K1*.

Urban Crossroads, 2025g. *Apple Valley 84 Vehicle Miles Traveled Analysis*. December 9, 2025. *Technical Appendix K2*.

Urban Crossroads, 2025h. *Apple Valley 84 Supplemental Vehicle Miles Traveled Analysis*. December 9, 2025. *Technical Appendix K3*.

4.14 TRIBAL CULTURAL RESOURCES

The following analysis is based in part on information obtained from the following technical reports:

- BFSA Environmental Services (BFSA) 2025a. *Phase I Archaeological Assessment* for the Apple Valley 84 Project. December 11, 2025. (*Technical Appendix D*)

The Phase I Archaeological Assessment is included as *Technical Appendix D* to this EIR. Confidential information has been redacted from *Technical Appendix D* for the purposes of public review. In addition, much of the written and oral communication between Native American tribes, the Town of Apple Valley, and BFSA is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

Refer to Sections 4.14.10 and 7.0, *References*, for a complete list of reference sources.

4.14.1 Environmental Setting

A. Ethnohistoric Setting

During the Ethnohistoric Period, the Serrano, especially the Desert Serrano (Vanyume), occupied the Project site. The territory of the Vanyume was covered by small and relatively sparse populations primarily focused along the Mojave River southeast of the Kawaiisu. It is believed that the southwestern extent of their territory went as far as Cajon Pass and portions of Hesperia. The Vanyume maintained friendly social relations with the Mohave and Chemehuevi to the east and northeast. As with the majority of California native populations, Vanyume populations were decimated around the 1820s by placement in Spanish missions and asistencias. It is believed that, by 1900, the Vanyume had become extinct. However, given the settlement patterns reported for the Vanyume, it is more probable that the population was dispersed rather than completely wiped out. (BFSA, 2025a)

The Serrano were primarily hunters and gatherers. Individual family dwellings were likely circular, domed structures. Vegetal staples varied with locality; acorns and piñon nuts were found in the foothills, and mesquite, yucca roots, cacti fruits, and piñon nuts were found in or near the desert regions. Diets were supplemented with other roots, bulbs, shoots, and seeds. Deer, mountain sheep, antelopes, rabbits, and other small rodents were among the principal food packages. Various game birds, especially quail, were also hunted. The bow and arrow were used for large game, while smaller game and birds were killed with curved throwing sticks, traps, and snares. Occasionally, game was hunted communally, often during mourning ceremonies. Manufactured goods included

baskets, some pottery, rabbitskin blankets, awls, arrow straighteners, sinew-backed bows, arrows, fire drills, stone pipes, musical instruments (rattles, rasps, whistles, bull-roarers, and flutes), feathered regalia, mats, bags, storage pouches, and nets. Food acquisition and processing required the manufacturing of additional items such as knives, stone or bone scrapers, pottery trays and bowls, bone or horn spoons, and stirrers. Mortars, made of either stone or wood, and metates were also manufactured. (BFSA, 2025a)

4.14.2 Regulatory Framework

A. Federal

1. American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) requires each executive branch agency with statutory or administrative responsibility for the management of Federal lands shall, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies also are required to maintain the confidentiality of sacred sites. Each executive branch agency with statutory or administrative responsibility for the management of Federal lands are required to implement procedures to ensure reasonable notice is provided of proposed actions or land management policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites.

2. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation.

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

3. Federal Antiquities Act

The Antiquities Act is the first law to establish that archaeological sites on public lands are important public resources. It obligates federal agencies that manage the public lands to preserve for present and future generations the historic, scientific, commemorative, and cultural values of the archaeological and historic sites and structures on these lands. It also authorizes the President to protect landmarks, structures, and objects of historic or scientific interest by designating them as National Monuments.

B. State

1. California Administrative Code, Title 14, Section 4308

California Administrative Code Title 14, Section 4308, *Archaeological Features*, provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.”

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: “No person shall collect or remove any object or thing of archaeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archaeological or historical interest or value is found.”

3. Traditional Tribal Cultural Places Act (SB 18)

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Land Use and Climate Innovation (LCI) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

4. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. 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.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) 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. That consultation must take

place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

Public Resources Code Section 21074 defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

5. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

6. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, § 4850 et seq.).*

- *A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*

- *Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, § 4852) including the following:*

    - *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*

    - *Is associated with the lives of persons important in our past;*

    - *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*

    - *Has yielded, or may be likely to yield, information important in prehistory or history.*

- *The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical*

resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

4.14.3 Methodology

The Cultural Resources Assessment included background research, communication with the Native American Heritage Committee (NAHC) and local Native American groups, a cultural resource survey of the Project area, and resource documentation and evaluation. Outreach letters were sent to16 individuals representing 9 local Native American tribal groups to elicit information on Native American cultural resources that may be in the vicinity of the proposed Project.

4.14.4 Basis for Determining Significance

According to Section XVIII of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to tribal resources if the Project or any Project-related component would:

a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

   i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

   ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.14.5 Impact Analysis

Threshold 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), or ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

As discussed in Section 4.4, *Cultural Resources*, a records search at the South Central Coastal Information System indicated that no cultural resources have previously been recorded within the Project site boundaries. Additionally, results of the Native American Heritage Commission's (NAHC) Sacred Lands Files results were negative for the presence of Native American sacred sites or locations of ceremonial importance within the vicinity of the Project site. The field survey conducted as part of the Cultural Resources Survey did not identify any tribal resources within the Project site.

Assembly Bill 52 (AB 52), which became effective on July 1, 2015, requires lead agencies to provide notice to Native American tribes that are traditionally and culturally affiliated with the geographic area of a Project.

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. The consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code 65450 et seq.).

Outreach letters were sent to 19 individuals representing 10 local Native American tribal groups to elicit information on Native American cultural resources that may be in the vicinity of the proposed Project. These letters included:

- Agua Caliente Band of Cahuilla Indians
- Cabazon Band of Mission Indians
- Gabrielino Tongva Indians
- Kern Valley Indian Community
- Morongo Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation

- San Fernando Band of Mission Indians
- Serrano Nation of Mission Indians
- Twenty-Nine Palms Band of Mission Indians
- Yuhaaviatam of San Manuel Nation (also known as San Manual Band of Mission Indians)

The outreach letters provided formal notification of the Project, elicited information on Native American cultural resources that may be in the vicinity of the Project site and offered formal consultation pursuant to AB 52/SB 18.

Representatives from the Yuhaaviatam of San Manuel Nation requested copies of the cultural and geotechnical reports for review and indicated that the project area is located within Serrano ancestral territory and is of interest to the tribe. The Town is currently in consultation with the tribe.

Much of the written and oral communication between the Native American tribes and the Town is considered confidential in respect to places that have traditional tribal cultural significance. Although relied upon in part for the preparation of this EIR, those communications are treated as confidential and are not available for public review. Through AB 52 consultation, it was determined the Project area could be considered culturally sensitive. As such, potential impacts to previously undiscovered tribal resources are considered potentially significant.

4.14.6 Cumulative Impact Analysis

The cumulative impact area for tribal cultural resources includes the Project site and immediately surrounding area. Impacts to tribal cultural resources within this area would be site-specific. In the event that potentially significant tribal cultural resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. The Lead Agency has initiated tribal cultural consultation processes pursuant to AB 52/SB 18. Mitigation Measure MM 4.14-1 below establishes monitoring protocols, and provisions for avoidance, protection, or curation of tribal cultural resources that may be identified through the AB 52/SB 18 consultation process. These mitigation measures reduce the Project's potential impacts to tribal cultural resources to less than significant.

There are no known or probable related projects that would interact with the Project and thereby result in cumulatively significant impacts. Additionally, related projects in the cumulative impact area would be required to minimize tribal cultural resources impacts consistent with State, local, and potentially affected Tribe policies and regulations, thereby minimizing cumulative impacts. The Project's cumulative tribal cultural resources impacts would be less than significant with mitigation.

4.14.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Impact. Implementation of the Project has the potential cause a substantial adverse change in the significance of tribal cultural resources that may be buried beneath the site's surface.

4.14.8 Mitigation

MM 4.14-1 Any culturally-affiliated Tribes (including the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department) shall be contacted, as detailed in Mitigation Measure MM 4.4-1, of any pre-contact cultural resources discovered during grading activities, and be provided information regarding the nature of the find, so as to provide Tribal input with regard to significance and treatment. Should the find be deemed significant, as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Tribe, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents the Tribe for the remainder of the Project, should the Tribe elect to place a monitor on-site.

4.14.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measures 4.14-1 addresses the requests of the responding tribes, and would ensure that any tribal cultural resources identified on-site during ground disturbing activities are appropriately treated as directed by a qualified archaeologist and consulting tribes. Implementation of the required mitigation would reduce the Project's potential impacts to subsurface cultural resources to below a level of significance.

4.14.10 References

BFSA, 2025a. *Phase I Archaeological Assessment* for the Apple Valley 84 Project. December 11, 2025. (*Technical Appendix D*)

4.15 UTILITIES AND SERVICE SYSTEMS

The following analysis is based in part on information obtained from the following technical reports:

- Huitt-Zollars, Inc., 2025a. *Preliminary Hydrology Report*. July 1, 2025. (*Technical Appendix I1*)
- Water Systems Consulting, Inc. (WSC), 2025. *Water Supply Assessment (WSA) for Apple Valley 84*. October, 2025. (*Technical Appendix I3*)

Refer to Sections 4.15.10 and 7.0, *References*, for a complete list of reference sources.

4.15.1 Environmental Setting

A. Water Service

Liberty Utilities provides water service to residential, commercial, industrial, institutional, and open space customers in the Town of Apple Valley and unincorporated areas of San Bernardino County. Liberty Utilities' service area encompasses an area of approximately 50 square miles. In 2020, Liberty Utilities obtained 100% of its source water from 18 deep wells located throughout the service area. These wells draw water from the deep Alto sub-unit of the Mojave ground water basin, which is recharged from snowmelt from the San Bernardino Mountains to the south and the Mojave River to the west. (Liberty Utilities, 2021) The Project site is located in the water supply service area of Liberty Utilities.

The Project site is located within the Upper Mojave River Valley Groundwater Basin (DWR Basin No. 6-042) as mapped by the California Department of Water Resources as well as the Mojave Basin (Alto Subarea) as designated by the Mojave Basin Area Watermaster. The Basin is an adjudicated groundwater basin and is exempt from the requirements of developing a Groundwater Sustainability Plan (GSP) as it is designated as a very-low priority basin. Because the Project site is within an adjudicated area, it is not subject to the requirements of California's Sustainable Groundwater Management Act (SGMA), but instead is subject to groundwater pumping allocations under the court adjudication set up to mitigate long-term overdraft, to keep subareas in balance, and to meet biological resource mitigation obligations. (DWR, 2020)

B. Wastewater Services

The Town's Department of Public Works Wastewater Division owns, operates, and maintains a wastewater collection system, including approximately 140 miles of collector sewer, trunk lines and inceptors, as well as nine sewer lift pump stations. The Town is a member of the joint power agency, Victor Valley Wastewater Reclamation Authority (VVWRA). VVWRA operates a regional interceptor sewer system and wastewater reclamation plants. The Town's sewer system conveys wastewater to the Regional Wastewater Treatment Plant (RWWTP) operated by VVWRA in Victorville. The plant currently treats approximately 12 million gallons per day (mgd) and has a design capacity of 18 mgd.

The Apple Valley Subregional Water Recycling facility located at Brewster Park was completed in 2018. It can produce one million gallons per day of recycled water, which is used to irrigate Brewster Park and the Civic Center Park. The facility only treats wastewater and returns solid waste to the sewer line where it continues to the RWWTP in Victorville for treatment. (VVWRA, n.d.)

C. Stormwater

The existing site is undeveloped land located north of Stoddard Wells Road and east Wrangler Road. The Project site slopes from north to south and the desert terrain has numerous significant undulations creating multiple paths for stormwater over the entire site. The highest elevation, located at the northwest corner is approximately 2990 feet MSL. The lowest site elevation, at the southwest corner is approximately 2921 feet MSL. All runoff is tributary to the Bell Mountain Wash on the south side of Stoddard Wells Road.

D. Solid Waste

The collection, transport, and disposal of solid waste and recyclables from business use and residential use in the Town are provided by Burrtec Waste Industries Inc.'s AVCO Disposal (Burrtec). After waste is collected, it is delivered to the Victor Valley Material Recovery Facility, located at 17000 Abbey Lane in Victorville, approximately 3.5 miles southwest of the Project site. Waste is collected and hauled to the Victorville Sanitary Landfill, which is approximately 1.1 miles west of the Project site.

According to the California Department of Resources Recycling and Recovery (CalRecycle), as of March 2020, the Victorville Sanitary Landfill had an estimated remaining capacity of 93,400,000 cubic yards and was expected to remain open until 2047. Daily maximum disposal capacity is 3,000 tons per day. According to the landfill's site inspection report dated December 2024, the peak tonnage for the month was 2,478.51 tons. (CalRecycle, n.d.)

