RECIRCULATED
Initial Study/
Mitigated Negative Declaration
Green Trucking Solutions Cold Storage Project

SPR2022-002

Lead Agency

Town of Apple Valley
Community Development Department
14955 Dale Evans Parkway
Apple Valley, CA 92307
Contact: David Contreras, Community Development Director
(760) 240-7000 ext. 7200 | planning@applevalley.org

Project Proponent

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January 6, 2026

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Acronyms and Abbreviations

Acronym	Definition
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
ADA	Americans with Disabilities Act
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
APZ	Accident Potential Zone
AQAP	Air Quality Attainment Plan
AVR	Apple Valley Ranchos
BMPs	Best Management Practices
CalEEMod	California Emissions Estimator Model
CAP	Climate Action Plan
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
COE	U.S. Army Corps of Engineers
CRHR	California Register of Historic Places
CWA	Clean Water Act
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
GP	General Plan

GP EIR	General Plan Environmental Impact Report
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HCP	Habitat Conservation Plan
HVAC	Heating, Ventilation, Air Conditioning
ITE	Institute of Transportation Engineers
LID	Low Impact Design
LOS	Level of Service
LRDP	Long-Range Development Plan
LST	Localized Significance Threshold
MDAQMD	Mojave Desert Air Quality Management District
mgd	Millions of Gallons per Day
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
MSHCP	Multiple Species Habitat Conservation Plan
$MTCO_2e$	Metric Tons Carbon Dioxide Equivalent
NAHC	Native American Heritage Commission
NAVISP	North Apple Valley Industrial Specific Plan
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxide
NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
PDF	Project Design Feature
$PM_{2.5}$	Particulate Matter Less Than 2.5 Microns in Diameter
PM_{10}	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RWQCB	Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SF	Square Feet
SGMA	Sustainability Groundwater Management Act
SIS/MND	Subsequent Initial Study/Mitigated Negative Declaration
SLF	Sacred Lands File
SOx	Sulfur Oxide
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAZ	Traffic Analysis Zone

TIA	Traffic Impact Analysis
TNW	Traditional Navigable Waters
Town	Town of Apple Valley
TRU	Truck Refrigeration Unit
TUMF	Transportation Uniform Mitigation Fee
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WoS	Waters of the State
WOTUS	Waters of the United States
YSMN	Yuhaaviatam of San Manuel Nation

1.0 Background Information

1. Project Title:	Green Trucking Solutions Cold Storage Project Site Plan Review (SPR) No. 2022-002
2. Lead Agency Name, Address, and Telephone Number:	Town of Apple Valley Community Development Department 14955 Dale Evans Parkway Apple Valley, California 92307 Contact: David Contreras, Community Development Director (760) 240-7000 ext. 7200 | planning@applevalley.org
3. Description of Project:	Construction of a 354,260 -square-foot cold storage warehouse building on an 18.78-acre site
4. Project Location:	Northwest corner of Navajo Road and Lafayette Street. Assessor's Parcel 0463-231-06. Also, the Project site is located within the North Apple Valley Industrial Specific Plan.
5. General Plan and Zoning Designation:	Specific Plan
6. Other Public Agencies whose Approval is Required:	▪ California Department of Fish & Wildlife (1602 Lake & Streambed Alteration Agreement), Western Joshua Tree Incidental Take Permit ▪ Lahontan Regional Water Quality Control Board (National Pollutant Discharge Elimination System Permit and Report of Waste Discharge 404 Permit) ▪ Mohave Desert Air Quality Management District (Authority to Construct)
7. Native American Tribal Consultation:	The Town commenced the AB 52 process by sending consultation invitation letters to tribes previously requesting notification pursuant to Public Resources Code §21080.3.1. The Town received requests to consult from the Yuhaaviatam of San Manuel Nation (YSMN and the Twenty-Nine Palms Band of Mission Indians, As a result, Mitigation Measure TCR-1 is included in the project/ permit/plan conditions.
8. Previously Certified 2009 General Plan Program EIR	Town of Apple Valley General Plan and Annexations 2008-001 and 2008-002, Environmental Impact Report (SCH #2008091077), August 11, 2009

Significant or Potentially Significant Environmental Factors

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

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

Because the environmental factors above have been mitigated to less than significant, the adoption of a Mitigated Negative Declaration is recommended.

Determination

Based on this initial evaluation:

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

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Applicant. A **SUBSEQUENT MITIGATED NEGATIVE DECLARATION** will be recommended for adoption. ☒

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

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

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

	Town of Apple Valley
Signature	**Lead Agency**
Printed Name/Title	**Date**

2.0 Introduction

2.1 Applicability of the California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) is a state law that requires California public agencies to evaluate and disclose the potential environmental impacts of proposed projects before approving them. Its key purpose is to provide agency decision makers and the public with information about potential environmental effects caused by development and to mitigate or avoid those effects when feasible.

Under CEQA, a "project" is defined as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. "Projects" include discretionary activity by a public agency, a private activity that receives any public funding, or activities that involve the public agency's issuance of a discretionary approval and is not statutorily or categorically exempt from CEQA. (California Public Resources Code §21065.)

Green Trucking Solutions, LLC ("GTS" or "Project Proponent") has submitted applications for Site Plan Review (SPR) No. 2022-002 for the construction of a 354,260-square-foot cold storage warehouse building that includes an equipment room and two offices within the boundaries of the North Apple Valley Industrial Specific Plan (NAVISP). This development proposal meets the definition of a "project" under CEQA and thus require further environmental review.

2.2 CEQA Requirements for Review of the Project

If an agency determines that a proposed activity is a project under CEQA, it will usually take the following three steps.

1. Determine whether the project falls under a statutory or categorical exemption from CEQA;
2. If the project is not exempt, prepare an initial study to determine whether the project might result in significant environmental effects; and
3. Prepare a negative declaration, a mitigated negative declaration, or an EIR, depending on the initial study. The Town of Apple Valley has determined that the Project requires the preparation of a Subsequent Initial Study/Mitigated Negative Declaration (SIS/MND).

The purpose of this SIS/MND is to evaluate the potential environmental impacts of the Project in light of the analysis in the 2009 GP EIR, to determine what level of additional environmental review, if any, is appropriate, including whether additional project-level mitigation is necessary and would be included as part of the Project.

Based on the analysis contained in this SIS/MND, a determination has been made that the mitigation measures identified in the 2009 GP EIR that apply to the Project, or additional project-level mitigation

measures, must be implemented as part of the proposed project. These mitigation measures are identified and discussed in Sections 4.1 through 4.20 of this document.

2.3 Prior CEQA Document

As stated above, the 2009 GP EIR serves as the basis for evaluating the environmental impacts attributed to the proposed Project. The Town Council approved the Apple Valley Comprehensive General and certified the Program General Plan Environmental Impact Report (SCH# 2008091077). The 2009 GP EIR encompassed all lands within the Town's corporate limits at the time, as well as the two proposed land annexation areas identified as Annexation 2008-001 ("Golden Triangle") and Annexation 2008-002 ("Northeast Industrial Area").

The Project site is located within the North Apple Valley Industrial Specific Plan (NAVISP), which was approved on October 24, 2006 and has been amended several times. The NAVISP was prepared to establish long-term development goals, standards and guidelines for land including and surrounding the Apple Valley Airport. The primary land uses envisioned in this area are industrial and commercial land uses, which will provide the Town with long-term economic growth and vitality, job growth, and revenue.[1] Annexation 2009-002 described above, added 805 acres to the Specific Plan area in 2009. This added land, plus the existing land within the NAVISP (including the Project site) was analyzed as part of the 2009 GP EIR.

The 2009 GP EIR found that build-out of the General Plan area will result in significant impacts, but that all significant impacts can be mitigated to less than significant levels, except impacts to air quality, land use, and traffic and circulation. As these impacts will remain significant, the Town was required to adopt a Statement of Overriding Considerations for these significant and unavoidable impacts on the environment.

Because the 2009 GP EIR is a program-level EIR, additional environmental documentation may be required for specific plans, subdivisions, land use plans and other development applications that may be processed by the Town in its implementation of the General Plan. Such documentation may include Negative Declarations, Mitigated Negative Declarations, and Environmental Impact Reports, depending on the scope of future projects.

Tiering

CEQA Guidelines, Section 15152

Tiering enables the use of general environmental analyses in a broad program-level document (e.g., 2009 GP EIR) and then focuses subsequent, project-specific documents on the unique impacts of individual projects within that program. Tiering aims to streamline the CEQA process by avoiding repetitive analysis and focusing on the specific environmental impacts of a project that were not addressed in the broader program-level document.

1 Town of Apple Valley, North Apple Valley Industrial Specific Plan, p.I-1. Available at: https://www.applevalley.org/home/showpublisheddocument/18587/636149111285930000.

According to the 2009 GP EIR, because the Final EIR serves at a program level, further environmental documentation is required for specific plans, subdivisions, land use plans, and other development applications processed by the Town during General Plan implementation. This documentation may consist of Negative Declarations, Mitigated Negative Declarations, or Environmental Impact Reports, depending on the scope of future projects.

Based on the nature and scope of the proposed Project and the evaluation included in the Initial Study Environmental Checklist (contained in Section 4.0 of this document), the Town has concluded that a Tiered Mitigated Negative Declaration is the proper level of environmental documentation for the proposed Project. The Initial Study shows that impacts caused by the Project are either less significant or significant but mitigable to a less than significant level with the incorporation of appropriate mitigation measures from the 2009 EIR and the Project-Specific Mitigation Measures as described herein.

See Section 4.0, Evaluation of Environmental Impacts, of this document for additional details about the tiering process.

Subsequent Initial Study/Mitigated Negative Declaration

CCR §15162 - Subsequent EIR and Negative Declaration

CEQA §15162(a) outlines the conditions under which a subsequent or supplemental Environmental Impact Report (EIR) or Negative Declaration is required after one has already been certified or adopted for a project. Essentially, it specifies when further environmental review is needed due to changes in the project, its circumstances, or the discovery of new, significant information.[2]

Since the certification of the 2009 GP EIR in 2009, Appendix G, the Environmental Checklist Form, has been updated to address the analysis and mitigation of greenhouse gas emissions (March 18, 2010) and to include questions related to impacts to energy (December 28, 2018) and tribal cultural resources (September 27, 2016). On December 28, 2018, a comprehensive update to the CEQA Guidelines became effective, which addressed legislative changes to the CEQA statute, clarified certain portions of the existing CEQA Guidelines, and updated the CEQA Guidelines to be consistent with recent court decisions, including but not limited to the incorporation of energy as a new topic addressed by the CEQA Guidelines. As such, the thresholds and analyses contained in this SIS/MND reflect the latest CEQA Guidelines.

There have been changes in circumstances (both physical and procedural) since the 2009 GP EIR was certified. Generally, these changes include, but are not limited to the following.

- The development of and new approvals for industrial warehouse projects in the NAVISP;
- Implementation of new analytical tools to quantify and identify measures to reduce air pollutant emissions and GHG emissions, and to calculate energy use;
- Listing of Western Joshua tree, burrowing owl, and Crotch's bumble bee as candidate species for inclusion on the California Endangered Species List; and

2 CEQA Guidelines Section 15162 (a). Available at: https://www.califaep.org/docs/CEQA_Handbook_2025combined.pdf, pp. 261-262.

- Addition of Energy, Tribal Cultural Resources, Vehicle Miles Traveled (VMT), and Wildfire to Appendix G of the CEQA Guidelines as new environmental topics requiring review under CEQA.

CEQA Section 15162(b) states:

> (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a **subsequent negative declaration** *(emphasis added)*, an addendum, or no further documentation."

Although these changes in circumstances do not result in a new significant impact beyond what was determined in the 2009 GP EIR, the Town has opted to prepare a Subsequent Mitigated Negative Declaration to address this "new information" and to adopt "project-specific" mitigation measures to implement the mitigation measures contained in the 2009 GP EIR for the proposed Project.

2.4 Recirculation of the Subsequent Mitigated Negative Declaration

A Subsequent Initial Study/Mitigated Negative Declaration (SIS/MND) was originally circulated for public review from August 14, 2023, to September 12, 2023. During the 30-day review period, which concluded on September 12, 2023, the Town received five written comment letters from the agencies and interested parties listed below concerning the environmental issues discussed in the IS/MND.