E. Natural Gas, Electricity, and Telecommunications

Natural gas service for the Town is provided by the Southwest Gas Holdings, Inc. (Southwest Gas). Southwest Gas provides natural gas service to more than two million customers in Arizona, Nevada, and portions of California. Southwest Gas' southern division is a wholesale customer of SoCalGas. According to the Town's Climate Action Plan 2019 Update, Townwide natural gas demand in Apple Valley in 2019 was 15,526,732 therms. (Town of Apple Valley, 2021)

Electrical power for the Town is provided by Southern California Edison (SCE). SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. According to the California Energy Commission (CEC), for San Bernardino County, approximately 16,630 gigawatt-hours (GWh) of electricity was used in 2022 (CEC, 2025).

There are a number of telecommunications service providers in the Town including Verizon, Charter, and Charter Spectrum. These are private companies that provide connections to their

communication systems on an as-needed basis and maintain existing infrastructure in the vicinity of the Project site.

4.15.2 Regulatory Framework

A. Federal

1. Applicable Water Supply Regulations

Clean Water Act

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the EPA has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's NPDES permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

B. State

1. Applicable Water Supply Regulations

Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act was established to ensure adequate water supplies are available for future uses. To promote the conservation and efficient use of water, the Act requires local agencies to adopt a water efficient landscape ordinance. When such an ordinance had not been adopted, a finding as to why (based on the climatic, geologic, or topographical conditions) such

an ordinance is not necessary, must be adopted. In the absence of such an ordinance or findings, the policies and requirements contained in the "model" ordinance drafted by the State of California shall apply within the affected jurisdiction.

Water Recycling in Landscaping Act

In 2000, Senate Bill 2095 (Water Recycling in Landscaping Act) was approved by Governor Davis requiring any local public or private entity that produces recycled water and determines that within 10 years it will provide recycled water within the boundaries of a local agency, to notify the local agency of that fact. In turn, local agencies are required to adopt and enforce within 180 days a specified recycled water ordinance, unless the local agency adopted a recycled water ordinance or other regulation requiring the use of recycled water in its jurisdiction prior to January 1, 2001.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA.

The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning.

The UWMP Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This was the Water Conservation Act of 2009, also known as SB X7-7. Within UWMPs, urban water suppliers must:

- Assess the reliability of water sources over a 20-year planning time frame
- Describe demand management measures and water shortage contingency plans

- Report progress toward meeting a targeted 20 percent reduction in per-capita (per-person) urban water consumption by the year 2020
- Discuss the use and planned use of recycled water

California Senate Bill 610

The California Water Code (Water Code) §§ 10910 through 10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA.

For the purposes of SB 610, "project" means any of the following:

(1) A proposed residential development of more than 500 dwelling units.

(2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

(3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.

(4) A proposed hotel or motel, or both, having more than 500 rooms.

(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(6) A mixed-use project that includes one or more of the projects specified in this subdivision.

(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

Because the Project proposes a total of 1,381,412 square feet of industrial uses on a 92.73-acre site, a water supply assessment was required and is included in *Technical Appendix I3* of this EIR.

CA. Water Code § 10610 et seq. (Senate Bill 901)

Signed into law on October 16, 1995, SB 901 required every urban water supplier to identify as part of its urban water management plan, the existing and planned sources of water available to the supplier over a prescribed 5-year period. The code requires the water service purveyor to assess the projected water demand associated with a proposed project under environmental review. Later

provisions of SB 901 required compliance in the event that the proposed Project involved the adoption of a specific plan, amendment to, or revision of the land use element of a general plan or specific plan that would result in a net increase in the state population density. Upon completion of the water assessment, cities and counties may agree or disagree with the conclusions of the water service purveyors, but cannot approve projects in the face of documented water shortfalls without first making certain findings.

Executive Order B-29-15

Executive Order (EO) B-29-15 ordered the SWRCB to impose restrictions to achieve a 25-percent reduction in potable urban water usage through February 28, 2016; directed the California DWR to lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes; and directed the California Energy Commission to implement a statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.

Executive Order B-37-16

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans.

Executive Order B-40-17

Signed on April 7, 2017, EO B-40-17 ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects will continue to help address diminished groundwater supplies. It maintains water reporting requirements and prohibitions on wasteful practices. The order was built on actions taken in Executive Order B-37-16, which remains in effect. In a related action, state agencies, including the Department of Water Resources (DWR), released a plan to continue making water conservation a way of life.

Sustainable Groundwater Management Act (SGMA)

The (SGMA established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA required, by June 30, 2017, the formation of locally-controlled GSAs in the State's high- and medium-priority groundwater basins and subbasins (basins). A GSA is responsible for developing and implementing a GSP to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results. The GSP Emergency Regulations for evaluating GSPs, the implementation of GSPs, and coordination agreements were adopted by DWR and approved by the California Water Commission on May 18, 2016.

2. Applicable Solid Waste Regulations

California Solid Waste Integrated Waste Management Act (AB 939, 1989)

The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. The IWMA also required:

- The establishment of a task force to coordinate the development of city Source Reduction and Recycling Elements (SRREs) and a countywide siting element.

- Each city, by July 1, 1991, to prepare, adopt and submit a SRRE to the county which includes the following components: waste characterization; source reduction; recycling; composting; solid waste facility capacity; education and public information; funding; special waste (asbestos, sewage sludge, etc.); and household hazardous waste.

- Each county, by January 1, 1991, to prepare a SRRE for its unincorporated area, with the same components described above, and a countywide siting element, specifying areas for transformation or disposal sites to provide capacity for solid waste generated in the jurisdiction which cannot be reduced or recycled for a 15-year period.

- Each county to prepare, adopt, and submit to the Board an Integrated Waste Management Plan (IWMP), which includes all of the elements described above.

- Each city or county plan to include an implementation schedule which shows: diversion of 25 percent of all solid waste from landfill or transformation facilities by January 1, 1995 through source reduction, recycling, and composting activities; and, diversion of 50 percent of all solid waste by January 1, 2000 through source reduction, recycling, and composting activities.

- The CIWMB to review the implementation of each SRRE at least once every two years.

- The IWMA required the CIWMB, in conjunction with an inspection conducted by a Lead Enforcement Agency (LEA), to conduct at least one inspection per year of each solid waste facility in the state.

Additionally, the IWMA established a comprehensive statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities.

Waste Reuse and Recycling Act (AB 1327)

The Waste Reuse and Recycling Act (WRRA) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued.

Mandatory Commercial Recycling Program (AB 341)

Assembly Bill (AB) 341 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning Oct. 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB-341 was designed to help meet California's recycling goal of 75% by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program.

2022 California Green Building Standards Code

The most recent edition of CalGreen became effective January 1, 2023, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). It should be noted that the 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026. This code features:

- Regulations for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, environmental quality, and more.
- Mandatory provisions for commercial, residential, and public school buildings.
- Appendices with voluntary provisions for all of these occupancies plus hospitals.
- Residential and nonresidential provisions are in separate chapters for easier use.

3. Applicable Energy Conservation Regulations

California Energy Efficiency Standards for Residential and Nonresidential Buildings

The Building Energy Efficiency Standards were first adopted in 1976 and have been updated periodically since then as directed by statute. In 1975 the Department of Housing and Community Development adopted rudimentary energy conservation standards under their State Housing Law

authority that were a precursor to the first generation of the Standards. However, the Warren-Alquist Act was passed one year earlier with explicit direction to the Energy Commission (formally titled the State Energy Resources Conservation and Development Commission) to adopt and implement the Standards. The Energy Commission's statute created separate authority and specific direction regarding what the Standards are to address, what criteria are to be met in developing the Standards, and what implementation tools, aids, and technical assistance are to be provided.

The Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Public Resources Code Sections 25402 subdivisions (a)-(b) and 25402.1 emphasize the importance of building design and construction flexibility by requiring the Energy Commission to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space. For this reason, the Standards include both a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders complete freedom in their designs provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. Reference Appendices are adopted along with the Standards that contain data and other information that helps builders comply with the Standards.

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

Public Resources Code Section 25402.1 also requires the Energy Commission to support the performance standards with compliance tools for builders and building designers. The Alternative Calculation Method (ACM) Approval Manual adopted by regulation as an appendix of the Standards establishes requirements for input, output, and calculational uniformity in the computer programs used to demonstrate compliance with the Standards. From this, the Energy Commission develops and makes publicly available free, public domain building modeling software in order to enable compliance based on modeling of building efficiency and performance. The ACM Approval Manual also includes provisions for private firms seeking to develop compliance software for approval by the Energy Commission, which further encourages flexibility and innovation.

The 2025 California Building Standards Code (Cal. Code Regs., Title 24) was published July 1, 2025, with an effective date of January 1, 2026. The California Energy Commission updates these standards every three years. (CEC, 2024)

C. Local

1. Town of Apple Valley General Plan

The Energy and Mineral Resources Element of the General Plan is intended to guide the Town in the long-term management and well-considered use of its energy and mineral resources. The element addresses the community's dependence on limited resources and the need for local and regional energy policies. The Element also focuses on the increasing need for effective new policies concerning conservation, greater energy efficiency and renewable energy resources. Included in the Element are descriptions of conventional and renewable energy resources, as well as an outline of the location and identity of mineral resources in the area. The Energy and Mineral Resources Element of the General Plan is intended to guide the Town in the long-term management and well-considered use of its energy and mineral resources.

The Water, Wastewater and Utilities Element sets forth goals, policies and programs intended to ensure the adequate provision of domestic water, sewage treatment and utility services to the community. The community's orderly growth and development depends on the provision of these services, which include domestic water, sanitary sewer, natural gas, electricity and solid waste management services. This Element describes these services as well as others, such as telephone and cable services. These utility facilities and services are essential to the orderly growth, development and management of the community. The Element also identifies standards for provision of infrastructure and services relative to population and land use intensity, and provides programs and courses of action necessary to implement the goals and policies established.

Project-applicable goals and policies of these Element and a discussion of the Project's consistency are discussed in Table 4.10-2, *General Plan Consistency Analysis*, in EIR Subsection 4.10, *Land Use and Planning*.

2. Town of Apple Valley Municipal Code

Chapter 8.19 of the Town Municipal Code requires the recycling of construction and demolition debris for certain projects within the Town of Apple Valley. Applicants for building or demolition permits involving any covered project subject to Section 8.19.020 of the Town Municipal Code shall complete and submit a WMP form approved by the Town as part of the application packet for the building or demolition permit.

4.15.3 Methodology

Project-specific information regarding water supply/demand and stormwater drainage was obtained from the Project's WSA and Hydrology Report, respectively. Wastewater was estimated using a generation factor from the Town of Apple Valley Sewer System Management Plan. The Project's solid waste generation was calculated using the CalRecycle estimated solid waste generation rates.

4.15.4 Basis for Determining Significance

According to Section XIX of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to utilities and service systems if the Project or any Project-related component would:

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

b. *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;*

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

d. *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;*

e. *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.*

4.15.5 Impact Analysis

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

A. Water Facilities

As shown in Figure 3-8, *Conceptual Grading, Utility, and Drainage Plan*, the Project proposes water connections from the southwestern corners of the building to the existing 16-inch water main on the new proposed public road, Wrangler Road. Construction of all water lines would occur within the Project site, or within dedicated public easements/right-of-way. All Project water system improvements would be designed and constructed consistent with Town/provider requirements. The extension and construction of water lines necessary to serve the proposed land uses is considered part of the Project; the disturbance footprint, construction techniques, and associated impacts have been accounted for within this EIR. As the EIR evaluation demonstrates, construction impacts of the Project, including the water lines necessary to serve the Project, would be less than significant, or less than significant as mitigated. Additionally, the Project would pay applicable development impact fees, water connection fees, and service fees, which act to fund water improvement plans, operations, and maintenance generally. The potential for the Project to require or result in the relocation or construction of new or expanded water facilities, the construction or

relocation of which could cause significant environmental effects, is considered less than significant.

B. Wastewater Facilities

Sewer service to the Project site would be provided by the Town of Apple Valley Public Works Wastewater Division. The Project proposes 6-inch laterals from the southwestern corners of the building to the existing 8-inch sewer main on Wrangler Road. As the EIR evaluation demonstrates, the construction impacts of the Project, including the sewer lines necessary to serve the Project, would be less than significant, or less than significant as mitigated. Additionally, the Project would pay applicable development impact fees, sewer connection fees, and service fees, which act to fund water improvement plans, operations, and maintenance generally. The potential for the Project to require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects, is considered less than significant.

C. Stormwater Drainage Facilities

1. Onsite

The Project's drainage system would consist of one (1) drainage management area. The Project would be designed to closely replicate the existing drainage patterns to minimize downstream impacts. Runoff would be collected by multiple catch basins located throughout the Project site and directed to an on-site underground infiltration system located in the southern section of the property. The underground infiltration system would be sized to accommodate the Design Capture Volume and provide peak storm detention (100-year storm event). Prior to entering the infiltration system, stormwater would pass through hydrodynamic separator units (e.g., Contech CDS or approved equivalent) for pre-treatment, ensuring removal of debris and pollutants.

Once the system reaches its maximum storage capacity, excess runoff would overflow through two proposed 36-inch on-site storm drains and discharge into a new 60-inch public storm drain along Wrangler Road. From there, the overflow would be conveyed downstream to the Bell Mountain Wash, Mojave River, then to Silver Lake, and ultimately to Soda Lake. All Project stormwater drainage facilities would be constructed within the Project site. The construction of stormwater drainage facilities necessary to serve the proposed land uses is considered part of the Project; the disturbance footprint, construction techniques, and associated impacts have been accounted for within this EIR. As the EIR evaluation demonstrates, the construction impacts of the Project, including the storm water drainage facilities necessary to serve the Project, would be less than significant, or less than significant as mitigated. The potential for the Project to require or result in the relocation or construction of new stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects is considered less than significant.

D. Natural Gas, Electricity, and Telecommunications

Electrical power for the Town is provided by Southern California Edison (SCE) and natural gas service is provided by the Southwest Gas Holdings, Inc. (Southwest Gas). Telecommunications services would be provided by Charter Communications and Spectrum. The Project would involve utility connections to provide electric power and telecommunications services to the Project site. No natural gas would be used for the Project. Dry utilities internal to the site would be installed underground in accordance with applicable purveyor standards and specifications, and to the satisfaction of the Town Engineer. The locations and configurations of utilities connections, transformers, switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering. Again, it is noted that no natural gas would be utilized on the Project site. The extension and construction of dry utilities necessary to serve the site is considered part of the Project; the disturbance footprint, construction techniques, and associated impacts have been accounted for within this EIR. As the EIR evaluation demonstrates, the construction impacts of the Project, including the dry utilities necessary to serve the Project, would be less than significant, or less than significant as mitigated. The potential for the Project to require or result in the relocation or construction of new electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects is considered less than significant.

E. Environmental Impacts from Utility and Infrastructure Systems

Water infrastructure, sewer lines, storm drain infrastructure, and dry utilities would be installed in compliance with the requirements of the respective utility providers, and consistent with final plans approved by the utility providers. Construction activities associated with the proposed utility infrastructure would be within the Project's construction impact area as discussed, in Section 3.0, *Project Description*, of this EIR. The installation of the proposed infrastructure improvements would result in physical environmental impacts; however, these impacts have been included in the analyses of construction-related effects presented throughout this EIR, (e.g., air quality impacts, impacts to biological and cultural resources, water quality impacts, and noise and vibration impacts, etc.). Any applicable Project-specific mitigation measures for construction identified for each topical issue would address potential significant impacts associated with construction and installation of utilities. Therefore, through consistent implementation of a variety of measures related to construction impacts, no additional impacts related to construction and operation of utility systems would occur. Impacts would be less than significant.

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

As previously mentioned, Liberty Utilities would provide water service to the site. Liberty Utilities does not use surface water or purchase imported water to meet its water demands but instead relies

solely on groundwater obtained from 20 active wells in the Mojave Basin Area. Liberty only pumps the amount of water necessary to serve the demand.

To estimate the water demand for the Project, recent consumption data for industrial users within Liberty Utilities' service area was reviewed and compared with other published industrial factors for other water suppliers. Liberty Utilities provided three years of consumption data for two existing industrial customers for evaluation. According to the Project's WSA, the projected water demand for the Project is 104 acre-feet per year (AFY). The Project's water demand was compared to the Liberty Utilities' existing and projected demand for industrial uses presented in the 2020 UWMP. Liberty Utilities may pump groundwater above its free production allowance (FPA) to meet demands (and purchase replacement water assessment (RWA) for any groundwater pumped above the FPA). Therefore, it is expected that Liberty Utilities can serve the additional demand posed by the Project with existing supply sources. Based on review of the Liberty Utilities Urban Water Management Plan and the 2021-2022 Watermaster Report, the WSA concluded that Liberty Utilities can meet its water demands (including the Project) during normal years, single dry years, and multiple dry years over the next 20 years. (WSC, 2025) Therefore, water supply impacts would be less than significant.

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

As previously discussed, upon build-out of the Project, the Project's wastewater would be conveyed to the Regional Wastewater Reclamation Facility operated by Victor Valley Wastewater Reclamation Authority (VVWRA). VVWRA has a treatment capacity of 18.0 million gallons per day (mgd), and currently treats an average flow of 10.7 mgd, or approximately 60% of its total capacity (VVWRA, n.d.). According to the Town's Sewer System Management Plan (SSMP), the commercial/industrial average daily wastewater flow rate is 1,500 gallons per day (gpd) per acre (Town of Apple Valley, 2019, p. 28). The Project would generate approximately 0.048 mgd[1] of wastewater. Projected wastewater from the Project would represent approximately 0.66%[2] of the daily remaining capacity of the treatment facility. Given the remaining capacity, the VVWRA would be able to adequately accommodate the Project's contribution of wastewater.

The Project would pay applicable sewer connection fees and service fees, which act to fund wastewater treatment/reclamation improvement plans, operations, and maintenance generally. The Town, in consultation with VVWRA, would determine when and in what manner area-serving facilities would be constructed and/or upgraded to meet increasing demands of areawide development. The potential for the Project to result in capacity impacts to the wastewater treatment provider which serves the site is less than significant.

[1] 1,381,412 sf * 1 acre/43,560 sf * 1,500 gpd/acre * 1 mgd/1,000,000 gpd = 0.048 mgd
[2] 0.048 mgd * (18.0 mgd – 10.7 mgd) * 100 = 0.66%

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

As stated previously, solid waste from the Town is transported to the Victorville Landfill, which is currently operated by the County of San Bernardino. As of 2020, the Victorville Landfill has a permitted disposal capacity of 3,000 tons per day with a remaining capacity of 79,400,000 cubic yards. According to the landfill's site inspection report dated December 2024, the peak tonnage for the month was 2,478.51 tons per day. (CalRecycle, n.d.) The landfill has an approximate excess daily capacity of 521.5 tons per day.

Based on the anticipated building square footage of 1,381,412 square feet and the US EPA's construction waste generation factor of 4.34 pounds per sf for non-residential uses, approximately 5,995,328[3] pounds (or approximately 2,997 tons) would be generated during the building construction phase (EPA, 2009). Additional waste would be expected from infrastructure installation and other Project-related construction activities. The Project Applicant would be required to comply with Chapter 8.19 of the Town Municipal Code, which requires the recycling of construction and demolition debris for certain projects within the Town of Apple Valley. The Project Applicant would be required to prepare a Waste Management Plan (WMP) which would be reviewed and approved by the Town as part of the application packet for the building or demolition permit. The WMP would indicate the estimated volume or weight of construction and demolition materials that would feasibly be diverted via reuse or recycling.

At buildout, based on a solid waste generation factor of 1.42 pounds per 100 sf per day, the Project would generate approximately 19,616[4] pounds of solid waste per day (or approximately 9.8 tons per day) (CalRecycle, n.d.). In compliance with AB 939, the Project Applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the Project from the Victorville Landfill. As such, approximately 9,808 pounds or 4.9 tons per day, which represents approximately 0.94%[5] of the landfill's excess daily capacity, would be required to be disposed of at the Victorville Landfill.

Construction and operation of the Project would be required to comply with State and local solid waste reduction, diversion, and recycling policies and regulations. The Project proposes conventional industrial uses and would not generate volumes or types of waste not already considered and addressed under existing policies, regulations, and infrastructure systems.

The Project's estimated solid waste generation represents approximately 0.94% of the Victorville landfill's excess daily capacity and would not contribute significantly to the daily throughput.

[3] 1,381,412 sf * 4.34 pounds/sf= 5,995,328 pounds
[4] 1,381,412 sf * 1.42 pounds/100 sf/day = 19,616 pounds/day
[5] 4.9 tons per day/521.5 tons per day * 100 = 0.94%

Accordingly, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure is considered less than significant.

Threshold e:	**Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

The Town has implemented programs to ensure compliance with Statewide solid waste source reduction and recycling strategies and targets. The Project would be required to comply with applicable Town and State waste diversion and recycling mandates. Moreover, the Project would implement conventional industrial uses and would not establish uses or activities that would conflict with or obstruct local, State and federal solid waste management regulations (AB 939, AB 341). All solid waste generated by the Project would be collected and disposed of as part of the Town's municipal waste stream. Solid waste management services are provided throughout the Town including collection and transfer of refuse, green waste, and bulky items. Recycling services are also provided. The potential for the Project to conflict with federal, State, and local management and reduction statutes and regulations related to solid waste is therefore considered less than significant.

4.15.6 Cumulative Impact Analysis

The cumulative impact area when considering potential cumulative utilities and service systems impacts comprises affected purveyor service areas including service sources/supplies, and service conveyance/distribution/treatment facilities.

As discussed within this Section, the Project would implement all necessary infrastructure improvements. Utilities and service systems distribution and conveyance lines implemented by the Project would be constructed, operated, and maintained pursuant to purveyor requirements and consistent with applicable infrastructure master plans. Infrastructure improvements would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential environmental impacts.

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR.

Other related projects within the cumulative impact area would be required to minimize utilities and services impacts consistent with Town, State, and service purveyor requirements, thereby minimizing potential cumulative utilities and services impacts. There are no known or probable related projects that would interact with the less than significant effects of the Project and thereby result in cumulatively significant impacts. On this basis, Project contributions to cumulative impacts

regarding utilities and service systems would not be considerable, and the cumulative effects of the Project would be less than significant.

4.15.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The installation of utility and service system infrastructure improvements necessary to serve the site is considered part of the Project; the disturbance footprint, construction techniques, and associated impacts have been accounted for within this EIR and no adverse impacts specific to the provision utilities services have been identified. Mitigation measures are identified, where necessary, for construction-related effects that would reduce construction-phase impacts to the maximum feasible extent. Impacts would be less than significant.

Threshold b: Less than Significant Impact. Water supplies are sufficient to meet area demands (including the Project) during normal years, single dry years, and a five consecutive year drought period over the next 20 years.

Threshold c: Less than Significant Impact. VVWRA is currently operating at approximately 60% of its total capacity. Projected wastewater from the Project would represent approximately 0.66% of the daily remaining capacity of the treatment facility. As such, sufficient wastewater treatment capacity is available to serve the Project.

Threshold d: Less than Significant Impact. The Project's estimated solid waste generation represents approximately 0.94% of the Victorville landfill's excess daily capacity and would not contribute significantly to the daily throughput. Accordingly, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure is considered less than significant.

Threshold e: Less than Significant Impact. The Project would implement conventional industrial uses and would not establish uses or activities that would conflict with or obstruct local, State and federal solid waste management regulations.

4.15.8 Mitigation

No mitigation is required.

4.15.9 Significance of Impacts After Mitigation

Impacts would be less than significant and no mitigation is required.

4.15.10 References

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5.0 OTHER CEQA CONSIDERATIONS

California Environmental Quality Act (CEQA) Guidelines Section 15126 requires that all phases of a project must be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. It also sets forth general content requirements for environmental impact reports (EIRs). Potential significant effects of the Project; mitigation measures to address these effects and potential cumulative impacts have been identified throughout the analysis presented in Sections 4.1 through 4.15 of this EIR. An analysis of alternatives is included in Section 6.0, *Alternatives*.

This section provides: (1) identification of significant environmental effects that cannot be avoided if the Project is implemented, (2) identification of significant irreversible environmental changes that would result from implementing the Project, and (3) growth-inducing impacts of the Project.

5.1 SIGNIFICANT EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, the Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after compliance with applicable federal, State and local regulations; and the application of the feasible mitigation measures identified in this EIR. The impacts that cannot be mitigated to a level of less than significant are as follows:

- **Greenhouse Gas (GHG) Emissions.** The Project would exceed GHG emissions thresholds. Proposed mitigation would reduce the Project's GHG impact to the extent feasible. However, the predominance of the Project's operational-source emissions are generated by passenger cars and trucks accessing the Project. Neither the Project Applicant nor the Town have regulatory authority to control tailpipe emissions, and no feasible Mitigation Measures beyond the measures identified in this EIR exist that would reduce Project operational-source GHG emissions to levels that are less-than-significant.

- **Transportation (VMT).** Project-generated VMT was found to exceed the Town's VMT impact threshold. Proposed mitigation would reduce a portion of the Project's VMT impact. However, even with the inclusion of mitigation, the Project will not be able to mitigate its VMT impact to a level of less than significant.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The State CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved with the proposed action should it be implemented (CEQA Guidelines § 15126.2[c]). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environment accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The Project site is currently and has historically been vacant and undeveloped. The Project would permanently alter the site by converting vacant and undeveloped property to urban uses, which would commit future generations to similar uses. This is a significant irreversible environmental change that would occur because of Project implementation.