- Adams, Broadwell, Joseph, & Cardozo
- Advocates for the Environment
- Blum, Collins & Ho LLP
- California Department of Fish and Wildlife
- California Department of Toxic Substances Control

Because the version of the SIS/MND initially posted on the Town's website inadvertently omitted the technical report appendices, the Town determined it appropriate to revise and recirculate the SIS/MND. In addition, the proposed Project has been refined to reduce the total building area from 385,004 square feet to 354,260 square feet, an approximately 8 percent reduction in building square footage. Although the Project description has been refined, the technical analyses prepared for the original SIS/MND remain valid for the recirculated document. Each study— including air quality, greenhouse gases, transportation/VMT, and noise—was prepared using the larger 385,004-square-foot building program and therefore relied on modeling assumptions that exceed the activity levels, trip generation, and operational intensity of the revised Project. Because construction emissions, operational emissions, VMT generation, and noise levels scale directly with building size and associated activity, analyses based on the larger building represent a conservative, worst-case assessment of potential impacts. The refined Project would result in incrementally lower emissions, fewer trips, lower VMT, and reduced operational activity compared to the modeled scenario. Accordingly, the previously prepared technical reports continue to provide an appropriate and conservative basis for evaluating the environmental effects of the recirculated Project, and reliance

on those analyses is supported by substantial evidence consistent with CEQA Guidelines Sections 15064 and 15162.

Pursuant to **CEQA Guidelines Section 15088.5(f)(1)**, when a EIR (or Mitigated Negative Declaration) is substantially revised and recirculated, the lead agency may require reviewers to submit new comments, and in such cases the agency is not required to respond to comments received during the earlier circulation period. The lead agency must advise reviewers that the prior comments will remain part of the administrative record but will not receive written responses in the Final document.

Accordingly, the Town of Apple Valley has chosen to address prior comments by **revising the Draft SIS/MND and recirculating it for an additional public review and comment period**, given the time that has elapsed since its initial release. The Town requests that interested agencies and members of the public submit **new comments** on this Recirculated SIS/MND. **Comments submitted during the initial 2023 public review period will be retained in the administrative record but will not receive individual written responses.**

Comments on the Recirculated IS/MND must be received no later than _____, at 5:00 p.m., and should reference the project name and case number as follows:

Green Trucking Solutions Cold Storage Project, SPR2022-002

David Contreras, Community Development Department
14955 Dale Evans Parkway
Apple Valley, CA 92307
planning@applevalley.org

After the close of the public review period for the Recirculated IS/MND, the Town will prepare a Final SIS/MND. If comments are received, the Town will respond to the comments received on the Recirculated IS/MND only.

The 2009 General Plan EIR and the Addendum to the 2009 General Plan are available for review at:

Town of Apple Valley Community Development Department
14955 Dale Evans Parkway
Apple Valley, CA 92307
Monday through Thursday between 7:30 a.m. and 5:30 p.m.,
and alternating Fridays between 7:30 a.m. and 4:30 p.m. (closed the subsequent Fridays)

Also available on the Town's website at:

https://www.applevalley.org/services/planning-division/environmental

3.0 Project Description/Environmental Setting

3.1 Project Location

The Project site consists of approximately 18.7 acres located in the Town of Apple Valley, San Bernardino County, at the northwest corner of Navajo Road and Lafayette Street. The site corresponds to Assessor Parcel Number 0463-231-06 (see **Figure 3.1, Location Map**; **Figure 3.2, Site Plan**; and **Figure 3.3, Aerial View of the Project Site**). The surrounding area is characterized by existing and planned industrial development as follows:

- **North:** The Victor Valley College Public Safety Training Facility abuts the project's northern property line, with paved training areas located **0–50 feet** from the boundary.
- **West:** The Walmart Distribution Center directly adjoins the western property line, with truck circulation and trailer parking areas located **0–25 feet** from the boundary.
- **South:** Lafayette Street borders the site to the south (approximately **60–80 feet** wide). South of the roadway, the Big Lots Distribution Center property begins roughly **60–100 feet** from the project boundary, with parking and truck court areas constituting the nearest improvements.
- **East:** Navajo Road borders the site to the east (approximately **60–80 feet** wide). East of Navajo Road, a mix of vacant desert land and the Fresenius Medical Care Distribution Facility occurs, with the closest property line approximately **60–120 feet** from the project boundary.

3.2 Project Description

Building

The Project proposes two industrial buildings that are physically connected and function as a single cold-storage and distribution facility. The buildings would consist of a combination of refrigerated warehouse space, dry storage, loading and staging areas, and associated office and employee facilities. As shown on the site plan, the structure includes multiple loading docks oriented along the northern and western elevations to accommodate truck loading and unloading activities, with dock aprons designed to support standard trailer lengths. The building incorporates insulated wall systems and mechanical equipment typical of temperature-controlled logistics operations, including rooftop HVAC and refrigeration units fully screened by parapet walls consistent with NAVISP architectural standards. The building height would reach approximately 47.9 feet at its tallest parapet, as depicted in the architectural elevations. Employee and visitor parking would be provided along the southern and eastern portions of the site, separate from truck circulation areas, with internal drive aisles connecting to three ingress/egress points on Navajo Road and Lafayette Street. Landscaping, lighting, and site improvements would be implemented consistent with NAVISP Chapter III – Development Standards and Guidelines.

Table 3-1 Building Summary

Description	Size
Site Information	
Gross Site Acreage	817,939 sf/18,78 acres
Net Site Acreage	770,134 sf/17.68 acres
Maximum Building Coverage	45%
Site Building Coverage	
Total Site Coverage	354,260 sf (45%)
Parking Calculation*	
Total Dock Parking Provided (70' x 14')	78 stalls
Total Trailer Parking Provided (75' x 14')	64 stalls
Total Office/Warehouse Provided (19' x 19')	229 stalls
Total Parking Provided	371 stalls
Required Total Parking Per Apple Valley Municipal Code 9.72.020-A Total Building sf = 354,260 sf **Required Accessible Parking per CBC 11B-208.2:301-400** **Total # Parking Space** 6 Required 8 Provided **Required Van Accessible Parking per CBC 11B-208.4:** 1 Per Every 6 Accessible Spaces 1 Required 2 Provided	