The Project presents no significant possibility of irreversible environmental damage from any potential environmental accidents associated with the project. That is, the Project does not propose facilities or uses that would result in potential environmental accidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects.

Construction and long-term operation of the Project would require the commitment and reduction of nonrenewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building construction, piping, and roadway infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by Project implementation, such as air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased demands for potable water for drinking, cleaning, landscaping, and general maintenance needs). However, use of nonrenewable resources is not expected to negatively impact the availability of these resources. Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. No natural gas would be used for the Project. Further, as indicated in Section 4.5, *Energy*, of this EIR, the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy.

An increased commitment of public and utility services (e.g., police, fire, sewer, and water services) would also be required. Due to the proposed size of the development, the Project would result in an irreversible commitment of land, energy resources, and public services. After the 50- to 75-year

structural lifespan of the building is reached, it is improbable that the site would revert to its current use due to the large capital investment that will already have been committed.

5.3 GROWTH INDUCING IMPACTS

CEQA requires a discussion of the ways in which the Project could be growth-inducing. The State CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines § 15126.2 [d]). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area, placing additional demands on public services and infrastructure systems, and in the generation of a variety of environmental impacts, which are addressed throughout Section 4.0, *Environmental Analysis*.

To address this issue, potential growth-inducing effects are examined through analysis of the following questions (CEQA Guidelines § 15126.2 [e]):

1. Would this project remove obstacles to population growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development)?

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

4. Would approval of this project involve some precedent setting action that could encourage and facilitate other activities that could significantly affect the environment?

A project could indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic activity. However, a project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. This issue is presented to provide additional information on ways in which the Project could contribute to significant changes in the environment, beyond the direct consequences of implementing the Project examined throughout Section 4.0, *Environmental Analysis*, of this EIR.

Would this project remove obstacles to population growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development)?

The Project would require the construction and extension of roadways and utility infrastructure to serve the development. A new north/south public street would be constructed connecting Stoddard Wells Road and Johnson Road, along the western Project site boundary. A new signal would be installed at the intersection of the new road and Stoddard Wells Road. The Project would also construct driveways along Stoddard Wells Road and the new public street. Since all proposed roadways would be constructed on site and for the exclusive purpose of serving the proposed development, the Project would not create major new infrastructure that could result in substantial, unplanned growth.

Water service to the Project site would be provided by Liberty Utilities. The Project proposes water connections from the southwestern corners of the building to the existing 16-inch water main on the new proposed public road, Wrangler Road. Sewer service to the Project site would be provided by the Town of Apple Valley. The Project proposes 6-inch laterals from the southwestern corners of the building to the existing 8-inch sewer main on Wrangler Road. Since all proposed utility infrastructure would connect to existing infrastructure near the Project site and would be sized to exclusively serve the proposed development, this Project infrastructure would not indirectly induce substantial unplanned population growth.

Would this project result in the need to expand one or more public services to maintain desired levels of service?

As discussed in Section 4.12, *Public Services*, the Project would not necessitate the expansion of existing public service facilities to maintain the desired levels of service. The Project does not propose or require construction or modification of any public facilities. Incremental service demands generated by the Project would be offset through the payment of Development Impact Fees, a portion of which is allocated for the maintenance of public facilities. The potential for the Project to result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities is considered less than significant. If these facilities or associated resources do need to be expanded in the future, funding mechanisms such as the Town Development Impact Fees are in place through existing regulations and standard practices to accommodate such growth. This Project would not, therefore, have significant growth inducing consequences with respect to public services.

Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with the increase in Project population and thus reducing or removing the barriers to growth. This occurs in suburban or rural areas where population growth results in increased demand for service and commodity markets responding to the new population. This type of growth is, however, a regional phenomenon resulting from the introduction of a major employment center or regionally significant housing project. For example, additional commercial uses may be drawn to the area by the increased number of residents in the area because of a project.

Jobs created by the Project are typical of the region and are expected to be filled by existing local residents. Project employees would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services needs is expected to be marginal and accommodated by existing providers.

According to the California Department of Finance's (DOF) Population and Housing Estimates for Cities, Counties, and the State, the Town had an estimated housing of 27,485 households as of January 2025 (DOF, 2025). According to the California DOF Current Month Unemployment Rate and Labor Force Summary, as of June 2025, the most current data available, the Town had a labor force of 29,300, 27,200 that are employed, and an unemployment population of 2,100 (7.2 percent) (DOF, 2025). According to SCAG's Connect SoCal Demographic and Growth Forecast, the Town's employment opportunities are estimated to grow up by 9,400 in 2050 (SCAG, 2024b). As discussed in Section 5.4.3, *Population and Housing*, the Project would generate up to approximately 1,156 employees. Therefore, the Project's employment is within the estimated employment growth projects for the Town.

Moreover, according to the Town's 2022-2029 Housing Element, 16.6 percent of the Town's population works within the Town of Apple Valley and the remaining 83 percent work elsewhere, which suggests a jobs-housing imbalance within the Town limits (Town of Apple Valley, 2021). As shown in Table 5-1, *Town of Apple Valley General Plan Population, Households, and Employment Projections vs. SCAG's Connect SoCal*, although the Town is slightly jobs-rich under existing conditions (1.07), the Town's General Plan and SCAG project that the Town will be housing-rich in 2035 and 2050, respectively. The Town forecasts the employment housing ratio to be 0.61 by 2035 while SCAG forecasts the employment housing ratio to be 0.78 by 2050, which is closer to the recommended range for the jobs-housing ratio of 1.0. Therefore, the Project-related increase of approximately 1,156 employees would bring new employment to the Town and would contribute to a more balanced jobs-housing ratio for the Town of Apple Valley at General Plan buildout. Taking into consideration a more balanced jobs-housing ratio, the current unemployment rate, and that the majority of residents work outside of Town limits indicates that the Project's temporary and permanent employment requirements will be met by the Town's existing labor force without people needing to relocate into the Project region.

Accordingly, the Project's introduction of employment opportunities on the Project site would not induce substantial growth in the area.

Would approval of this project involve some precedent setting action that could encourage and facilitate other activities that could significantly affect the environment?

The entire Project site is located within the Town of Apple Valley. Surrounding properties to the north, east, west, and south are zoned Regional Commercial (C-R), Estate Residential (R-E), Estate Residential (R-E), Office Professional (O-P), and Regional Commercial (C-R). Additionally, surrounding land uses to the east and north are part of the Town's E-Commerce Regional Commercial (C-R) Overlay. The Project uses are limited to the Project site's boundaries and does not include any components that would indirectly affect existing or planned uses on neighboring properties. The development of the proposed industrial uses on the Project site would not reasonably or foreseeably cause the redevelopment of other properties or cause development on other properties.

Furthermore, the Project's potential influence on other nearby properties to redevelop at greater intensities and/or different uses than the Town's General Plan and Development Code allow is speculative beyond the rule of reason; however, it should be noted that implementation of the Project would not result in the approval of proposed uses on any other property outside of the Project site. CEQA does not require the analysis of speculative effects (CEQA Guidelines § 15145). All projects proposed within the Town would require evaluation under CEQA based on their own merits, including an analysis of direct and cumulatively considerable effects.

The Project represents growth anticipated by the Town. Incremental public service demands generated by the Project are offset through the payment of Town Development Impact Fees. A portion of the Town's Development Impact Fees are allocated for the maintenance of public service facilities. The Project Applicant would pay incumbent fees at issuance of building permit(s). Accordingly, the Project would not directly promote growth either at the Project site or at the adjacent and surrounding properties that were not accounted for in the Town's General Plan. Upon the approval of the Project Applicant's requested discretionary applications (General Plan Amendment (GPA) 2024-001, Zone Change (ZC) 2024-007, Development Code Amendment (DCA) 2025-003, Development Permit – Major Project 2025-013, Tentative Parcel Map No. 21034 and a Development Agreement), the Project would be consistent with the existing General Plan land use designation and Zoning classification for the Project site.

5.4 IMPACTS CONSIDERED LESS THAN SIGNIFICANT

Section 15128 of the State CEQA Guidelines states that "an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." Based on a review of the Project

and supporting technical studies, it was determined that the following topical issues would result in less than significant or no impacts after mandatory compliance with regulatory requirements:

5.4.1 Agriculture and Forestry Resources

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

According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, the Project site is designated as "grazing land" (DOC, 2025b). The Project site is not located within lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. No impact would occur.

Threshold b:	***Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

The existing zoning for the Project site is Office Professional (O-P). The Project's implementation would not result in a loss of land zoned for agriculture. There are no farming activities occurring at the site. The Project site is not located within any agricultural preserves, nor is the Project site subject to any Williamson Act Contracts (DOC, 2025c). As a result, the Project would not result in conflict with existing agricultural zoning or Williamson Act contracts. No impacts would occur.

Threshold c:	***Would the Project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?***

The Project site does not contain any forest land, timberland or timberland zoned Timberland Production. The existing zoning for the Project site is Office Professional (O-P). Accordingly, no impact would occur.

Threshold d:	***Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

The Project site and surrounding areas do not consist of forest land. Therefore, the Project would not result in the loss of forest land or result in the conversion of forest land to non-forest use. Accordingly, no impact would occur.

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

As stated previously, the Project site is not located within lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There are no farming activities occurring on the Project site. As such, the Project would not result in changes in the environment which, due to their location and nature, could result in conversion of farmland to non-agriculture use or forest land to non-forest use. Accordingly, no impact would occur.

5.4.2 Mineral Resources

Threshold a:	***Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

The Project does not conflict with California Legislature's 1975 Surface Mining and Reclamation Act (SMARA), which provides guidelines of the classification and designation of mineral lands. According to the Town's General Plan, the Project site is not within an area that has been identified to contain mineral resources. The California Department of Conservation does not show oil, gas, or geothermal fields underlying the Project site; and no oil or gas wells are recorded on or near the site in the Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder (DOC, n.d.). No mines, wells, or other resource extraction activity occurs, or is known to have ever occurred, on the Project site. Accordingly, no impacts would occur.

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

As discussed above, no known valuable mineral resources exist on or near the Project site, and no mineral resource extraction activities occur on the site. Thus, the Project would not result in the loss of availability of locally important mineral resources. Accordingly, no impacts would occur.

5.4.3 Population and Housing

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

No residential uses are located on the Project site, nor does the Project propose any residential uses. Jobs created by the Project are typical of the region and are expected to be filled by existing local residents. Project employees would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services needs is expected to be marginal and accommodated by existing providers. The Project would create short-term jobs during the construction phase which would be filled by workers who, for the most part, reside in the region.

A small portion of workers may be employed from outside the local area but would not induce substantial unplanned population growth in the area as the construction phase would be temporary. Therefore, construction of the Project would not generate a substantial temporary or permanent increase in population within the Project area.

Based on Table II-B of SCAG's Employment Density Report with an employment rate of 1,195 s.f. per employee for warehouse uses in San Bernardino County, the Project may generate approximately 1,156 employees (1,381,412 sf ÷ 1,195 sf/employee ≈ 1,156 employees). (SCAG, 2001a). According to SCAG's Connect SoCal Demographic and Growth Forecast, the Town's employment opportunities are estimated to grow up by 9,400 in 2050 (SCAG, 2024b). Therefore, the Project's employment is within the estimated employment growth projects for the Town.

The jobs-housing ratio is a general measure of the number of jobs as compared to housing in a defined geographic area, without regard to economic constraints or individual preferences. The jobs-housing ratio as well as the type of jobs versus the price of housing, has implications for mobility, air quality, and the distribution of tax revenues. A project's effect on the jobs-housing ratio is one indicator of how it will affect growth and quality of life in the project area. SCAG applies the jobs-housing ratio at the regional and subregional levels in order to analyze the fit between jobs, housing, and infrastructure. Generally, a ratio of less than 1 to 1 indicates a jobs-poor (housing-rich) area, and a ratio of one or more than 1 to 1 indicates a jobs-rich area (SCAG, 2001b).

According to the California DOF Population and Housing Estimates for Cities, Counties, and the State, the Town had an estimated population of 75,262 and estimated housing of 27,485 households as of January 2025 (DOF, 2025). According to the California DOF Current Month Unemployment Rate and Labor Force Summary, as of June 2025, the most current data available, the Town had a labor force of 29,300, 27,200 that are employed, and an unemployment population of 2,100 (7.2 percent) (DOF, 2025). The Town currently has a jobs-housing ratio of 1.07, which indicates a jobs-rich area according to SCAG's definition.