Figure 3.1 Location Map

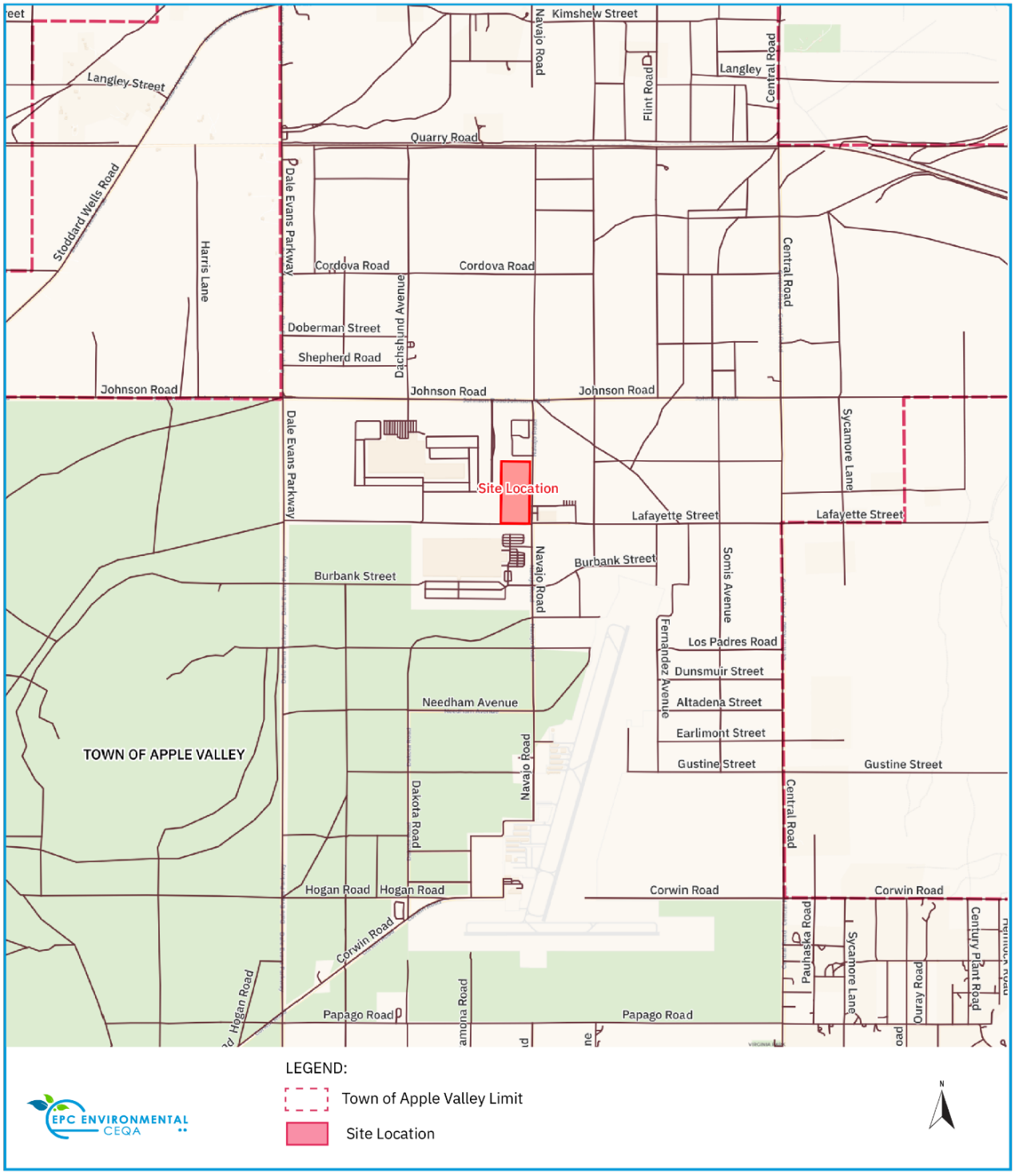


Figure 3.2 Site Plan

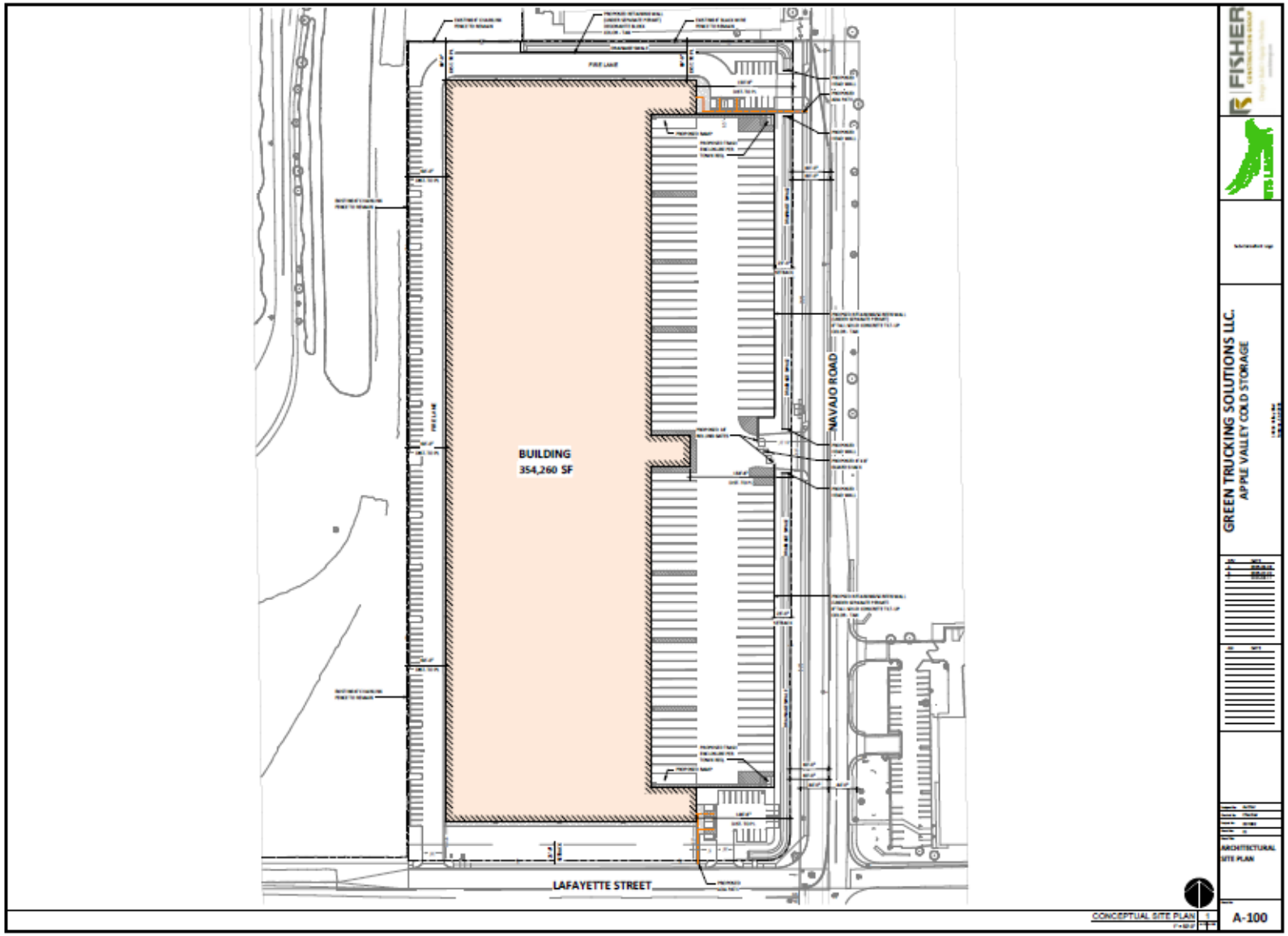
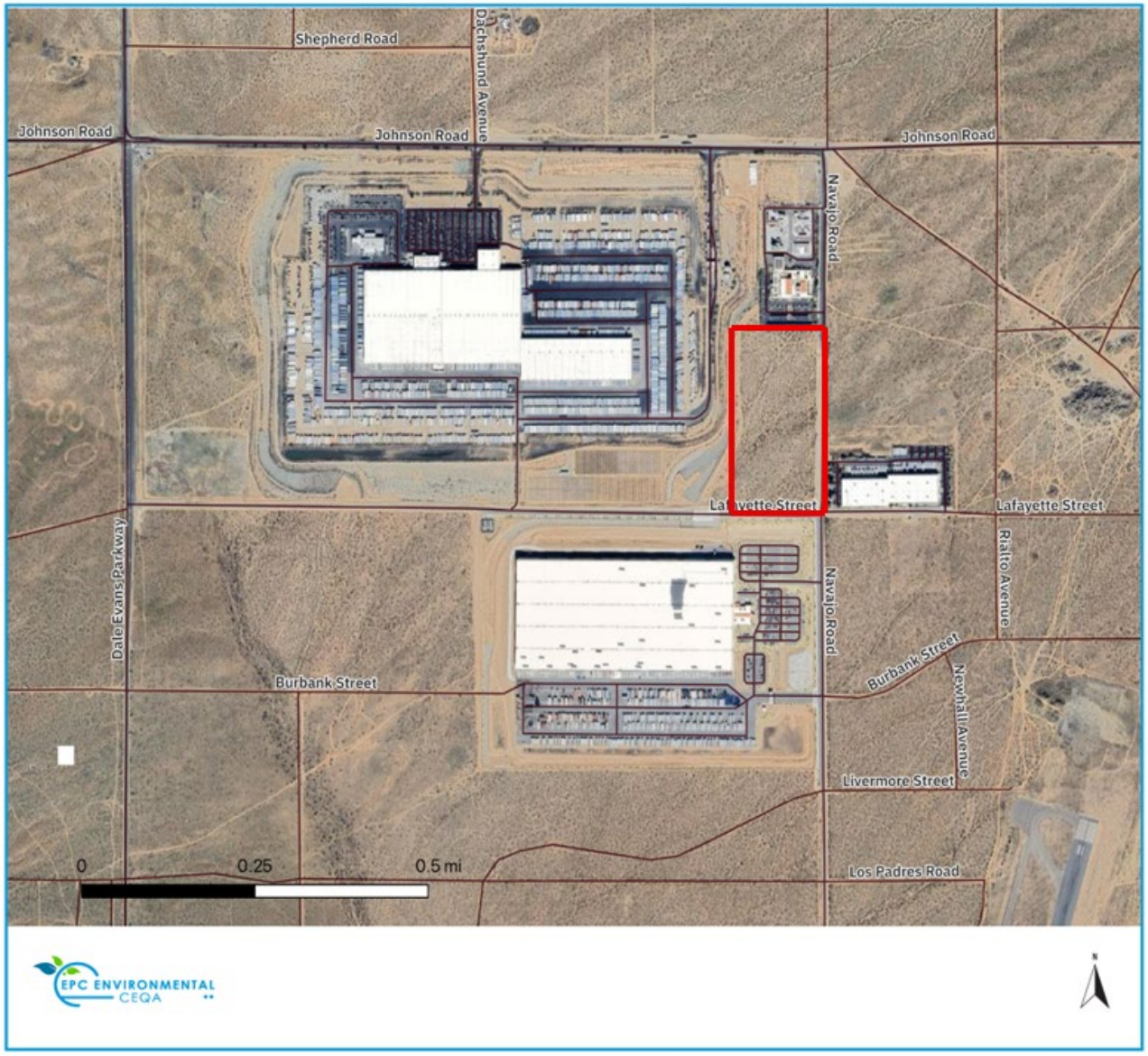


Figure 3.3 Aerial View of the Project Site



Access and Circulation

- **Lafayette Street** – The ultimate right-of-way is 88 feet. The Project will construct pavement for travel lanes, widening to accommodate 3 travel lanes, a Class 2 Bike lane, curb, gutter, sidewalk, ADA access improvements along the frontage.
- **Navajo Road** – The ultimate right-of-way is 88 feet. The Project will construct pavement for travel lanes, curb, gutter, sidewalk, and a landscaped parkway within a 32-foot-wide portion of the right of way.

Truck Access and Parking

Truck access is provided by a 60-foot-wide driveway off Navajo Road. Truck loading and unloading activities will take place on the eastern portion of the site facing Navajo Road. A total of 78 truck dock doors are proposed along the eastern side of the building. A total of 229 parking spaces for passenger vehicles are proposed along the north, south, and west sides of the building, accessible by a driveway off Lafayette Street and another off Navajo Road. All parking areas include a landscaped setback adjacent to Navajo Road and Lafayette Street to buffer the parking areas. A 6-foot-high chain link is proposed along the northern and western property lines.

Landscaping/Hardscape Improvements

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

Water and Sewer Improvements

- **Water Service** – The Project will connect to the existing 16-inch Liberty Utilities water line in Navajo Road adjacent to the site.
- **Sewer Service** – The Project will connect to the existing 12-inch sewer line within the right of way of Navajo Road along the site frontage.

Storm Drainage Improvements

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

Energy Efficiency Features

The Project has been designed to include a number of Project Design Features (PDFs) to incorporate best management practices for warehouse facilities as recommended by the California Attorney

General, the California Air Resources Board, and the Town of Apple Valley Climate Action Plan (CAP).

These measures are summarized below and will be included as Conditions of Approval. The measures listed below are not all inclusive. Additional details are contained in Section 4.2, Air Quality, and Section 4.8, Greenhouse Gas Emissions.

- **PDF-1:** A photovoltaic system would be included that provides 75 percent of the overall electricity requirements.
- **PDF-2:** All truck/dock bays within the proposed buildings will include electrical outlets to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric transport refrigeration units (TRUs).
- **PDF-3:** Building will be designed and constructed to meet California Title 24 energy requirements. Requirements will be met using a combination of the building envelope, HVAC system, and electrical systems.
- **PDF-4:** Energy star appliances will be installed in office breakrooms or as applicable.
- **PDF-5:** LED light bulbs will be installed throughout facility.
- **PDF-7:** On-site operational and cargo handling equipment including pallet jacks and forklifts, shall be electric with the necessary charging stations included in the design of the Project electrical system, buildings, and equipment storage areas.
- **PDF-14:** All diesel-fueled fire pumps shall meet U.S. EPA-certified Tier 4 Interim emissions standards, at a minimum.

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

Construction Characteristics

The construction schedule assumes that construction would start in July 2026 and finish in June 2027. The proposed Project would require site preparation, grading, building construction, paving, and architectural coating during construction. Construction equipment and staging are to occur on-site, and construction vehicle access is planned along Lafayette Street, Navajo Road, Dale Evans Parkway, and Johnson Road.

Operational Characteristics

Cold Storage Warehouse

A cold storage warehouse is a specialized facility designed to store perishable goods at controlled temperatures, ranging from refrigerated (above freezing) to frozen. These warehouses utilize refrigeration systems and insulation to maintain consistent low temperatures, preserving the quality and safety of products like food, pharmaceuticals, and other temperature-sensitive items.

Daily Vehicle Trips

Trip generations for the Project was developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) for Land Use 157 – "High-Cube Cold Storage Warehouse." The actual number of daily trips (not converted to Passenger Car Equivalent) is 817 (563 cars and 254 trucks). The number of AM Peak Hour trips is 42, and the PM Peak Hour Trips are 47.

Number of Employees

296

Hours of Operation

24 hours per day, 7 days per week

3.3 Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the Project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]).

Because a Notice of Preparation was not required, the environmental setting for the Project is **March 2025**, which is the date that the revisions to the previously recirculated SIS/MND began.

Geology

The site is located in an area mapped as younger alluvium (Qa). Alluvium is weathered bedrock material and sediments that have been eroded from natural slopes and deposited in generally flat-lying areas. The terrain in the Project area is relatively level, with a gentle upward slope to the northeast, interrupted by three intermittent drainages running generally east-west. Elevations on the property range between 3,060 and 3,075 feet above mean sea level.

Vegetation

The property is bounded in all directions by commercial developments and warehousing, with areas of undeveloped properties scattered throughout the area. The site shows some forms of disturbance from past human activity and supports a desert scrub community consisting mainly of creosote bush (*Larrea tridentata*), white bursage (*Ambrosia Dumosa*), western tansy mustard (*Descurainia pinnata*), fiddleneck (*Amsinckia tessellata*), and non-native grasses (i.e., cheat grass (*Bromus tectorum*)). Based on the results of the September 19, 2022 field investigations, there is one adult Joshua tree (Tag# 348) in good condition present throughout the site, which was 13 feet tall with a single trunk, five branches, and two panicles.

Utilities and Infrastructure

The site is adjacent to paved roads, but without curbs, gutters, or sidewalks. All utilities (i.e., water, sewer, natural gas, electricity, broadband) are available at the Project boundaries. Storm drain facilities are available adjacent to the site.

Surrounding Land Uses

- **North:** The Victor Valley College Public Safety Training Facility abuts the project's northern property line, with paved training areas located **0–50 feet** from the boundary.
- **West:** The Walmart Distribution Center directly adjoins the western property line, with truck circulation and trailer parking areas located **0–25 feet** from the boundary.
- **South:** Lafayette Street borders the site to the south (approximately **60–80 feet** wide). South of the roadway, the Big Lots Distribution Center property begins roughly **60–100 feet** from the project boundary, with parking and truck court areas constituting the nearest improvements.
- **East:** Navajo Road borders the site to the east (approximately **60–80 feet** wide). East of Navajo Road, a mix of vacant desert land and the Fresenius Medical Care Distribution Facility occurs, with the closest property line approximately **60–120 feet** from the project boundary.

See **Figure 3.4, Surrounding Development and Future Projects, Figure 3.5, Street View Photos**, and **Figure 3.6, Zoning Map**.

Figure 3.4 Surrounding Development and Future Projects

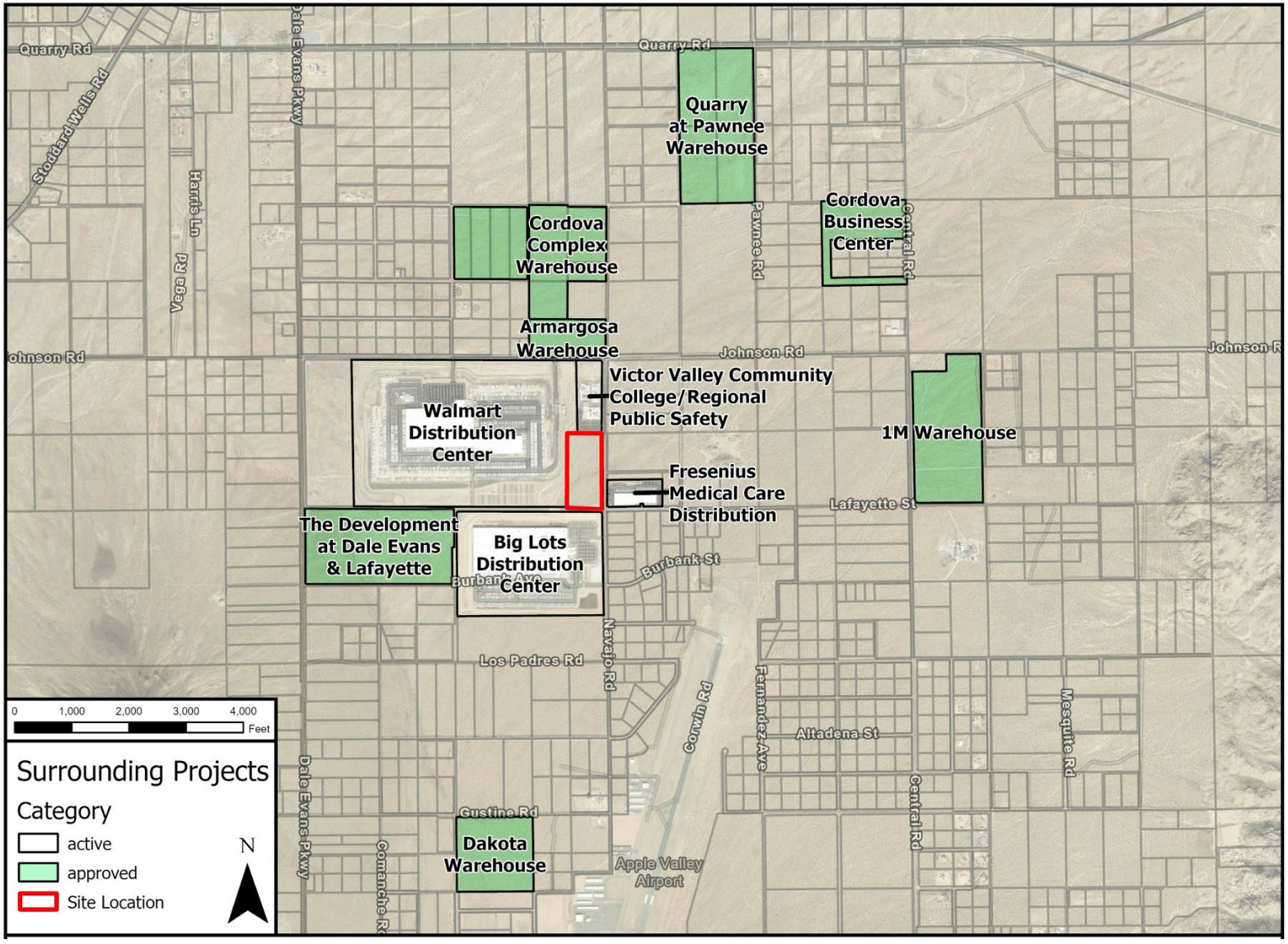
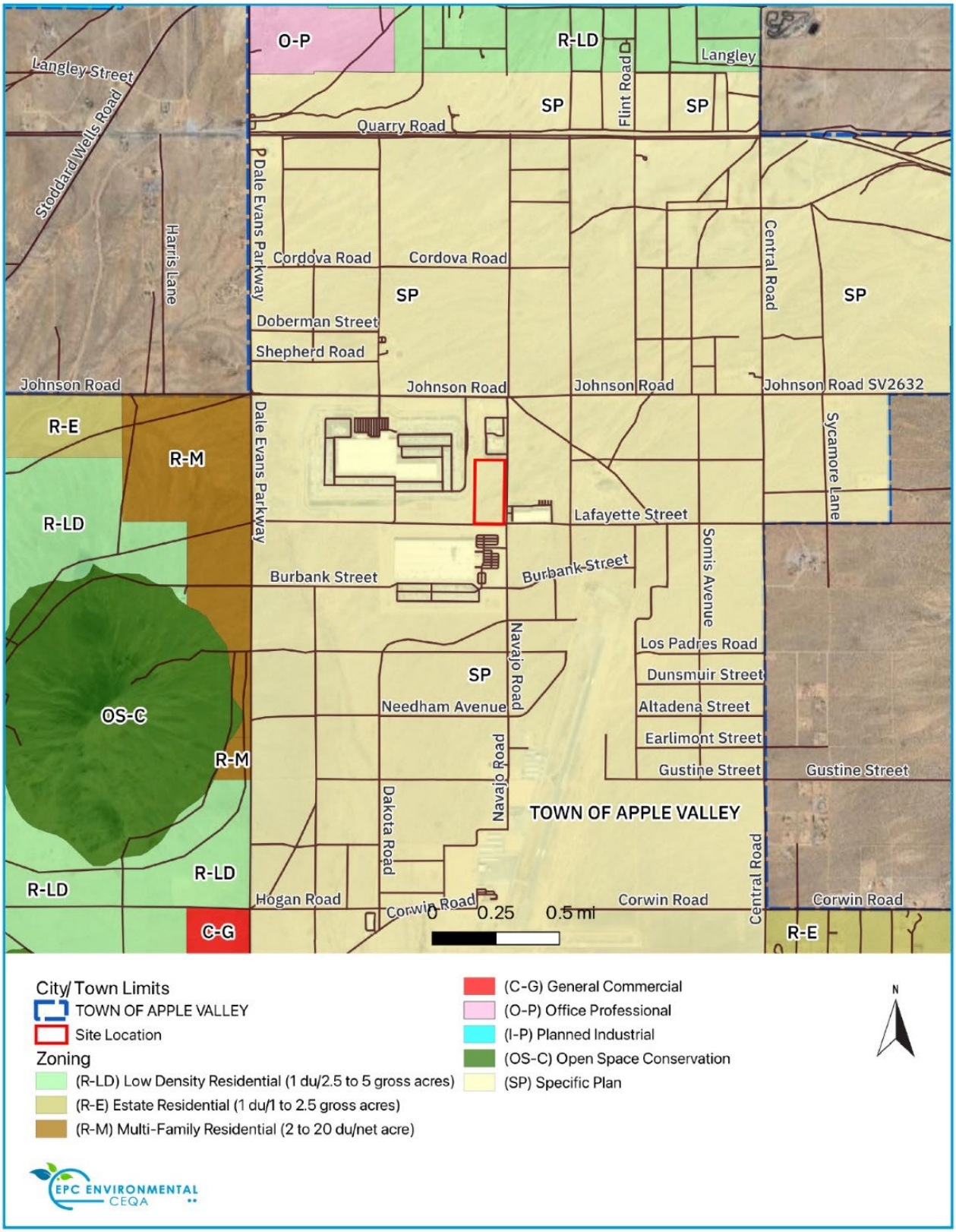


Figure 3.5 Street View Photos

Figure 3.6 Zoning Map



4.0 Evaluation of Environmental Impacts

Methodology

As noted earlier, per CEQA Guidelines §15152(a):

> "Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later **EIR solely on the issues specific to the later project.** *[emphasis added]*.

The tiering of the environmental analysis for the proposed Project allows this Tiered SIS/MND to rely on the 2009 GP EIR, for the following.

a. discussion of general background and setting information for environmental topic areas;
b. overall town-wide growth-related issues;
c. issues that were evaluated in sufficient detail in the 2009 GP EIR, for which there is no new information of substantial importance or substantial change in circumstances that would require further analysis; and
d. short- and long-term cumulative impacts.

Collectively, the 2009 GP EIR and Appendix A of the Development at Cordova Addendum are considered to be the "2009 GP EIR" and are **incorporated by reference** as further described in this section.

Thus, this SIS/MMD only summarizes the impacts that were identified in the 2009 GP EIR as having "No Impact," "Less Than Significant Impact," or "Less Than Significant with Mitigation Incorporated." For environmental topics that have been substantially updated since adoption of the 2009 GP EIR—or for which new topics have been added to Appendix G—this SIS/MND provides a full, project-specific analysis and identifies equivalent or updated mitigation measures where applicable.

Table 4-1 Issues Specific to the Proposed Project

Environmental Topic	Description of Revisions
Air Quality	Updated air quality emission modeling and added Project-Specific Mitigation Measure to address Valley Fever
Biological Resources	Updated and added Project-Specific Mitigation Measures for sensitive plant and animal species, and jurisdictional waters
Greenhouse Gas Emissions	Updated and modeled GHG emissions
Noise	Added Project-specific MM for construction noise
Transportation	Updated to address change from LOS to VMT
Tribal Cultural Resources	Added new section per CEQA Guidelines amendment in 2018 creating AB52.
Wildfire	Added new section
Mandatory Findings of Significance	Updated and added new Cumulative Impacts analysis

Mitigation Measures

At the General Plan level, it is impractical to delineate all possible mitigation measures applicable to individual projects. The identification of such measures is addressed at the project level following a detailed evaluation of the project's specific circumstances by the Town, serving as the lead agency under CEQA. The 2009 General Plan EIR included mitigation measures consistent with the regulations in effect at that time; however, these have since been updated to reflect current regulatory requirements. Consequently, only those mitigation measures from 2009 that remain pertinent and directly applicable to the Project are referenced in this analysis.

Additionally, to maintain consistency with the 2009 General Plan EIR, the format mitigation measures are identified as follows.

Applicable 2009 GP EIR Mitigation Measures

The 2009 General Plan EIR includes program-level mitigation measures that apply to future development within the Town, including projects located in the North Apple Valley Industrial Specific Plan (NAVISP) area. Where those measures are relevant to the type of development proposed, they remain applicable to this SIS/MND and must be carried forward or implemented as part of the Project.

For example, Mitigation Measure **III.A.3 (Aesthetics)** requires new development to comply with the Town's performance and design standards for landscaping, building coverage and setbacks, architectural finishes, building height, walls and fencing, and the screening of utility structures. These requirements are directly applicable to the proposed Project because the site includes large industrial buildings, vehicular circulation areas, signage, and on-site utility equipment. Consistent with this measure, the Project has been designed in accordance with the NAVISP development standards, which incorporate the Town's aesthetic requirements by reference. The Project's architectural elevations, landscaping plan, wall and fencing details, and utility screening have all been reviewed by Town staff and found consistent with the applicable standards.

Mitigation Measure **III.A.1** similarly requires that all signage comply with the Town's sign ordinance. This applies to the Project because new monument and building-mounted signage will be installed, and compliance is ensured through the Town's Site Plan Review process and standard conditions of approval.

In summary, where mitigation measures from the 2009 GP EIR are relevant to the Project's design or operational features, they are identified and incorporated into this SIS/MND to ensure full consistency with the Town's adopted EIR and mitigation program.

4.1 Aesthetics

Impact 4.1: Would the Project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	☐	☐	☐	☑
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐

a) Have a substantial adverse effect on a scenic vista?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings pp.11-18 to 11-20

The 2009 GP EIR concluded that the development of the General Plan and Annexation areas would lead to alterations in the existing visual character of a significant portion of the planning area, primarily due to the transformation of vacant and rural lands into industrial, commercial, and more intensive residential zones. This change may result in partial obstruction of current viewsheds by buildings and other structures, thus diminishing the prevailing sense of open space. Additionally, elements such as signage, utility infrastructure, and paved surfaces will further affect existing visual resources. Nonetheless, the 2009 GP EIR determined that the implementation of the Town's General Plan policies, design performance standards, and the mitigation measures summarized below would mitigate potentially adverse impacts on visual resources to **less than significant** levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR is directly applicable to the Project.

III.A. Aesthetics and Visual Impacts

3. Mitigation Measures

3. The Town shall maintain and implement design standards which protect scenic viewsheds and enhance community cohesion. Development standards shall address signage, landscaping, setbacks, building facades, vehicular and pedestrian access and related issues.

Proposed Project Impact Analysis – Less Than Significant

The Project site is situated within the viewshed of Bell Mountain (approximately 1.5 miles southwest) and Fairview Mountain (approximately 3.5 miles southeast). Principal public vantage points include Lafayette Street and Navajo Road. The Project will not obstruct views of Bell Mountain from either the eastbound or westbound directions on Lafayette Street, nor from the northbound direction on Navajo Road. This is due to the fact that Bell Mountain and Fairview Mountain are not visible from these specific segments of Lafayette Street and Navajo Road.

Finding

The proposed Project has not new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

2009 GP EIR Impact Analysis – No Impact

Source: 2009 GP EIR Findings, pp. 11-18 to 11-19
https://.applevalley.org/home/showpublisheddocument/4702/635611242901270000

The 2009 GP EIR found that there are no scenic highways in Apple Valley (see **Figure 4.1.1, Architectural Elevations Perspective;** therefore, there is **no impact** to state scenic highways.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

Since 2009, there have been no scenic highways designated in the Town. Thus, there is **no impact.** Since 2009, there have been no state-designated or eligible scenic highways within or adjacent to the Town. In addition, review of the 2009 GP EIR, the Town's General Plan Circulation and Conservation Elements, and current mapping confirms that no other scenic resources—such as designated scenic corridors, scenic viewpoints, ridgelines, or visually sensitive open space—are located on or near the Project site. The surrounding area consists predominantly of industrial development and vacant land within the North Apple Valley Industrial Specific Plan area, which is not identified as a scenic resource in Town planning documents. Thus, the Project would not affect any scenic highways or other scenic resources, and no impact would occur.