According to the Town's 2022-2029 Housing Element, 16.6 percent of the Town's population works within the Town of Apple Valley and the remaining 83 percent work elsewhere, which suggests a jobs-housing imbalance within the Town limits (Town of Apple Valley, 2021). The Project represents growth anticipated by the Town, as evidenced by the site's existing General Plan (Office Professional) and zoning designations (O-P). As shown in Table 5-1, *Town of Apple Valley General Plan Population, Households, and Employment Projections vs. SCAG's Connect SoCal*, although the Town is slightly jobs-rich under existing conditions (1.07), the Town's General Plan and SCAG project that the Town will be housing-rich in 2035 and 2050, respectively. The Town forecasts the employment housing ratio to be 0.61 by 2035 while SCAG forecasts the employment housing ratio to be 0.78 by 2050, which is closer to the recommended range for the jobs-housing ratio of 1.0. Therefore, the jobs generated by the Project would be consistent with this trend and would assist in providing a more balanced jobs-housing ratio at Project and General Plan buildout. Taking into consideration a more balanced jobs-housing ratio, the current unemployment rate, and that the majority of residents work

outside of Town limits indicates that the Project's temporary and permanent employment requirements will be met by the Town's existing labor force without people needing to relocate into the Project region. The Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly, and would not exceed regional or local growth projections. Therefore, impacts would be less than significant.

Table 5-1 Town of Apple Valley General Plan Population, Households, and Employment Projections vs. SCAG's Connect SoCal

	Existing (2025)[1]	Town General Plan 2035	SCAG 2050	Increase	% Change
Population	75,262	109,000	106,516	-2,484	-2.28%
Employment	29,300	22,500	30,100	7,600	33.78%
Households	27,485	37,100	38,700	1,600	4.31%
Jobs-Housing Ratio	1.07	0.61	0.78	0.17	0.27%

[1]Based on the California Department of Finance Current Month Unemployment Rate and Labor Force Summary and Population and Housing Estimates for Cities, Counties, and the State

Threshold b: ***Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

The property has remained undeveloped since at least 1952 and no residential uses are currently located on the Project site, nor are any proposed as part of the Project. Construction of the Project would not displace any existing housing or residents, nor require the construction of replacement housing elsewhere. No impact would occur.

5.4.4 Recreation

Threshold a: ***Does the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

The Project does not propose residential uses that would increase the use of existing parks and/or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. As discussed above, the Project's temporary and permanent employment requirements could likely be met by the Town's existing labor force without people needing to relocate into the Project region, and the Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly, and would not exceed regional or local growth projections. Incremental public service demands generated by the Project are offset through the payment of Town Development Impact Fees. A portion of the Town's Development Impact Fees are allocated for the maintenance of recreational facilities. The Project Applicant would pay incumbent fees at issuance of building permit(s). No impact would occur.

Threshold b:	***Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?***

The Project does not propose any recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse effect on the environment. In addition, no offsite parks or recreational improvements are proposed or required as part of the Project. No impact would occur.

5.4.5 Wildfire

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

Threshold a:	***Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?***
Threshold b:	***Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***
Threshold c:	***Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***
Threshold d:	***Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

According to CalFire, the Project site is located within the limits of the Town of Apple Valley outside of the SRA and is not located within a VHFHSZ. The Project site is located in a Local Responsibility Area (LRA) within a Moderate Fire Hazard Severity Zone. (CalFire, 2025)

Incremental fire protection service demands generated by the Project are offset through the payment of Development Impact Fees. A portion of the Town's Development Impact Fees are allocated for fire protection services. The Project Applicant would pay incumbent Town Development Impact Fees at issuance of building permit(s).

To the satisfaction of the Apple Valley Fire Protection District, the Project would comply with Town and Fire District fire prevention and suppression requirements, including building/site design requirements, fire flow adequacy, and provisions for emergency access, thereby reducing potential wildfire impacts. The Project would also be required to comply with State and local regulations pertaining to emergency access. The Project would provide on-site and off-site water, sewer,

electricity, and gas infrastructure improvements which would be constructed in compliance with regulatory requirements and would not exacerbate fire risk.

In addition, the Project site is generally flat and lacks factors that are typically associated with the uncontrolled spread of wildfire. The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes. Therefore, no impact would occur.

5.4.6 References

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6.0 ALTERNATIVES

6.1 INTRODUCTION

CEQA Guidelines Section 15126.6(a) describes the scope of analysis that is required when evaluating alternatives to proposed projects, as follows:

> *An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.*

As discussed in Draft EIR Section 4.0, *Environmental Analysis*, the Project would result in significant adverse environmental effects associated with GHG emissions and transportation that cannot be mitigated to below levels of significance after the implementation of feasible mitigation measures. The Project's significant and unavoidable impacts are summarized below in Section 6.1.2.

6.1.1 Project Objectives

The underlying purpose and goal of the Apple Valley 84 Project is to develop modern industrial uses in the Town of Apple Valley in close proximity to the State highway system in order to increase employment opportunities and improve the Town's economic competitiveness. The Project would achieve its underlying purpose and goal through the following objectives.

A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.

B. To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.

C. To attract new businesses to the Town of Apple Valley and thereby provide a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.

D. To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.

E. To develop a Class A speculative industrial building in the Town of Apple Valley that is designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.

F. To develop an industrial building in close proximity to the I-15 and SR-18 freeways that can be used as part of the southern California goods movement network.

6.1.2 Summary of the Project's Significant Impacts

As discussed in Draft EIR Section 4.0, *Environmental Analysis*, the Project would result in significant adverse environmental effects that cannot be mitigated to below levels of significance after the implementation of Project design features, mandatory regulatory requirements, and feasible mitigation measures.

- GHG Emissions: Project related GHG emissions totaling 18,176.56 $MTCO_2e$/yr would exceed the GHG emission significance threshold of 3,000 $MTCO_2e$/yr. The majority of the GHG emissions (77%) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these emissions. Even with implementation of Mitigation Measures MM 4.7-1 through MM 4.7-19, impacts would be significant and unavoidable on a direct and cumulatively-considerable basis. No other feasible mitigation measures exist that would reduce the Project's GHG emissions to levels that are less than significant.

- Transportation (Vehicle Miles Traveled [VMT]): The Project would result in a significant and unavoidable VMT impact at a Project and cumulative level. Transportation Demand Management (TDM) strategies that have potential to reduce the Project VMT have been incorporated as mitigation, however, there is no means to definitively quantify VMT reductions that could result from measures implemented by the Project, or that could result from actions beyond the control of the Project. The effectiveness of these measures is dependent on yet unknown Project building tenant(s) and employee participation; as well as actions of other developments and government(s) that may directly or indirectly affect Project VMT. Therefore, no reduction in VMT was assumed for implementation of VMT strategies. After the application of Project design features and feasible mitigation measures, Project impacts related to VMT would be significant and unavoidable on a direct and cumulatively considerable basis.

6.2 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines Section 15126.6(e) requires that an alternative be included that describes what would reasonably be expected to occur on the property in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., "no project" alternative). For development projects that include a revision to an existing land use plan, the "no project" alternative is considered to be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on an identifiable property such as the proposed Project evaluated herein), the "no project" alternative is considered to be a circumstance under which the proposed Project does not proceed (CEQA Guidelines Section 15126.6(e)(3)(A-B).

6.2.1 No Project/No Development Alternative

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire site would remain as is (vacant, undeveloped land). This alternative was selected by the Town as required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in Draft EIR Section 2.0, *Environmental Setting*).

6.2.2 No Project/Existing General Plan and Zoning Designation Alternative

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing land use and zoning standards for the Project site, specifically the Office Professional (O-P) land use and O-P Zoning designation. This alternative would consider the development of one or more administration/professional office buildings at the Project site, which would contain individual office suites occupied by a range of professional tenants, for a total of 600,000 sf[1]. The remaining areas of the Project site would be developed with parking areas, drive aisles, driveway(s), lighting, utility connections, stormwater treatment and conveyance facilities, and landscaped areas. Under this Alternative, vehicular access to the site would be similar to that which is proposed by the Project.

Assuming all administration/professional office uses on the Project site, the No Project/Existing General Plan and Zoning Alternative would generate 4,698 daily trips, including 744 AM peak hour, and 708 PM peak hour trips, resulting in an increase of 1,898 daily, 532 AM peak hour, and 475 PM peak hour trips compared to the Project. Trip generation under the Institute of Transportation Engineers (ITE), Office (Code 710) would generate more trips compared to the trip generation used for the Project which assumed 138,141 sf of general light industrial, 207,212 sf of high-cube cold storage warehouse use, and 1,036,059 sf of high-cube fulfillment (non-sort) center warehousing use.

[1] Square footage reduced from Project to account for addition of parking spaces required (approximately 2,400 parking spaces) per Table 9.72.020 -A Required Parking Spaces of the Town's Development Code (1 space per 250 sf of gross floor area, minimum of 4 spaces.

This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the Project with an alternative that would allow the continuation of uses permitted by the Town's General Plan and Zoning.

6.2.3 Reduced Intensity Alternative

The Reduced Intensity Alternative was selected to reduce impacts associated with GHG and transportation. The Reduced Intensity Alternative would consider development of the Project site with a 15% reduction in building square footage. Under this alternative, a total of 1,174,200 sf of industrial uses would be constructed. This alternative would generate approximately 983 employees using an employment generation rate of 1 employee per 1,195 square feet for warehouse uses, compared to the 1,156 employees that would be generated by the Project. The development impact area would generally remain the same as the Project. Access to the site would be the same with a proportional reduction in the number of parking spaces.

6.3 ALTERNATIVES CONSIDERED AND REJECTED

An EIR is required to identify any alternatives that were considered by the Town but were rejected as infeasible. Factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR include: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site..."*

In determining an appropriate range of alternatives to be evaluated in this EIR, two alternatives, alternative sites and alternative to eliminate GHG impacts, were initially considered and, for a variety of reasons, rejected. Pursuant to Section 15126.6(c) of the CEQA guidelines, alternatives were rejected because: 1) they failed to meet most of the basic objectives of the Project, 2) they would not avoid significant environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

6.3.1 Alternative Sites

CEQA requires that the discussion of alternatives focus on alternatives to a project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that

would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]). In addition, an alternative site need not be considered when implementation is "remote and speculative," such as when the alternative site is beyond the control of a project applicant.

The Project proposes to develop a 92.73-acre site with one industrial building totaling approximately 1,381,412 sf, including 30,000 sf of office space. The Project Applicant has ownership and control over the Project site, and the Project site's location in proximity to I-15 and SR-18 provides direct access to the regional transportation network.

Given the size and type of the proposed development, a similarly sized project and land use elsewhere in the Town of Apple Valley would result in the same or greater project-level and cumulative transportation impacts. The Project's location is preferrable for industrial development compared to other areas of the Town because of its proximity to the regional transportation network and major infrastructure, reducing VMT. The Project area is largely undeveloped with minimal traffic, any development of this size in this area would increase traffic and VMT on surrounding roadways similar to the Project. Impacts related to GHG emissions are dependent on the building size and VMT, therefore GHG emissions would not change by place the Project in another location. Therefore, analysis of an alternative site for the Project is neither meaningful nor necessary because the significant impacts resulting from the Project would not be avoided or substantially lessened by its implementation in an alternate location. As a result, this alternative was rejected from further consideration.

6.3.2 Alternative to Eliminate GHG impacts

The Project would result in a significant unavoidable impact due to the exceedance of the GHG emission significance threshold of 3,000 $MTCO_2e$/yr, as determined in Draft EIR Section 4.7, *Greenhouse Gas Emissions*, of this Draft EIR. The source of GHG emissions is mainly due to mobile source emissions from truck trips, which account for approximately 14,031.45 $MTCO_2e$/yr or 77% attributed to mobile sources. The only way to reduce the GHG emissions impact to less than significant for this specific project and allow for similar industrial warehouse uses, consistent with the Town's zoning, would be to reduce the building size and associated total daily truck trips. To reduce the Project-related GHG emissions from 18,176.56 $MTCO_2e$/yr below the significance threshold of 3,000 $MTCO_2e$/yr, the Project would need to be reduced by 83.5%, resulting in an approximate 227,933 sf building, which represents a proportional decrease in automobile and truck trips and building square footage. An 83.5% reduction of the Project would not support the Project's main objectives including the following:

A. **To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.** An 83.5% reduction in building square footage would not efficiently utilize the 92.73-acre Project site. Therefore, this alternative would not achieve this objective as effectively as the Project.

B. **To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.** This alternative would have 83.5% less building space than the Project and thus would not generate as much tax revenue as the Project. Therefore, this alternative would not achieve this objective as effectively as the Project.

C. **To attract new businesses to the Town of Apple Valley and thereby provide a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.** The 83.5% reduction would not maximize job opportunities and would not contribute to a more equal jobs-housing balance in the Inland Empire.

D. **To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.** This alternative would attain this objective, but not to the extent of the Project since the reduced building size would also reduce the number of potential jobs created (when considering jobs are based on a certain number of employees per square foot of development).