Finding

The proposed Project has no new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

c) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp.11-18 to 11-19

The 2009 EIR determined that developing the General Plan and Annexation areas would alter the visual character of the planning area by converting vacant and rural lands to industrial, commercial, and residential uses. Despite these impacts, the implementation of the Town's policies, design standards, and mitigation measures described would minimize detrimental effects on visual resources to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

III.A. Aesthetics and Visual Impacts

3. Mitigation Measures

1. Signage shall be in compliance with the Town's sign ordinance and shall be limited to the minimum size, scale and number needed to provide functional information, thereby minimizing impacts on traffic safety, streetscape, scenic viewsheds and the aesthetic character of the area.
2. Compliance with the Town's performance and design standards for landscaping, building coverage and setbacks, building design and height, architectural finishes, walls, fences and utility structures will be required of all development and redevelopment projects.
6. Overhead utility lines shall be undergrounded to the greatest extent possible through the maintenance of an undergrounding program.
7. The Town shall coordinate with utility providers to assure that utility infrastructure, including water wells, substations and switching/control facilities, are effectively screened to preserve scenic viewsheds and limit visual clutter. Requires that above-ground utility infrastructure be screened.

Proposed Project Impact Analysis

The following analysis is based in part on the following technical information.

- Site Plan Review SPR 2022-002 & Conditional Use Permit CUP 2023-005, Application Materials. Available at https://applevalley.org/government/california-environmental-quality-act/ The Project was reviewed by the Planning Department and found to be consistent with the Town's applicable regulations governing scenic quality specified in the Town of Apple Valley North Apple Valley Industrial Specific Plan (NAVISP), Chapter III – Development Standards and Guidelines, which includes design standards for

Architecture, Landscaping, Lighting, Walls and Fences, and Signage. Additionally, the Project implements Aesthetics and Visual Quality **Mitigation Measures 1,2, 3, 6,** and **7** as described above.

Architecture

Development of the Project would result in a high-quality, consistent, and integrated site and streetscape through the development of modern commercial buildings in accordance with NAVISP Chapter III – Development Standards and Guidelines (Architecture). The proposed building would reach up to 47.9 feet in height at the tallest parapet and integrate uniformly with the size and scale of surrounding industrial developments. The parapets would shield heating, ventilation, air conditioning (HVAC), and other rooftop equipment from view. As shown in **Figure 4.1.1, Architectural Elevations Perspective**, the proposed building includes a variety of architectural features that are compatible with the existing buildings in the vicinity of the Project site.

Landscaping

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

Lighting

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

Walls and Fences

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

Figure 4.1.1 Architectural Elevations Perspective

Signage

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

Based on the preceding analysis, the Project would not conflict with applicable zoning and other regulations governing scenic quality.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp.11-19 to 11-20

At build-out of the General Plan, residential, commercial and industrial activities, as well as the development of previously undeveloped lands, will generate increased light and glare. Increased traffic will result in additional headlights and increased levels of illumination on local roadways.

All future development proposals will be subject to review by Town staff to determine compliance with General Plan dark sky and lighting policies, as well as Development Code standards and requirements designed to control light spillage and preserve night skies. The Town has established development performance standards for exterior lighting in Chapter 9.70.020 of the Town's Municipal Code, and these will be enforced to effectively reduce lighting and glare impacts to **less than significant** levels with the implementation of the following mitigation measures.

Applicable 2009 GP EIR Mitigation Measures

III.A. Aesthetics and Visual Impacts

3. Mitigation Measures

5. In addition to being in compliance with the Town's lighting ordinance, supplementary lighting recommendations include:
   - External lighting shall be limited to the minimum height, fewest number, and lowest intensity required to provide effective levels of illumination.
   - Every reasonable effort shall be made to reduce spillage, both to protect residential use areas from excessive levels of illumination and to preserve dark skies at nighttime.
   - Elevated lighting, including but not limited to parking lot lighting, shall be full-cut off fixtures.
   - Lighting fixtures in the vicinity of the airport shall be compatible with airport operations.

Proposed Project Impact Analysis – Less Than Significant

Lighting

Currently, there are no sources of light and glare on the Project site. Sources of light and glare in the Project area include street lighting and vehicle lighting on adjacent industrial properties and roadways. Because the Project is an industrial use proposed adjacent to existing industrial uses, there are no light-sensitive uses in the Project vicinity.

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

As required by **Mitigation Measure 5** above, any outdoor lighting associated with the proposed Project would be consistent with (NAVISP) Chapter III – Development Standards and Guidelines, Section 3, Lighting, which requires light shielding, functional and aesthetic design, and compatibility with surrounding uses.

Glare

According to the Project's application materials, exterior walls will consist of a combination of insulated metal walls, cast-in-place concrete, with stucco and wood siding. These surfaces reduce glare, consistent with the requirements of Chapter III – Development Standards and Guidelines, Section F.1.d (Windows and Doors) and Section F.1.e (Building Materials and Colors), which prohibit glazed and highly reflective or mirror-like exterior building materials. Additionally, exterior windows are required to be anti-reflective.

Finding

The proposed Project does not result in or have new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.2 Agriculture and Forestry Resources

Impact 4.2: Would the Project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less Than Significant	☐	☐	☐	☑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timber-land (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Not Analyzed	☐	☐	☐	☑
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact	☐	☐	☐	☑
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings, p. 11-20 to 11-21

The 2009 EIR identified four areas in Apple Valley that are designated as Farmland of Statewide Importance, which total approximately 130 acres. Two are located south of Yucca Loma Road; one immediately east of Apple Valley Road, and one south of Bear Valley Road in the Deep Creek area. However, the EIR determined that none of those parcels represented viable long-term agricultural production lands within Apple Valley or for the region. However, to protect lands in agricultural and equestrian activities in Town, **Mitigation Measure III.B.3 1** requires the Town's Development Code to include buffers between Very Low Density, Low Density and Estate Residential land use designations and more intense lands, in order to provide for the preservation or creation of ranching or animal raising activities in the Deep Creek area. Additionally, **Mitigation Measure III.B.3.2**

requires the Town to coordinate with the Department of Conservation, Farmland Mapping and Monitoring Program, to accurately reflect farmed and farmable lands within the Town limits.

Applicable 2009 GP EIR Mitigation Measures

The Project site is not located within an area designated for agricultural production. As such, there are no mitigation measure that are applicable.

Proposed Project Impact Analysis – No Impact

Because the Project site is classified as "Grazing Land" no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance will be impacted.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings, p. 11-90

The 2009 EIR identified one Williamson Act within the Town owned by the Apple Valley Ranchos Water Company (AVR). The land under contract was approximately 1.8 acres in size and was not actively farmed at the time of the 2009 EIR. The 2009 EIR determined that if the contract were removed from the one Williamson Act site in the planning area, it would not represent a significant loss of agricultural land in the area due to its size and lack of long-term agricultural value. Impacts were found to be less than significant.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – No Impact

According to the San Bernardino County Assessor, the Project site is not under a Williamson Act Contract.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))

Not Analyzed

The Project site supports a relatively undisturbed desert scrub community which covers the entire property. Vegetation present on the site includes creosote bush (Larrea tridentata), rubber rabbitbrush (*Ericameria nauseosa*), silver cholla (*Cylindropuntia echinocarpa*), pencil cholla (*Cylindropuntia leptocaulis*), kelch grass (*Schismus barbatus*), and western Joshua tree (*Yucca brevifolia*). This vegetation type is not considered forest land, because the definition of forest land is tied to the presence of significant tree cover. CEQA defines forest land as land that can support at least 10% native tree cover under natural conditions. Deserts, by their nature, typically do not meet this criterion due to arid conditions and limited rainfall. While some desert areas may support sparse vegetation, they generally lack the dense tree cover needed to be classified as forest land under CEQA.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

As described above, the Project site supports a relatively undisturbed desert scrub community which covers the entire property.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

There is no forest land in the Town. (See response to Issue c) above.)

Finding

The proposed Project does not result in or have new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Refer to Impact 4.2 (a) above.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

As noted above, the Project site does not contain farmland.

Finding

The Proposed Project does not result in or have new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.3 Air Quality

Impact 4.3 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant and Unavoidable	☐	☐	☑	☐
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?	Significant and Unavoidable	☐	☐	☑	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant	☐	☐	☑	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant	☐	☐	☑	☐

a) Conflict with or obstruct implementation of the applicable air quality plan?

2009 GP EIR Impact Analysis – Significant and Unavoidable

Source: 2009 GP EIR Findings, p. 11-97 to 11-98.

The 2009 EIR determined that expanding the General Plan and Annexation areas would conflict with the ozone attainment plan by increasing land use density and population, creating a significant impact with no available mitigation. Consequently, the EIR found the build-out would cause **significant and unavoidable** adverse effects on air quality management planning.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP are directly applicable to the Project.

III.C. Air Quality

3. Mitigation Measures

4. The Town shall conduct an initial study for all projects that are expected to exceed any of the MDAQMD pollutant emission threshold criteria, and shall require detailed air quality analyses for all development applications that have the potential to adversely affect air quality including quantification of greenhouse gas emissions. Until new factors are developed, the use of the CEQA Handbook prepared by SCAQMD or other appropriate modeling tools such as URBEMIS shall be utilized.

5. All construction activities within the Town of Apple Valley shall be subject to Rule 401, Visible Emissions; Rule 402, Nuisance; and Rule 403, Fugitive Dust in accordance with the Mojave Desert Planning Area PM10 Attainment Plan.

Even with the implementation of the mitigation measures described above, impacts will be **significant and unavoidable.**

Proposed Project Impact Analysis – Less Than Significant

The proposed Project Impact Analysis is based in part on the following technical information.

- Updated CalEEMod Analysis Memorandum, LSA Associates, Inc., June 3, 2025, is included as **Appendix A** to this Initial Study.
- MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020, available at https://www.mdaqmd.ca.gov/rules/overview.

Note: The following air quality analysis is consistent with that provided in the Draft SIS/MND circulated from August 14 to September 12, 2023. Modeling was performed in CalEEMod for a 385,004-square-foot building and evaluated according to MDAQMD significance thresholds (Tables 4.3-1 through 4.3-3). The Project has subsequently been reduced to 354,260 square feet (an approximately 8% decrease). Since construction and operational emissions correspond to project size and activity, the previously modeled results are conservative and encompass the smaller-scale Project; actual emissions would be slightly lower than those reported.

The following provides an analysis based on the applicable regional significance thresholds established by the MDAQMD to meet national and state air quality standards. The following analysis is consistent with the preferred analysis approach recommended by the MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.

Conformity with Air Quality Management Plans

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

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

1. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project may also be non-conforming if it increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).
2. A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

The applicable Air Quality Management Plan is the 2017 MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area).[3]

Consistency with Emissions Thresholds

As shown in **Table 4.3-2** and **Table 4.3-3** below, project-generated construction and operational emissions were calculated using CalEEMod based on the proposed cold-storage land use, including refrigerated trailer operations, heavy-duty diesel truck activity, on-site diesel equipment, and building energy demands. The modeling incorporates project-specific assumptions such as diesel TRU operations, six diesel forklifts and six pieces of material-handling equipment, fire pump testing, and the full daily trip generation identified in the project's traffic study.

Construction emissions (**Table 4.3-2**) range up to 26 lbs/day of VOCs, 29 lbs/day of NOx, and 9 lbs/day of PM_{10}, all of which are below MDAQMD thresholds (137 lbs/day VOC, 137 lbs/day NOx, 82 lbs/day PM_{10}). Operational emissions (Table 4.3-3) total 11 lbs/day of VOCs, 25 lbs/day of NOx, 11 lbs/day of PM_{10}, and 3 lbs/day of $PM_{2.5}$ also well below MDAQMD's significance thresholds. Because construction and operational emissions would remain below the MDAQMD regional thresholds for all criteria pollutants, the Project would not generate emissions that would result in a significant air quality impact. Accordingly, air quality impacts would be less than significant.

Table 4.3-1 MDAQMD Air Quality Significance Thresholds

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

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

Consistency with Control Measures

The construction contractors are required to comply with MDAQMD Rule 403 (Fugitive Dust) and Rule 1113 (Architectural Coatings). Rule 403 mandates implementation of dust-suppression practices—such as watering active grading areas, stabilizing disturbed soils, and controlling vehicle track-out—that substantially reduce emissions of PM_{10} and $PM_{2.5}$ generated during earthmoving activities. Rule 1113 limits the volatile organic compound (VOC) content of architectural coatings, thereby reducing ozone-precursor emissions during building finishing. Compliance with these mandatory air district rules is incorporated into CalEEMod defaults and was accounted for in the construction emissions modeling. With these controls in place, the Project's maximum daily construction emissions remain well below MDAQMD significance thresholds; therefore, construction-related air quality impacts would be less than significant.

3 Mojave Desert Air Quality Management District. MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area). Adopted February 27, 2017. https://ww2.arb.ca.gov/sites/default/files/classic/planning/sip/planarea/wmdaqmp/2016sip_mdplan.pdf

Consistency with Growth Forecasts

The Project is located within the North Apple Valley Industrial Specific Plan Area (NAVISP) and is designated I-SP (Specific Plan Industrial), which accommodates a range of industrial and warehousing uses, including clean manufacturing, regional distribution, and associated office and support functions. These uses are consistent with the land use pattern and intensity assumed in the Town's General Plan and carried forward into regional planning documents.