E. **To develop a Class A speculative industrial building in the Town of Apple Valley that is designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.** The 83.5% reduction of building space would not accommodate a wide variety of users and be economically competitive with similar buildings in the local area and region. Therefore, this objective would not be achieved.

Moreover, while decreasing the size of the building on this specific site may reduce GHG emissions generated as a result of this specific Project, it is highly speculative whether it would result in any reduction of GHG emissions regionally or otherwise. Any reduction of the building size would fail to fully satisfy the demand for industrial building space in the area, thereby creating demand for that industrial building space at another location. The method of estimating GHG emissions for logistics facilities is highly dependent on the size of the facility, such that the estimated GHG emissions from a 500,000 SF facility would be substantially the same as the GHG emissions from two facilities of 400,000 SF and 100,000 SF. The GHG emissions resulting from the development of that additional industrial building space elsewhere may or may not exceed the reduction in GHG emissions associated with the reduction in building size at this Project site. Therefore, because this alternative fails to meet a majority of the Project Objectives and because the GHG emission reductions associated with this alternative are highly speculative (refer to CEQA Guidelines Section 15145), the alternative was rejected from further consideration.

6.4 ANALYSIS OF ALTERNATIVES

The Town has identified the following alternatives as a range of reasonable alternatives to the Project in accordance with CEQA Guidelines Section 15126.6. These alternatives are described in more detail and their respective potential level of environmental effects has been compared to the Project's environmental effects.

The following discussion compares the impacts of each alternative considered by the Town with the impacts of the Project, as detailed in Section 4.0, *Environmental Analysis*, of this EIR. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), CEQA Guidelines Section 15126.6(c) requires that the discussion of alternatives focus on alternatives which are capable of avoiding or substantially lessening the significant effects of the Project. Therefore, the analysis provided herein focuses on a comparison of the Project's significant impacts to the level of impact that would occur under each evaluated alternative. The Project's significant and unavoidable impacts fall under the topic of transportation (VMT) and GHG emissions. Although the Project's less-than-significant impacts also are compared to the alternatives evaluated herein, the emphasis of the comparative discussion in this analysis relates to the significant impacts of the Project that require mitigation as required by CEQA. A conclusion is provided for each significant impact of the Project as to whether the alternative results in one of the following: (1) reduction or elimination of the Project's impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project's impacts.

Table 6-1, *Comparison of Alternatives and Project-related Environmental Impacts*, at the end of this Section compares the significant impacts of the Project with the level of impact that would be caused by each of the alternatives evaluated herein. Table 6-2, *Alternatives Attainment of Objectives*, identifies the ability of each alternative to meet the fundamental purpose and basic objectives of the Project, listed above under Section 6.1.1, *Project Objectives*.

6.4.1 No Project/No Development Alternative

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire site would remain as is (vacant, undeveloped land). This alternative was selected by the Town as required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in Draft EIR Section 2.0, *Environmental Setting*).

A. Aesthetics

Under existing conditions, the Project site is currently vacant and undeveloped. The subject property is located at approximately 2,921 to 2,990-feet above mean sea level. The contour lines in the area of the subject property indicate the area is sloping gently toward the southwest.

According to the Town's General Plan, the Project site is not located within an area identified for scenic preservation. There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. Under the No Project/No Development Alternative, the visual character and quality of the site would be maintained in its existing condition. No landform modifications would occur on the Project site under this alternative, and implementation of the Project to allow for industrial uses, lighting, or landscaping would not occur. Accordingly, although the Project would result in less than significant impacts associated with aesthetics, the No Project/No Development Alternative would result in no impacts.

B. Air Quality

The No Project/No Development Alternative would avoid the introduction of new potential sources of short-term (construction) and long-term (operational) air pollutant emissions that would occur during the implementation of the Project. As such, all of the Project's short- and long-term air quality impacts would be avoided under this alternative, because construction and operational activities would not occur at the Project site. Accordingly, in comparison to the Project's less than significant impacts with incorporation of mitigation measures associated with air quality, no impacts would occur under this alternative.

C. Biological Resources

The No Project/No Development Alternative would leave the property in its existing condition. Under this alternative, impacts would be less than the Project because the Project site would not be disturbed compared to the permanent disturbance that would occur as a result of the Project's proposed development. Overall, although the Project would result in less than significant impacts with incorporation of mitigation measures, the No Project/No Development Alternative would eliminate the Project's potential biological resource impacts that could occur during construction activities to burrowing owl, western Joshua trees, nesting birds, and impacts to waters of the State, and no mitigation would be required. There would be no impact to biological resources under this alternative.

D. Cultural Resources

The field survey conducted as part of the Cultural Resources Assessment for the Project site identified various historic-period resources. The Cultural Resources Assessment determined that the resources found on the site do not have a clear association with significant events, or contain any attributes that convey specific association with an important person of national, statewide, or local significance. The resources do not embody the distinctive characteristics of a type, period, or method of construction, nor represent the work of a master, or possess artistic value. Furthermore, due to their secondary nature, the resources are unlikely to fulfill the data requirements to address research questions or to provide any other information valuable to our understanding of the past. As such, none of the resources identified within the Project site are eligible for inclusion in the CRHR.

There are no known significant historic resources, archaeological resources, or human remains identified on the Project site under existing conditions.

Based on the low occurrence of prehistoric archaeological remains documented in the vicinity, the level of existing disturbance of the Project site, and the results of the field survey, the Project area has a low sensitivity for encountering intact buried prehistoric archaeological resources. While unlikely, the potential to impact buried prehistoric archaeological resources during ground disturbance activities (i.e., grading and excavation activities) in native soils still exists. Accordingly, although the Project would result in less than significant cultural resources impacts with incorporation of mitigation measures, the No Project/No Development Alternative would eliminate the Project's potential impacts to cultural resources, and no mitigation would be required. There would be no impact to cultural resources under this alternative.

E. Energy

Under the No Project/No Development Alternative, no new development would occur; therefore, the site would not require any near-term or long-term energy resources. Accordingly, although the Project would result in less than significant impacts associated with energy, the No Project/No Development Alternative would have no impact related to energy use.

F. Geology & Soils

The No Project/No Development Alternative would not result in grading of the Project site; therefore, no impacts to geology or soils would occur. The Project site lies at the edge of a broad alluvial fan mapped as early Pleistocene to possibly late Miocene-aged, very old alluvial deposits, characterized as moderately consolidated, strong brown to yellowish-red sand and gravel deposits. The gravel clasts range from fine- to coarse-sized, with rare boulders, and consist of slightly metamorphosed sedimentary rocks, volcanic rocks of the Sidewinder Volcanic series, and minor plutonic. A veneer of late Holocene alluvial wash deposits crosses the Project site in places and is composed of unconsolidated fine- to coarse-grained sand and fine gravel. During field surveys conducted in September 24 and 25, 2025, paleontological resources, or evidence of paleontological resources, were not identified.

The No Project/No Development Alternative would avoid potential impacts associated with unearthing previously undiscovered paleontological resources during grading activities. This alternative has no potential to impact resources that may exist in undisturbed soils beneath the ground surface. Accordingly, this alternative would eliminate the Project's potential (less than significant with incorporation of mitigation measures) paleontological resource impacts.

G. Greenhouse Gas Emissions

Under the No Project/No Development Alternative, development would not occur on the Project site; therefore, there would be no potential sources of near-term or long-term GHG emissions.

Accordingly, although the Project would result in significant and unavoidable GHG impacts, the No Project/No Development Alternative would have no impact related to GHG emissions.

H. Hazards & Hazardous Materials

Project impacts were determined to be less than significant related to hazards and hazardous materials, including those associated with the routine transportation, storage, and use of hazardous materials during the operation of the Project. Because development would not occur under the No Project/No Development Alternative, no impacts related to hazards or hazardous materials would occur. This alternative would reduce the Project's already less than significant hazards and hazardous materials impacts.

I. Hydrology and Water Quality

The No Project/No Development Alternative would not result in any grading or development of the property; therefore, the existing drainage pattern would remain the same and no impacts to hydrology or water quality would occur. Moreover, under the No Project/No Development Alternative, drainage improvements or water quality features would not be installed. The desert terrain has numerous significant undulations creating multiple paths for stormwater over the entire Project site. Therefore, water quality impacts, including erosion and sedimentation, would be greater under this alternative because the Project site would not receive the benefits from the stormwater drainage and water quality filtration features that would be constructed by the Project. Therefore, this alternative would result in increased impacts associated with hydrology and water quality when compared to the Project, which were determined to be less than significant.

J. Land Use and Planning

The No Project/No Development Alternative would not result in any new development that would physically divide an established community. In addition, the No Project/No Development Alternative would not result in any new development that would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Accordingly, although the Project would result in less than significant impacts associated with land use and planning, no impacts associated with land use and planning would occur under this alternative.

K. Noise

Under the No Project/No Development Alternative, no additional noise or vibration would be generated and existing noise and vibration conditions would be maintained. Accordingly, although the Project would result in less than significant impacts associated with noise and vibration, this alternative would result in no impacts related to noise and vibration when compared to the Project.

L. Public Services

Under the No Project/No Development Alternative, the Project site would remain vacant and undeveloped. There would not be an increase in demand for fire protection services, police protection services, schools services, or libraries services. Accordingly, although the Project would result in less than significant impacts associated with public services, the No Project/No Development Alternative would have no impact related to public services.

M. Transportation

Under the No Project/No Development Alternative, no new development would occur on the Project site and no traffic would be generated at the Project site. Therefore, this alternative would have no impacts related to conflict with a program, plan, ordinance, or policy addressing the circulation system; vehicle miles traveled; hazards due to a design feature; or emergency access. The No Project/No Development Alternative would eliminate the Project's significant and unavoidable transportation (VMT) impacts and no impacts would occur.

N. Tribal Cultural Resources

Based on Native American consultation, there is a potential to encounter tribal cultural resources within the Project site during ground-disturbing construction activities on the site. Project impacts to tribal cultural resources were determined to be less than significant with mitigation. The No Project/No Development Alternative would leave the Project site in its existing condition; no grading or disturbance of soil would occur. As such, this alternative would not result in impacts to undiscovered tribal cultural resources. Accordingly, there would be no impacts to tribal cultural resources.

O. Utilities and Service Systems

Under the No Project/No Development Alternative, the Project site would not generate any need for additional utilities and service systems, including domestic water, wastewater treatment, or solid waste disposal; therefore, the implementation of this alternative would avoid the increases in the demand for utility services that would be generated by the Project. Although the Project would have less than significant impacts, implementation of this alternative would result in no impacts associated with utilities and service systems.

P. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/No Development Alternative would not result in any physical environmental changes to the Project site. This alternative would eliminate the Project's significant and unavoidable impacts related to GHG emissions and transportation (VMT). However, this alternative would not receive the environmental benefits from the implementation of stormwater drainage and water quality filtration features that would be constructed by the Project.

2. Attainment of Objectives

The No Project/No Development Alternative would fail to meet all the Project Objectives, as described in Section 6.1.1.

6.4.2 No Project/Existing General Plan and Zoning Designation Alternative

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing land use and zoning standards for the Project site, specifically the Office Professional (O-P) land use and O-P Zoning designation. This alternative would consider the development of one or more administration/professional office buildings at the Project site, which would contain individual office suites occupied by a range of professional tenants, for a total of 600,000 sf. The remaining areas of the Project site would be developed with parking areas, drive aisles, driveway(s), lighting, utility connections, stormwater treatment and conveyance facilities, and landscaped areas. Under this Alternative, vehicular access to the site would be similar to that which is proposed by the Project.

Assuming all administration/professional office uses on the Project site, the No Project/Existing General Plan and Zoning Alternative would generate 4,698 daily trips, including 744 AM peak hour, and 708 PM peak hour trips, resulting in an increase of 1,898 daily, 532 AM peak hour, and 475 PM peak hour trips compared to the Project. Trip generation under the Institute of Transportation Engineers (ITE), Office (Code 710) would generate more trips compared to the trip generation used for the Project which assumed 138,141 sf of general light industrial, 207,212 sf of high-cube cold storage warehouse use, and 1,036,059 sf of high-cube fulfillment (non-sort) center warehousing use.

This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the Project with an alternative that would allow the continuation of uses permitted by the Town's General Plan and Zoning.

A. Aesthetics

The Project site is not located within an area identified for scenic preservation. There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. The Project would not conflict with applicable zoning or other regulations governing scenic quality. The Project would result in less than significant impacts related to aesthetics.

The No Project/Existing General Plan and Zoning Designation Alternative would cover the same development impact area as the Project, with potentially more building coverage. Under this alternative, development of the Project site would still occur and office buildings would be designed in accordance with Town standards, similar to the Project. Therefore, this alternative would result in less than significant impacts, similar to the Project.