The regional Air Quality Attainment Plan (AQAP) relies on growth forecasts—specifically population, employment, and land use projections—derived from adopted general plans to develop basin-wide emissions inventories and to establish the control strategies needed to attain ambient air quality standards. Because the Project falls squarely within the industrial land use category and intensity already assumed for this site in the General Plan, it does not introduce new or unanticipated growth beyond what the AQAP emissions projections already account for. As a result, the Project would not alter the regional emissions inventory on which the AQAP is based, nor would it interfere with or obstruct any emissions reduction strategies identified in the AQAP.

Accordingly, the Project is consistent with the adopted land use assumptions and regional growth projections underlying the AQAP, and no impact related to a conflict with the AQAP would occur.

Finding

Although the 2009 GP EIR found this impact to be significant and unavoidable, the proposed Project's impact is not cumulatively considerable. As such, the Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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?

2009 GP EIR Impact Analysis – Significant and Unavoidable

Source: 2009 GP EIR Findings, p. 11-98 to 11-103

Air pollutant emissions produced during the full development of the 2009 General Plan and Annexation areas, including emissions from consumer products, electricity, natural gas usage, and vehicle exhaust for residential, commercial, office, and industrial land use designations were outlined in the 2009 General Plan.

Without mitigation measures, all criteria pollutant thresholds for the General Plan build-out were projected to be exceeded. The 2009 EIR concluded that significant and unavoidable air quality impacts would result from the plan's development. As required by CEQA, Findings and a Statement of Overriding Considerations were adopted. Despite mitigation efforts, the General Plan's development was found to contribute to cumulative air quality impacts both locally and regionally.

The 2009 EIR found that predicting emissions from construction of new buildings was beyond its scope due to lack of development plans. It recommended detailed air quality impact analysis for each specific development and site-specific environmental documents. Mitigation measures would then be identified to minimize potential impacts.

Applicable 2009 GP EIR Mitigation Measures

Mitigation Measures 4 and 5 above apply.

Proposed Project Impact Analysis – Less Than Significant

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

Construction Emissions

Construction of the Project is assumed to begin in the year 2026 and last approximately 16 months. Construction phases are assumed to consist of site preparation, grading, building construction, paving, and architectural coating. The Project is expected to be operational in the year 2028. Construction phases are not expected to overlap. Construction activities produce combustion emissions from various sources (e.g., utility engines, tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on-site would vary daily as construction activity levels change. The Project will be required to comply with several standard fugitive dust control measures, per MDAQMD Rule 403. The following measures were factored into CalEEMod and are based upon data provided from MDAQMD.

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

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

Table 4.3-2 Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions (pounds/day)							
	VOCs	NO_X	CO	SO_X	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Site Preparation	3	29	30	<1	8	1	4	1
Grading	3	27	29	<1	4	1	2	1
Building Construction	2	26	26	<1	3	<1	<1	<1
Architectural Coating	24	1	3	<1	<1	<1	<1	<1
Paving	2	7	11	<1	<1	<1	<1	<1
Peak Daily	**26**	**29**	**30**	**<1**	**9**		**5**	
MDAQMD Threshold	**137**	**137**	**548**	**137**	**82**		**65**	
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**		**No**	

Source: Compiled by LSA (May 2025).

It was assumed that the architectural coatings would be applied during the building construction phase. PM_{10} and $PM_{2.5}$ fugitive emissions are controlled by the required dust control measures per MDAQMD Rule 403.

CO = carbon monoxide; NOX = nitrogen oxides; $PM_{2.5}$ = particulate matter less than 2.5 microns in size; PM_{10} = particulate matter less than 10 microns in size; MDAQMD = Mojave Desert Air Quality Management District; SOx = sulfur oxides; VOCs = volatile organic compounds

Operational Emissions

Long-term air pollutant emissions impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) related to the proposed Project. Truck/trailer transport refrigeration unit (TRU) source emissions would include project-generated truck and trailer TRUs used for refrigerated truck/trailer contents.

Emissions estimates for operation of the project were calculated using CalEEMod and are shown in **Table 4.3-3** below. The peak daily emissions associated with project operations are identified in **Table 4.3-3** for VOC, nitrogen oxides (NO_X), CO, sulfur oxides (SO_X), PM_{10}, and $PM_{2.5}$.

The results shown in **Table 4.3-3, Project Operation Emissions**, indicate the project would not exceed the significance criteria for daily or annual VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ emissions; therefore, operation of the proposed Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standards (AAQS).

Table 4.3-3 Project Operation Emissions

Source Category	Pounds per Day					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Daily Emissions Rates						
Area Source Emissions	12	<1	17	<1	<1	<1
Energy Source Emissions	<1	3	2	<1	<1	<1
Mobile Source Emissions	2	12	25	<1	9	2
Truck/Trailer TRU Sources	14	13	2	<1	<1	<1
Warehouse Equipment Emissions	1	11	20	<1	<1	<1
Fire Pump Emissions	<1	<1	<1	<1	<1	<1
Total Daily Project Emissions	**29**	**39**	**66**	**<1**	**9**	**2**
MDAQMD Significance Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Annual Emissions Rates (tons/year)						
Total Annual Project Emissions	2	4	8	<1	2	1
MDAQMD Significance Threshold	**25**	**25**	**100**	**25**	**15**	**12**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Compiled by LSA (May 2025).
CO = carbon monoxide; NOX = nitrogen oxides; $PM_{2.5}$ = particulate matter less than 2.5 microns;
PM_{10} = particulate matter less than 10 microns; MDAQMD = Mojave Desert Air Quality Management District;
SO_X = sulfur oxides; TRU = transport refrigeration unit; VOC = volatile organic compounds

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

Finding

Although the 2009 GP EIR found this impact to be significant and unavoidable, the proposed Project's impact is not cumulatively considerable. As such, the Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

c) Expose sensitive receptors to substantial pollutant concentrations?

2009 GP EIR Impact Analysis –Significant and Unavoidable

Source: 2009 GP EIR Findings, p. 11-114 to 11-115

The 2009 GP EIR quantifies projected pollutant emissions generated at build-out of the proposed General Plan and Annexation areas, including emissions from the use of consumer products, electricity, and natural gas, and emissions from vehicle exhaust for residential, commercial, office, and industrial land use designations as set forth in the General Plan Land Use Table. The land use pattern has been developed to locate sensitive receptors away from pollutant concentrations to the extent possible. The General Plan and the Development Code include provisions for the buffering of sensitive receptors from potential impacts. However, because the build-out of the General Plan and Annexation areas will exceed criteria pollutant thresholds, the impacts cannot be mitigated to less than significant levels, and will remain **significant and unavoidable.**

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

The proposed Project is a cold storage warehouse facility and does not produce toxic air emissions such as those generated by industrial manufacturing uses over the MDAQMD threshold levels or generate heavy-duty diesel truck emissions over a reasonable level. According to the MDAQMD,[4] residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses.

Existing land uses surrounding the Project site include the Victor Valley Community College Regional Public Safety facility to the north, Fresenius Medical Care Distribution and vacant land to the east, a Big Lots distribution center to the south, and a Walmart distribution center to the west. According to the MDAQMD CEQA Guidelines, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. [5] The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated.

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

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

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

The Victor Valley Community College Regional Public Safety facility is located adjacent to the northern boundary of the Project site. The parking lot is immediately adjacent to the property line and the closest building façade is approximately 200 feet away. The facility is a community college level institution. For purposes of the air quality analysis, MDAQMD defines a "school" using the school definition at California Health & Safety Code §42301.9).

For the purposes of §42301.5 to §42301.8, inclusive:

(a) "School" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

The Victor Valley Community College Regional Public Safety Facility is located immediately north of the Project site. The facility's parking lot abuts the northern property line, and the nearest building façade is approximately 200 feet from the Project boundary. Although Health and Safety Code §42301.9 defines a "school" as a public or private K–12 institution for purposes of air district permitting requirements, this statutory definition does not apply to postsecondary educational facilities such as community colleges.

For purposes of evaluating localized health risk under CEQA, however, the Office of Environmental Health Hazard Assessment (OEHHA) *Air Toxics Hot Spots Program Guidance Manual* identifies "sensitive receptors" more broadly to include locations where individuals may remain for extended durations, including educational facilities of all levels. Therefore, while the community college does not qualify as a "school" under Health and Safety Code §42301.9, it is considered a sensitive receptor under OEHHA guidance.

Given the proximity of the Victor Valley Community College Public Safety Training Facility and because past warehouse projects in the region have been challenged for lack of analysis of this receptor, a conservative screening-level health risk assessment (HRA) was prepared to evaluate potential exposure to diesel particulate matter (DPM) from Project operations, including heavy-duty truck activity, truck/trailer transport refrigeration units (TRUs), warehouse equipment, and the emergency fire pump. As summarized below, cancer risk, non-cancer hazard indices, and $PM_{2.5}$ exposure levels are all below applicable significance thresholds. Accordingly, Project operations would not result in substantial health risk to nearby sensitive receptors.

Although the 2009 General Plan EIR found regional air quality impacts to be significant and unavoidable, the proposed Project's contribution is not cumulatively considerable. The Project does not result in new or substantially more severe significant environmental effects than those identified in the 2009 General Plan EIR.

Screening-Level Health Risk Assessment

Methodology

A screening-level Health Risk Assessment (HRA) was conducted consistent with the OEHHA 2015 Air Toxics Hot Spots Program Guidance Manual and MDAQMD CEQA practices. The assessment evaluates potential incremental health risk at the nearest sensitive receptor—the Victor Valley Community College Public Safety Training Facility located approximately 200 feet (61 meters) north of the Project site.

The analysis utilizes diesel particulate matter (DPM) emission rates derived from the Project's Updated CalEEMod analysis and applies OEHHA-recommended screening dispersion assumptions to estimate cancer risk, chronic hazard, and $PM_{2.5}$ exposure. The screening approach is conservative and does not rely on credit for TRU plug-in capability, zero-emission truck turnover beyond what was explicitly included in the traffic analysis, or shielding effects from buildings or topography.

Project DPM Sources Evaluated

- **Heavy-duty diesel truck activity**, including idling, onsite circulation, and loading
- **Truck/trailer transport refrigeration units (TRUs)** assumed to operate up to 4 hours per visit using diesel engines
- **Diesel warehouse equipment** (six forklifts and six material-handling units)
- **324-hp emergency diesel fire pump**, assumed to operate 1 hour per month
- **Onsite energy and area sources**, which contribute negligible DPM

Annual and daily operational DPM emissions were taken directly from the CalEEMod output used in the Air Quality analysis.

Screening Dispersion and Risk Calculation

Consistent with OEHHA guidance, the following screening assumptions were applied:

- A receptor distance of **61 meters**, which provides substantial dispersion and conservatively represents the closest building façade.
- OEHHA's **residential exposure parameters** for maximally exposed individuals, which are more conservative than short-term worker exposure factors applicable to college students and staff.
- The **unit risk factor** (URF) for diesel particulate matter of 3.0×10^{-4} $(\mu g/m^3)^{-1}$.
- Chronic hazard calculations using OEHHA chronic reference exposure levels (RELs).
- $PM_{2.5}$ exposure evaluated against the 1 $\mu g/m^3$ CEQA significance threshold commonly applied by air districts.

This screening method is intentionally conservative and generally overpredicts risk relative to refined dispersion modeling (e.g., AERMOD).

Results

Cancer Risk

The estimated incremental cancer risk at the nearest sensitive receptor is **well below the 10-in-one-million significance threshold** commonly applied by MDAQMD and other California air districts.

The conservative screening analysis indicates that onsite DPM emissions would **not** expose receptors to substantial cancer risk.

Chronic and Acute Hazard Indices

Chronic and acute non-cancer hazard indices are **below 1.0**, indicating that Project-related DPM emissions would not result in significant non-cancer health impacts.

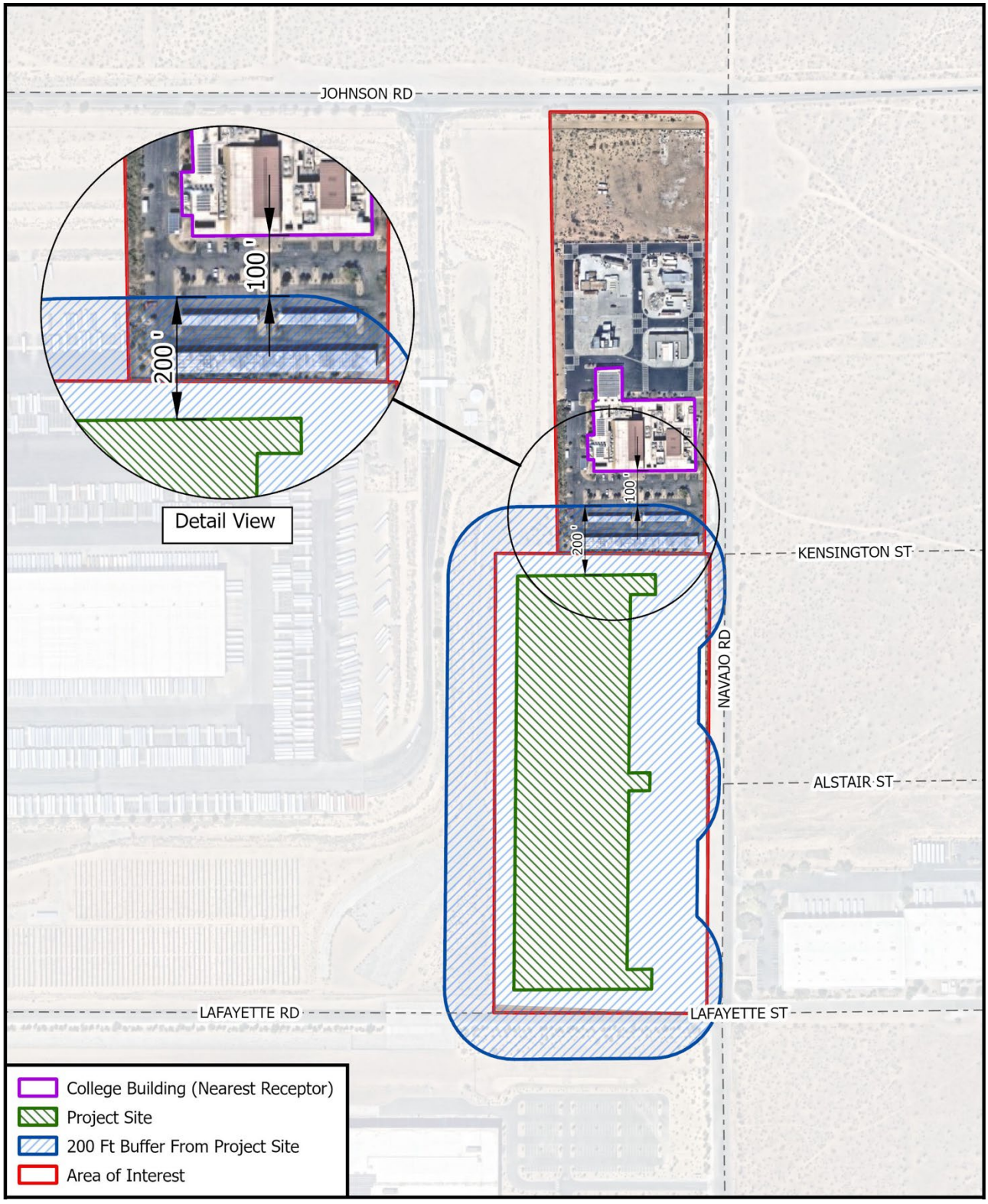
$PM_{2.5}$ Exposure

The screening analysis shows that incremental $PM_{2.5}$ concentrations at the receptor are **well below the 1 µg/m³ significance threshold**, and therefore do not represent a substantial localized $PM_{2.5}$ impact.

Conclusion

The conservative screening-level HRA demonstrates that operational diesel particulate matter emissions associated with the Project would **not** result in significant health risks at the Victor Valley Community College Public Safety Training Facility or other nearby receptors. Cancer risk, non-cancer hazards, and localized $PM_{2.5}$ concentrations are all below applicable significance thresholds. Therefore, the Project would **not** expose sensitive receptors to substantial pollutant concentrations or result in significant health risk impacts under CEQA.

Figure 4.3.1 Nearest Sensitive Receptor and Distance to Project Site



Valley Fever

Valley Fever was not discussed in the 2009 GP EIR. Valley Fever is a fungal infection caused by Coccidioides organisms. It can cause fever, chest pain, and coughing, among other signs and symptoms. The Coccidioides species of fungi that cause Valley Fever are commonly found in the soil in certain areas. These fungi can be stirred into the air by anything that disrupts the soil, such as farming, construction, and wind.

Valley Fever is not highly endemic to San Bernardino County with an incident rate of 10.5 cases per 100,000 people. In contrast, in 2022, the statewide annual incident rate was 19.1 per 100,000 people. The California counties considered highly endemic for Valley Fever include Kern (264.9 per 100,000), Kings (110.0 per 100,000), San Luis Obispo (51.5 per 100,000), Fresno (44.3 per 100,000), Tulare (65.7 per 100,000), Madera (32.4 per 100,000), and San Joaquin (13.3 per 100,000), and accounted for 70% of the reported cases in 2022.

Although cases of Valley Fever are lower in San Bernardino County than in certain other counties, cases are on the rise. San Bernardino County cases per 100,000 increased from 1.18 per 100,000 people in 2016 to 10.5 cases per 100,000 people as of May 2025. Therefore, the following mitigation measure is required.

Project-Specific Mitigation Measures

Project-Specific MM AQ-1: Valley Fever. *To minimize personnel and public exposure to potential Valley Fever-containing dust on-site and off-site, the following control measures shall be implemented during project construction.*

a. Equipment, vehicles, and other items shall be thoroughly cleaned of dust before they are moved off-site to other work locations.
b. Wherever possible, grading and trenching work shall be phased so that earth-moving equipment is working well ahead or downwind of workers on the ground.
c. The area immediately behind grading or trenching equipment shall be sprayed with water before ground workers move into the area.
d. In the event that a water truck runs out of water before dust is sufficiently dampened, ground workers exposed to dust shall leave the area until a truck can resume water spraying.
e. To the greatest extent feasible, heavy-duty earth-moving vehicles shall be closed-cab and equipped with a HEPA-filtered air system.
f. Workers shall receive training in procedures to minimize activities that may result in the release of airborne Coccidioides immitis (CI) spores and recognize the symptoms of Valley Fever and shall be instructed to promptly report suspected symptoms of work-related Valley Fever to a supervisor. Evidence of training shall be provided to the Kern County Planning and Natural Resources Department within 5 days of the training session.
g. A Valley Fever informational handout shall be provided to all on-site construction personnel. The handout shall, at a minimum, provide information regarding symptoms, health effects, preventive measures, and treatment of Valley Fever. No less than 30 days prior to any work commencing, this handout shall be mailed to all

existing residences within 1,000 feet of the Project boundaries. Additional information and handouts can be obtained by contacting the Kern County Public Health Services Department.

h. On-site personnel shall be trained on the proper use of personal protective equipment, including respiratory equipment. National Institute for Occupational Safety and Health (NIOSH) approved respirators shall be provided to on-site personnel, upon request. When exposure to dust is unavoidable, affected workers shall be provided appropriate NIOSH-approved respiratory protection. If respiratory protection is deemed necessary, employers must develop and implement a respiratory protection program in accordance with the California Occupational Safety and Health Administration's Respiratory Protection standard.6

Additionally, to reduce fugitive dust from the Project and minimize adverse air quality impacts, the Project would employ dust control measures in accordance with the MDAQMD Rules 401 and 403.2, which limit the amount of fugitive dust generated during construction. These requirements are consistent with California Department of Public Health recommendations for the implementation of dust control measures, including regular application of water during soil-disturbance activities, to reduce exposure to Valley Fever by minimizing the potential that the fungal spores become airborne.

Further, regulations designed to minimize exposure to Valley Fever hazards are included in Title 8 of the California Code of Regulations and would be complied with during the Project's construction phase.

In summary, the Project would not result in a significant impact attributable to Valley Fever exposure based on its geographic location and compliance with applicable regulatory standards and dust control measures, which will serve to minimize the release of and exposure to fungal spores.

Finding

Although the 2009 GP EIR found this impact to be significant and unavoidable, the proposed Project's impact is not cumulatively considerable. As such, the Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

Regarding Valley Fever, as described above, the impacts would be **less than significant**.

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

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings, p. 11-97 to 11-104

The General Plan proposes land uses that currently occur within Town limits. The Annexations will extend the same development pattern to these areas. The land uses currently occurring within the Town, or planned through the General Plan, are not anticipated to generate significant odors. The Development Code sets standards, including odors, for industrial land uses, and requires that such

6 Title 8, California Code of Regulations, §5144. https://www.dir.ca.gov/title8/5144.html

land uses mitigate their potential impacts. As a result, the build-out of the General Plan and Annexations is expected to have less than significant impacts associated with objectionable odors.

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

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

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

Potential odor sources associated with long-term Project operations include diesel exhaust from heavy-duty truck activity, emissions from refrigerated trailer units (TRUs), warehouse equipment, and the onsite storage of solid waste. These sources are typical of industrial and warehousing land uses and are not generally characterized as substantial odor generators. Diesel exhaust may be detectable during periods of peak truck activity; however, such emissions dissipate rapidly with distance, and the nearest off-site sensitive receptor is located approximately 200 feet to the north. At this distance, and given the open-air industrial setting, diesel exhaust odors would be intermittent, of low intensity, and would not be expected to result in objectionable odors affecting a substantial number of people.

Solid waste generated by the warehouse operations would consist primarily of packaging materials and general refuse. Waste would be stored in covered, leak-resistant containers and serviced at regular intervals in accordance with the Town's solid waste requirements, which minimize the potential for odor generation. The Project does not involve food processing, organic waste handling, or other activities typically associated with strong or persistent odors.

Because operational odor sources would be limited, routinely managed, and typical for industrial uses, and because no sensitive receptors are located in close proximity to areas of concentrated truck activity, the Project's operational odor impacts would be less than significant, and no mitigation is required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.4 Biological Resources

Impact 4.4: Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
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 Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
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?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
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?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
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?	No Impact	☐	☐	☐	☑

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-22 to 11-25

Implementation of the General Plan will result in impacts on sensitive plant and wildlife species and their habitats. At the General Plan level, it is not practical to formulate or list the entire range of specific mitigation measures that can be required for individual projects. Therefore, this identification can only be done at the project level, based on the Town's judgment of the individual circumstances of the project before it as a lead agency under CEQA. However, it can be generally stated that the Town shall require mitigation pursuant to species- or resource-specific protocols established by the CDFW, the USFWS, and/or the U.S. Army Corps of Engineers. The implementation of mitigation measures will reduce potential impacts to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

Source: 2009 GP EIR, p.III-69

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.D. Biological Resources

3. Mitigation Measures

3(a). The Town shall require that biological resources evaluations be performed prior to development actions, including site-specific surveys utilizing specified survey parameters as required for all special status species in identified habitat areas, and especially within or adjacent to linkage corridors or special survey areas and potential jurisdictional areas.

3(b). As required by CEQA, if biological resources are present that would be significantly impacted by a project, mitigation shall be imposed on the project to reduce the impact to a level of less than significant, to the extent feasible.

3(c). The Town shall require mitigation pursuant to species- or resource-specific protocols established by CDFG, USFWS, and/or the U.S. Army Corps of Engineers.

Proposed Project Impact Analysis

The analysis in this section is based in part on the following technical information.

- General Biological Resources Assessment, RCA Associates Inc., June 13, 2022, included as **Appendix B** to this Initial Study.
- Updated Biological Surveys, RCA Associates inc., April 22, 2025, included as **Appendix B-1** to this Initial Study.
- Joshua Tree Survey, RCA Associates, Inc., September 23, 2022 included as **Appendix C** to this Initial Study.
- Jurisdictional Water Delineation, RCA Associates, Inc., August 1, 2022 included as **Appendix D** to this Initial Study.

As required by **Mitigation Measure 3(a)-(c)** and as part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on May 10, 2022, September 19, 2022, and April 17, 2025 during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats that may support

populations of sensitive wildlife and plant species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. Habitat assessments were also conducted for desert tortoise, burrowing owl, and Mohave ground squirrel based on data from USFWS, CDFW, and a search of the California Natural Diversity Database.