B. Air Quality

As with the Project, construction of the No Project/Existing General Plan and Zoning Designation Alternative has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project Site. In addition, fugitive dust emissions would result from demolition and construction activities. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Under the No Project/Existing General Plan and Zoning Designation Alternative, the overall amount of building construction would be reduced in comparison to the Project because the building sizes would be reduced by approximately 57%; therefore, the construction duration would be reduced. However, the intensity of air emissions and fugitive dust from site preparation and construction activities would be similar on days with maximum construction activities. Because maximum daily emissions are used for measuring impact significance, regional impacts on these days would be similar to the Project, which is less than significant with incorporation of mitigation measures.

The No Project/Existing General Plan and Zoning Designation Alternative would result in less building floor area than the Project, however, office uses require more building energy per square foot due to the electricity demand associated with heating, cooling, and office equipment. This Alternative is expected to require similar energy demands to operate than the Project, but would result in a reduction of non-mobile source air quality emissions. As discussed above, the No Project/Existing General Plan and Zoning Designation Alternative would result in an increase 1,898 daily trips from 2,800 to 4,698 when compared to the Project. The No Project/Existing General Plan and Zoning Designation Alternative would generate an increased amount of mobile source air pollutant emissions as the Project from passenger vehicles due to the increase of daily trips. In total, the No Project/Existing General Plan and Zoning Designation Alternative would increase the Project's operational regional air quality emissions but would remain less than significant, similar to the Project.

Because heavy truck trip traffic would be reduced under this alternative, the No Project/Existing General Plan and Zoning Designation Alternative would result in decreased carcinogenic and non-carcinogenic health risk hazards resulting from diesel particulate matter compared to the Project. Impacts related to diesel particulate matter would be less than significant under this alternative, similar to the Project.

Like the Project, the No Project/Existing General Plan and Zoning Designation Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C. Biological Resources

The No Project/Existing General Plan and Zoning Designation Alternative would involve the same development impact area as the Project. Therefore, this alternative would result in the same potential impacts to biological resources (burrowing owl, western Joshua trees, nesting birds, and impacts to waters of the State) as the Project, and mitigation measures would be implemented to reduce impacts to such resources to less than significant. Therefore, impacts to biological resources under this alternative would be similar to the Project.

D. Cultural Resources

The No Project/Existing General Plan and Zoning Designation Alternative would have the same development impact area as the Project. No known historical or archaeological resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site. However, there is a remote potential for the Project site to contain unidentified surface or subsurface archaeological resources. Like the Project, this alternative would be required to implement mitigation measures to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the No Project/Existing General Plan and Zoning Designation Alternative would be similar to those of the Project.

E. Energy

Under the No Project/Existing General Plan and Zoning Designation Alternative, the total building square footage would be reduced to accommodate the increased amount of parking needed for office use. Construction activities associated with this alternative would have reduced energy demand compared to the Project due to the reduction in construction equipment required to construct the building. However, office uses require more building energy per square foot due to the electricity demand associated with heating, cooling, and office equipment, thus, building energy demand under this alternative would be similar to the Project. Additionally, fuel from vehicle trips during operation would increase due to the increase in passenger vehicle trips when compared to the Project. On balance, operational activities associated with this alternative would have similar or slightly increased energy demand compared to the Project and impacts would remain less than significant.

F. Geology & Soils

Grading and development of the entire Project site would still occur under the No Project/ Existing General Plan and Zoning Designation Alternative, and therefore, impacts to geology and soils would be similar to those generated by the Project. This alternative would also result in a similar potential to impact undiscovered paleontological resources during grading when compared to the Project. Development realized under this alternative, like the Project, would be required to implement mitigation measures to reduce potential impacts to less than significant. Therefore, impacts from the No Project/ Existing General Plan and Zoning Designation Alternative would be similar to those of the Project.

G. Greenhouse Gas Emissions

The No Project/Existing General Plan and Zoning Designation Alternative would have a reduced amount of building square footage. Therefore, implementation of the No Project/Existing General Plan and Zoning Designation Alternative would result in fewer impacts from construction-related GHG emissions that would occur from implementation of the Project.

As previously discussed, the annual GHG emissions associated with the operation of the Project are estimated to be approximately 18,176.56 $MTCO_2e$ /yr. Project-related GHG emissions would exceed the 3,000 MTCO2e/year significance threshold for GHG emissions and would result in a cumulatively-considerable impact. No feasible mitigation measures exist that would reduce the Project's GHG emissions to levels that are less than significant.

The No Project/Existing General Plan and Zoning Designation Alternative would generate 4,698 daily trips including 744 AM peak hour, and 708 PM peak hour trips, resulting in an increase of 1,898 daily, 532 AM peak hour, and 475 PM peak hour trips compared to the Project. Therefore, the No Project/Existing General Plan and Zoning Designation Alternative would result in an increase of GHG emissions, compared to the Project. The Project's significant and unavoidable GHG impacts would remain, since the alternative's GHG emissions would exceed the threshold of 3,000 $MTCO_2e$/year. Therefore, GHG emissions impacts would be greater and would remain significant and unavoidable, compared to the Project.

H. Hazards & Hazardous Materials

The Project would not result in significant impacts related to hazards and hazardous materials. The Project site is not located within one-quarter mile of any existing or proposed school, nor is the site located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Office uses implemented under the No Project/Existing General Plan and Zoning Designation Alternative would be subject to the same federal, State, and local regulations and permitting requirements as would occur with the Project. Similar to the Project, this alternative would result in less than significant impacts related to hazards and hazardous materials.

I. Hydrology and Water Quality

The No Project/Existing General Plan and Zoning Designation Alternative would reduce the total building square footage; however, this alternative would result in the same area of impervious surfaces compared to the Project. This alternative would introduce new sources of water pollutants from construction and operational activities, and result in similar runoff and potential for impacts to drainage, erosion, and water quality as the Project. Similar to the Project, this alternative would be required to include storm drain facility improvements, source control, site design, and treatment control BMPs. Therefore, the No Project/Existing General Plan and Zoning Designation Alternative would result in less than significant impacts to hydrology and water quality, similar to the Project.

J. Land Use and Planning

The General Plan Amendment, Zone Change, and Development Code Amendment proposed under the Project would not be necessary under the No Project/Existing General Plan and Zoning Designation Alternative. This alternative's land use was already accounted for in the modeling for the SCAG's Connect SoCal. Therefore, this alternative is consistent with Connect SoCal policies, the Town's General Plan, and Development Code. Land use and planning impacts under this alternative would be reduced when compared to the Project. The No Project/General Plan and Zoning Designation Alternative would result in less than significant impacts related to land use and planning, similar to the Project.

K. Noise

Construction noise impacts would be reduced under the No Project/Existing General Plan and Zoning Designation Alternative due to the reduction of building square footage and shorter construction schedule. On-site construction activities and the associated construction noise and vibration levels would be similar during maximum activity days since only the overall duration, and not the daily intensity of construction activities and associated equipment noise, would decrease under this alternative when compared to the Project. Noise and vibration levels during maximum activity days, which are used for measuring impact significance, would be similar to those of the Project. The No Project/Existing General Plan and Zoning Designation Alternative would result in less than significant construction-related noise impacts similar to the Project's less than significant impacts.

Stationary operation noise would be reduced under this alternative. Off-site traffic operational noise would also decrease under this alternative due to the decrease in heavy truck trips. Noise impacts from the No Project/Existing General Plan and Zoning Designation Alternative would be less than significant for off-site traffic-related noise and less than the Project.

L. Public Services

Under the No Project/Existing General Plan and Zoning Designation Alternative, buildout would result in a decrease in employees (approximately 861 employees[2]). This would result in overall greater demands placed on public services, including fire protection and law enforcement. Although significant public service impacts would not be anticipated under this alternative, impacts would be less than significant and less than those identified for the Project.

M. Transportation

The No Project/Existing General Plan and Zoning Designation Alternative would result in an increase in overall passenger car VMT due to the increase in vehicle trips and would result in a decrease in the

[2] 600,000 sf of office space * (1 employee/697 sf for low-rise office space based on SCAG's Employment Density Report)

number of employees (approximately 861 employees[3]). Therefore, the resulting VMT per employee would be greater than the Project since it is based on Project generated VMT divided by number of employees. However, this alternative would eliminate truck trips with longer trip lengths. On balance, impacts would be similar to the Project and the No Project/Existing General Plan and Zoning Designation Alternative would continue to exceed the Town's VMT threshold.

N. Tribal Cultural Resources

The No Project/Existing General Plan and Zoning Designation Alternative would result in a similar potential to adversely affect buried tribal cultural resources as the Project, since the development impact area would be the same. As with the Project, this alternative would be required to implement mitigation measures to reduce potential impacts to less than significant. Therefore, potential impacts to tribal cultural resources under this alternative would be similar to those associated with the Project.

O. Utilities and Service Systems

Like the Project, the No Project/Existing General Plan and Zoning Designation Alternative would implement all necessary on-site utilities and service infrastructure system improvements. Based on the scope and intensity of development under this alternative, demands for utilities and services under this alternative would be similar to the Project. Impacts would be less than significant under this alternative, similar to the Project.

P. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/Existing General Plan and Zoning Designation Alternative would result in increased impacts during operation related to air quality and energy, due to the change to office use and associated increase in vehicular trips. Significant and unavoidable impacts related to GHG emissions and VMT would continue to occur from implementation of this alternative. Impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, noise, public services, tribal cultural resources, and utilities and service systems would be less than or similar to the Project.

2. Attainment of Objectives

The No Project/Existing General Plan and Zoning Designation Alternative would partially meet the Project Objectives (Objectives C and D), as described in Section 6.1.1. This alternative would not meet the following Project Objectives, due to the change in use from industrial to office:

[3] 600,000 sf of office space * (1 employee/697 sf for low-rise office space based on SCAG's Employment Density Report)

A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.

B. To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.

E. To develop a Class A speculative industrial building in the Town of Apple Valley that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.

F. To develop an industrial building in close proximity to the I-15 and SR-18 freeways that can be used as part of the southern California goods movement network.

6.4.3 Reduced Intensity Alternative

The Reduced Intensity Alternative was selected to reduce impacts associated with GHG and transportation. The Reduced Intensity Alternative would consider development of the Project site with a 15% reduction in building square footage. Under this alternative, a total of 1,174,200 sf of industrial uses would be constructed. This alternative would generate approximately 983 employees using an employment generation rate of 1 employee per 1,195 square feet for warehouse uses, compared to the 1,156 employees that would be generated by the Project. The development impact area would generally remain the same as the Project. Access to the site would be the same with a proportional reduction in the number of parking spaces.

A. Aesthetics

The Reduced Intensity Alternative would have the same development area as the Project. The Project site is not located within an area identified for scenic preservation. There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. The existing vacant and undeveloped site would still be replaced with industrial uses, although the building square footage would be reduced by 234,212 sf under this alternative. Site design and architectural features would be similar to the Project under this alternative. Walls and fences will be provided for screening, buffering, and security purposes along building site perimeters and interior to building sites. Landscaping would include a variety of trees, shrubs, vines, and accent plants along the site's perimeter. Accordingly, the Reduced Intensity Alternative would result in less than significant impacts associated with aesthetics, similar to the Project.

B. Air Quality

With the implementation of Mitigation Measure MM 4.2-1, Project ROG/VOC emissions would be reduced below the applicable threshold. Super-Compliant low VOC paints are manufactured to

have lower levels of VOCs than those required by regulatory standards; therefore, the use of low VOC paints would reduce the Project's ROGs/VOCs emissions during construction. Alternatively, the Project applicant may utilize tilt-up a concrete building that does not require the use of architectural coatings. Therefore, the Project with mitigation would not exceed the criteria pollutant thresholds for regional construction emissions and impacts would be less than significant impact.

Although the development impact area would be similar to the Project, the Reduced Intensity Alternative would result in an approximate 15% reduction of allowable building square footage. Construction-related air quality impacts would be slightly reduced during the building construction phase compared to the Projects less than significant impacts with mitigation incorporated.

The Project operational-source air pollutant emissions would not result in exceedances of MDAQMD thresholds and other surrounding air districts. The 15% reduction in development intensity under the Reduced Intensity Alternative would translate to an approximate 15% reduction in operational-source air pollutant emissions when compared to the Project. Therefore, operation-related air quality impacts would be slightly reduced as compared to the Projects less than significant impacts.

C. Biological Resources

The Reduced Intensity Alternative would involve the same development impact area as the Project. As such, this alternative would result in the same potential impacts to biological resources burrowing owl, western Joshua trees, nesting birds, and impacts to waters of the State) as the Project. As with the Project, mitigation measures would be necessary to reduce impacts. Impacts to biological resources under the Reduced Intensity Alternative would be comparable to the Project.

D. Cultural Resources

The Reduced Intensity Alternative would have the same development impact area as the Project. No known historical or archaeological resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site. However, there is a remote potential for the Project site to contain unidentified surface or subsurface archaeological resources. Like the Project, this alternative would be required to implement mitigation measures to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the Reduced Intensity Alternative would be similar to those of the Project.

E. Energy

Under the Reduced Intensity Alternative, the total building square footage would be reduced by approximately 15% with a proportional decrease in construction energy demands, operational building energy consumption, and vehicle fuel. Like the Project, energy impacts associated with this alternative would be less than significant, but less than the Project.

F. Geology & Soils

Grading and development of the entire Project site would still occur under the Reduced Intensity Alternative, and therefore, impacts to geology and soils would be similar to those generated by the Project. This alternative would also result in a similar potential to impact undiscovered paleontological resources during grading. Development realized under this alternative, like the Project, would be required to implement mitigation measures to reduce potential impacts. Therefore, impacts from the Reduced Intensity Alternative would be similar to those of the Project.

G. Greenhouse Gas Emissions

As previously discussed, the annual GHG emissions associated with the operation of the Project are estimated to be approximately 18,176.56 MTCO2e /yr. Project-related GHG emissions would exceed the 3,000 MTCO2e/year significance threshold for GHG emissions and would result in a cumulatively-considerable impact. No feasible mitigation measures exist that would reduce the Project's GHG emissions to levels that are less than significant.

When compared to the Project, the Reduced Intensity Alternative would result in a 15% decrease in GHG emissions due to the reduced scope of facilities, reduced building/facility energy demands, and decreased trip generation. This alternative's GHG emissions (approximately 15,450.08 MTCO2e/yr) would still exceed the threshold of 3,000 MTCO2e/year. Therefore, GHG emissions impacts would be less than the Project and would remain significant and unavoidable.

H. Hazards & Hazardous Materials

The Project would not result in significant impacts related to hazards and hazardous materials. The Project site is not located within one-quarter mile of any existing or proposed school, nor is the site located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Uses implemented under the Reduced Intensity Alternative would be subject to the same federal, state, and local regulations and permitting requirements as would occur with the Project. Similar to the Project, this alternative would result in less than significant impacts related to hazards and hazardous materials.

I. Hydrology and Water Quality

The Reduced Intensity Alternative would result in a slight reduction in the amount of impervious surfaces when compared to the Project. Regardless, this alternative would introduce new sources of water pollutants from construction and operational activities, and result in similar runoff and potential for impacts to drainage, erosion, and water quality as the Project. Similar to the Project, this alternative would be required to include storm drain facility improvements, source control, site design, and treatment control BMPs. Therefore, the Reduced Intensity Alternative would result in similar less than significant impacts to hydrology and water quality.

J. Land Use and Planning

Similar to the Project, the Reduced Intensity Alternative would require a General Plan Amendment, Zone Change, and Development Code Amendment to accommodate the proposed uses. This alternative would be consistent with the SCAG's RTP/SCS policies, the Town's General Plan and Zoning Ordinance, and Development Code. Land use impacts under the Reduced Intensity Alternative would be comparable to the Project and would be less than significant.

K. Noise

Construction noise duration would decrease under the Reduced Intensity Alternative due to the decreased building square footage and shorter construction schedule. Under this alternative, the types of construction activities and equipment employed would be similar to those associated with construction of the Project. Maximum received construction-source noise/vibration levels would be unchanged, however the duration may be decreased.

Stationary operation noise could be reduced under this alternative. Off-site traffic operational noise would also decrease under this alternative due to the decrease in heavy truck trips. Noise impacts from this Alternative would be less than significant for off-site traffic-related noise and less than the Project.

L. Public Services

Under the Reduced Intensity Alternative, buildout would result in a less intense industrial use and associated reduction of employees. This would result in slightly less demands placed on public services, including fire protection and law enforcement. This alternative would further reduce the Projects already less than significant impacts to public services.

M. Transportation

The Reduced Intensity Alternative would result in reduced total VMT when compared to the Project. Because the intensity and scope of uses would be decreased under the Reduced Intensity Alternative, the number of employees would also decrease. The Reduced Intensity Alternative would therefore not substantially alter the VMT/SP ratio otherwise resulting from the Project. Similar to the Project, VMT impacts under this alternative would be significant and unavoidable.

N. Tribal Cultural Resources

The Reduced Intensity Alternative would result in a similar potential to adversely affect buried tribal cultural resources as the Project, since the development impact area would be the same. As with the Project, this alternative would be required to implement mitigation measures to reduce potential impacts. Therefore, potential impacts to tribal cultural resources under this alternative would be similar to those associated with the Project.

O. Utilities and Service Systems

Like the Project, the Reduced Intensity Alternative would implement all necessary on-site and off site utilities and service infrastructure system improvements. Based on the decreased scope and intensity of development under this alternative, demands for utilities and services under this alternative would be reduced. The Reduced Intensity Alternative would further reduce the Projects already less than significant impacts.

P. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

Under the Reduced Intensity Alternative, impacts related to aesthetics, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, transportation, and tribal cultural resources would be similar to the Project.

The Reduced Intensity Alternative would result in reduced impacts related to air quality, energy, GHG emissions, noise, public services, and utilities and service systems due to the reduction in square footage and associated vehicular trips. The significant and unavoidable impacts identified under the Project (GHG and transportation) would continue to occur under this alternative.

2. Attainment of Objectives

The Reduced Intensity Alternative would meet Project Objectives B, C, and F, as described in Section 6.1.1. As compared with the Project, this alternative would not meet the following objectives to the same extent, due to the reduced square footage and proportional reduction in employees:

A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.

D. To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.

E. To develop a Class A speculative industrial building in the Town of Apple Valley that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.

Under the Reduced Intensity Alternative, the proposed building would not be able to maximize the use of the Project site. Additionally, the 15 percent reduction would reduce the amount of potential employment opportunities for community residents; therefore, the building would not be fully responsive to future local and regional trade demands.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities or industrial operations. There would be no Project or cumulative impacts related to GHG emissions and VMT. These impacts are considered significant and unavoidable for the Project. While this alternative would avoid the significant effects of the Project, it would not receive the environmental benefits from hydrology/water quality improvements. Additionally, none of the Project Objectives would be met.

The Reduced Intensity Alternative is environmentally superior to the Project. As shown in Table 6-1, *Comparison of Alternatives and Project-related Environmental Impacts*, the Reduced Intensity Alternative would have less impacts under six of the environmental topical areas. The reduction in impacts is due to the reduced building square footage and associated number of employees and trips, resulting in a reduction in impacts related to air quality, GHG emissions, energy, noise, public services, and utilities and service systems impacts. However, this alternative would not eliminate the Project's significant unavoidable impact related to GHG emissions and VMT. As shown in Table 6-2, *Alternatives Attainment of Objectives*, the Reduced Intensity Alternative would only partially meet some of the Project's Objectives.

Table 6-1 Comparison of Alternatives and Project-related Environmental Impacts

Impact Area	Project	No Project/ No Development Alternative	No Project/Existing General Plan and Zoning Alternative	Reduced Intensity Alternative
Aesthetics	LTS	No Impact (less)	LTS (similar)	LTS (similar)
Air Quality				
Construction	LTS/M	No Impact (less)	LTS/M (similar)	LTS/M (less)
Operation	LTS	No Impact (less)	LTS (greater)	LTS (less)
Biological Resources	LTS/M	No Impact (less)	LTS/M (similar)	LTS/M (similar)
Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)	LTS/M (similar)
Energy	LTS	No Impact (less)	LTS (greater)	LTS (less)
Geology and Soils	LTS/M	No Impact (less)	LTS/M (similar)	LTS/M (similar)
GHG Emissions	SU	No Impact (less)*	SU (greater)	SU (less)
Hazards & Hazardous Materials	LTS	No Impact (less)	LTS (similar)	LTS (similar)
Hydrology and Water Quality	LTS	No Impact (greater)	LTS (similar)	LTS (similar)
Land Use and Planning	LTS	No Impact (less)	LTS (similar)	LTS (similar)
Noise				
Construction	LTS	No Impact (less)	LTS (similar)	LTS (similar)
On-Site Operations	LTS	No Impact (less)	LTS (less)	LTS (less)
Off-Site Traffic-Related	LTS	No Impact (less)	LTS (less)	LTS (less)
Public Services	LTS	No Impact (less)	LTS (less)	LTS (less)
Transportation	SU	No Impact (less)*	SU (similar)	SU (similar)
Tribal Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)	LTS/M (similar)
Utilities and Service Systems	LTS	No Impact (less)	LTS (similar)	LTS (less)

LTS = Less than Significant; LTS/M = Less than Significant with Mitigation; SU = Significant and Unavoidable

* = Eliminates SU impact

** = New SU impact

Table 6-2 Alternatives Attainment of Objectives

Project Objectives	No Project/No Development	No Project/Existing General Plan and Zoning	Reduced Intensity Alternative
A. To efficiently develop a vacant and underutilized property with industrial uses to help meet the regional demands for goods movement facilities.	Not Met	Not Met	Partially Met
B. To expand economic development, facilitate job creation, and increase the tax base for the Town of Apple Valley by establishing new industrial development adjacent to established and planned industrial areas.	Not Met	Not Met	Met
C. To attract new businesses to the Town of Apple Valley and thereby provide a more equal jobs-housing balance in the Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.	Not Met	Met	Met
D. To make efficient use of a property in the Town of Apple Valley by maximizing its buildout potential for employment-generating uses.	Not Met	Met	Partially Met
E. To develop a Class A speculative industrial building in the Town of Apple Valley that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.	Not Met	Not Met	Partially Met
F. To develop an industrial building in close proximity to the I-15 and SR-18 freeways that can be used as part of the southern California goods movement network.	Not Met	Not Met	Met

7.0 REFERENCES

7.1 PERSONS CONTRIBUTING TO EIR PREPARATION

7.1.1 Town of Apple Valley Planning Division (Lead Agency)

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Paleontological Resources Technical Memorandum
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Huitt-Zollars, Inc
Preliminary Hydrology Report, Water Quality Management Plan

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NOREAS, Inc.
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Vehicle Miles Traveled (VMT) Analysis, Supplemental Vehicle Miles Traveled (VMT) Analysis
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Water Systems Consulting, Inc
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7.2 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing Apple Valley 84 EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the Town of Apple Valley Planning Division, 14955 Dale Evans Pkwy, Apple Valley, CA 92307.

Appendix A: Notice of Preparation (NOP), and Written Comments on the NOP.
Appendix B1: Air Quality Impact Analysis
Appendix B2: Health Risk Assessment
Appendix C: Biological Resources Assessment
Appendix D: Cultural Resources Assessment
Appendix E: Energy Impact Analysis
Appendix F1: Geotechnical Investigation
Appendix F2: Paleontological Resources Technical Memorandum
Appendix G: Greenhouse Gas Analysis
Appendix H1: Phase I Environmental Site Assessment
Appendix H2: Phase I Environmental Site Assessment
Appendix H3: Phase I Environmental Site Assessment
Appendix I1: Preliminary Hydrology Report
Appendix I2: Water Quality Management Plan
Appendix I3: Water Supply Assessment
Appendix J: Noise Impact Analysis
Appendix K1: Traffic Analysis
Appendix K2: Vehicle Miles Traveled (VMT) Analysis
Appendix K3: Supplemental Vehicle Miles Traveled (VMT) Analysis

7.3 DOCUMENTS INCORPORATED BY REFERENCE

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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Town of Apple Valley, 2009	Town of Apple Valley, 2009. *General Plan Draft Environmental Impact Report*. August 11, 2009. Available for review at Web: https://applevalley.org/wp-content/uploads/2025/07/EIR-All-Chapters.pdf
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7.4 DOCUMENTS AND WEBSITES CONSULTED

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7.5 PERSONS CONSULTED/WRITTEN OR VERBAL COMMUNICATION

7.5.1 Tribal Consultation

Agua Caliente Band of Cahuilla Indians
Lacy Padilla, Director of Historic Preservation/THPO

Cabazon Band of Mission Indians
J. Stapp
N. Markwardt

Gabrielino Tongva Indians
Richard Alvarez

Kern Valley Indian Community

Robert Robinson, KVIC Chairman
Brandy Kendricks, Tribal Member Monitor
Julie Turner

Morongo Band of Mission Indians
Ann Brierty, Tribal Historic Preservation Officer
Robert Martin, Chairperson

Quechan Tribe of the Fort Yuma Reservation
Jordan Joaquin, President, Quecha Tribal Council
Jill McCormick, Historic Preservation Officer
Scott Manfred

San Fernando Band of Mission Indians
Donna Yocum, Chairperson

Serrano Nation of Mission Indians
Mark Cochrane, Co-Chairperson
Wayne Walker, Co-Chairperson

Twenty-Nine Palms Band of Mission Indians
Christopher Nicosia, Cultural Resources Manager
Nicolas Garza, Cultural Resources Specialist
Sarah O'Brien, Tribal Archivist

Yuhaaviatam of San Manuel Nation (also known as San Manual Band of Mission Indians)
Alexandra McCleary, Cultural Resources Management Department