Sensitive Plant Species

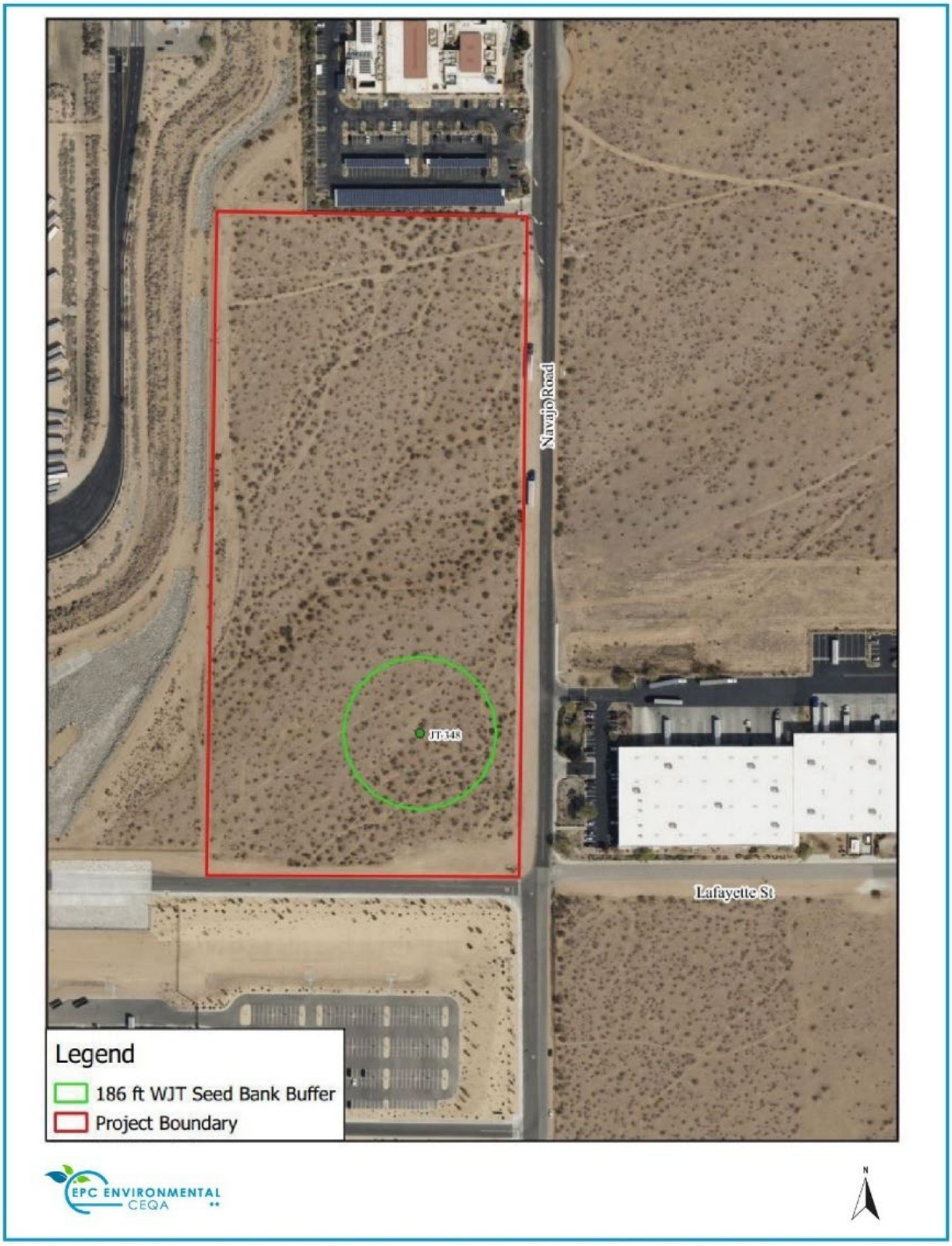
The site supports a slightly disturbed desert scrub plant community that covers the property. Species present on the site included kelch-grass, creosote bush, Asian mustard, western Joshua tree, Nevada jointfir, and fiddleneck. Only the Joshua tree is considered a sensitive species as further discussed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

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

A Joshua Tree Survey was performed on September 19, 2022 as part of the Protected Plant Preservation Plan (Appendix C of this Initial Study). GPS locations are provided in the report, and each tree was evaluated based on various criteria such as height, health, leaning, clonal, and age class. **Figure 4.4.1, Location of Joshua Tree**, shows the location of one western Joshua tree on the Project site. The CDFW requires an impact analysis to assess potential impacts to western Joshua trees within a 50-foot buffer zone of each western Joshua tree individual, the western Joshua tree seed bank, and indirect impacts to western Joshua tree.

As shown on **Figure 4.4.1**, preservation or relocation on-site is not a viable option and would essentially prevent development of the site as envisioned under the Town's General Plan. Therefore**, Project-Specific Mitigation Measure (MM) BIO-1** is required.

Figure 4.4.1 Location of Joshua Tree



Project-Specific Mitigation Measures

Project-Specific MM BIO-1. Western Joshua Tree Incidental Take Permit*. Obtain an Incidental Take Permit (ITP) for impacts to western Joshua tree (Yucca brevifolia) through compliance with the Western Joshua Tree Conservation Act (Fish and Game Code §§1927-1927.12) and adhere to the Western Joshua Tree Relocation Guidelines and Protocols if determined necessary by CDFW, or through the California Endangered Species Act (Fish and Game Code, §§2080-2085).*

Project-Specific MM BIO-2. Pre-Construction Rare Plant Clearance Survey*. Prior to the issuance of a grading permit or any permit that allows vegetation removal, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner that maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any special-status plants are identified, the City shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging). If complete avoidance is not feasible, the City shall mitigate the loss of the plant(s) through the purchase of mitigation credits from a CDFW-approved bank and/or through land acquisition and conservation at a mitigation ratio determined by CDFW after Project analysis. If the Project has the potential to impact a state-listed species, the Project applicant should apply for a California Endangered Species Act (CESA) Incidental Take Permit (ITP) with CDFW.*

Wildlife Species

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

As part of the environmental process, a search of the California Natural Diversity Database (CNDDB) was performed. Based on this review, it was determined that five special status species have been documented within the Apple Valley North Quadrangle. The following tables provide data on each special status species which has been documented in the area. **Table 4.4-1, Presence of Candidate, Sensitive, or Special Status Wildlife Species**, provides a summary of all wildlife species that may be in the Project area.

Table 4.4-1 Presence of Candidate, Sensitive, or Special Status Wildlife Species

Species	Status	Presence/Absence
Desert Cymopterus	Federal: None State: None	Not Present. The site does not support suitable habitat for the species; and none were observed during field surveys.
Mojave Monkeyflower	Federal: None State: None	Not Present. The site does not support suitable habitat for the species; and none were observed during field surveys.
Golden Eagle	Federal: None State: None	Not Present. The site does support some suitable habitat, although no golden eagles were observed and are not likely to occur.
Prairie Falcon	Federal: None State: None	Not Present. The site does support some suitable habitat, although no prairie falcons were observed and are not likely to occur.
Desert Tortoise	Federal: Threatened State: Threatened	Not Present: The site is located within the known distribution of the species. An evaluation of the area and property was conducted, and no tortoises or suitable habitat was observed.
Mohave Ground Squirrel	Federal: None State: Threatened	Not Present: The site supports marginal habitat for the species. Species is not expected to occur on the site.
Swainson's Hawk	Federal: None State: Threatened	Not Present. There is no habitat that supports the species.
Le Conte's thrasher	Federal: None State: Candidate Endangered	Not Present. The site does support suitable habitat for the species. Surveys conducted on-site did not identify any thrashers.
Burrowing Owl	Federal: None State: Candidate Species	Not Present/Future Presence Possible. The site does support suitable habitat for the species; however, no owls or owl sign, or suitable burrows were observed during field surveys.
Mojave Tui Chub	Federal: Endangered State: Endangered	Not Present. No suitable habitat on-site, and will not occur on site.
Crotch Bumblebee	Federal: None State: Candidate Endangered	Not Present. No Crotch bumble bees were observed on the property, and the species is not expected to occur on the site.

Project-Specific Mitigation Measures

Although wildlife species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service were not detected on-site, the site is located within the range of burrowing owl, Mojave ground squirrel, desert tortoise, and nesting birds. Therefore, the following mitigation measures have been included to ensure any impacts are less than significant to these species.

Project-Specific MM BIO-3. Burrowing Owl Surveys*. Prior to any ground disturbance, surveys for burrowing owls, sign and potential burrows followed by four breeding season surveys of areas found to have potential for burrowing owl occupation must be conducted on the Project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012. The breeding season survey should consist of three or more survey visits during daylight hours and with each visit at least three weeks apart during the peak of the breeding season, commonly accepted in California as between 15 April and 15 July. Prior to initiating Project activities, a qualified biologist shall conduct at least one survey covering the entire Project area and surrounding 15-meter buffer to identify the presence of suitable burrows and/or burrow surrogates (>11 cm in diameter [height and width] and >150 cm in depth) for burrowing owl and sign of burrowing owl (e.g., pellets, prey remains, whitewash, or decoration, etc.). The surveys shall include 100% coverage of the Project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.*

Project-Specific MM BIO-4. Burrowing Owl Avoidance/Relocation*. If burrowing owl, active burrowing owl burrows, or sign thereof are found, the qualified biologist shall prepare and implement a plan for avoidance, minimization, and mitigation measures to be approved by CDFW prior to commencing Project activities and propose mitigation for permanent loss of occupied burrow(s) and habitat. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. Permanent protection of mitigation land through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.*

Site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 meters feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the Project Proponent and the Town, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation for CDFW review/approval prior to the commencement of disturbance activities on-site and proposed mitigation for permanent loss of occupied

burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

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

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

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

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

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

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

Project-Specific MM BIO-7. Deceased or Injured Tortoise within the Project Site. *If any injured or deceased desert tortoise—or other special-status wildlife species—is discovered within the Project site, the USFWS and CDFW shall be notified immediately. Verbal notification shall occur within 24 hours, and written notification shall be provided within 5 days of the discovery. The incident report shall include the date, time, and location of the find; condition of the animal; and any circumstances associated with the injury or mortality.* ***Following notification, the Project Biologist shall coordinate with USFWS and CDFW to determine appropriate next steps, including agency-directed handling, disposition, or additional response measures, as applicable.***

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

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

The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and

the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the "no disturbance buffer" shall be expanded. If there is no nesting activity, then no further action is needed for this measure.

Finding

With the implementation of **Project-Specific Mitigation Measures MM BIO-1** through **MM BIO-9**, impacts would be less than significant relating to candidate, sensitive, or special status plant and wildlife species. The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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 Wildlife or U.S. Fish and Wildlife Service?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-25 to 11-27

The General Plan includes policies and programs aimed at protecting and preserving sensitive habitats. Land uses in the General Plan area range from urbanized areas where habitat values have been degraded to vacant lands providing valuable habitat for a variety of common and special-status plant and animal species. Riparian habitats occur in and surrounding the Mojave River, and have been designated as Open Space in the General Plan, to avoid any impacts to this habitat.

Applicable 2009 GP EIR Mitigation Measures

There are no riparian habitat or sensitive natural communities on the Project site. As such there are no applicable mitigation measures.

Proposed Project Impact Analysis – No Impact

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-25 to 11-27

The 2009 EIR determined that wetlands in Apple Valley were limited to the western edge of Town and associated with the Mojave River. Because the river was placed in Open Space under the General Plan Land Use Element, development in this area is not permitted, and its long-term preservation was expected, resulting in less than significant impacts.

Applicable 2009 GP EIR Mitigation Measures

The following mitigation measure from the 2009 GP EIR is directly applicable to the Project.

III.D.3 Biological Resources

3. Mitigation Measures

13. Projects affecting major or ephemeral streams must consult the relevant state or federal agency, and may need permits from the U.S. Army Corps of Engineers, Lahontan Regional Water Quality Control Board, or California Department of Fish and Game. Permit compliance will ensure riparian habitats are restored or replaced as needed and water quality is protected under Section 401 of the Clean Water Act.

See the Proposed Project Impact Analysis below for additional analysis.

Proposed Project Impact Analysis

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

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

Federal Jurisdiction

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

State Jurisdiction

The RWQCB regulates discharge to surface waters under the CWA and the California Porter-Cologne Water Quality Act. Effective July 1, 2010, all dischargers are required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ adopted on September 2, 2009 if any impacts

occur to WOTUS. A Section 401 permit may be required due to the Channels being considered WOTUS per **Project-Specific Mitigation Measure MM BIO-10** below.

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

Conclusion

The proposed Project would develop the property to allow for the construction of two industrial buildings and related site improvements. The total amount of impacts to the channel would be approximately 0.22 acres (9,698.7 square feet). Therefore, the following mitigation measures are recommended for the Project to compensate for the impacts on the intermittent blueline channel.

Project-Specific Mitigation Measures

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

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

Finding

With the implementation of **Project-Specific MM BIO-10** through **MM BIO-11**, impacts will be less than significant. The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-28 to 11-30

The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the planning area. A number of plans have been or are being developed to address issues associated with impacts to these areas from development, including the West Mojave Habitat Conservation Plan (Bureau of Land Management) and the Apple Valley MSHCP currently under development. These plans provide important guidelines and criteria for these habitats by establishing requirements for the preservation and maintenance of wildlife movement corridors within the Town and vicinity. Application of General Plan policies, compliance with federal and local habitat conservation plans, and implementation of mitigation measures as set forth in the Final EIR will reduce potential impacts to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

Mitigation Measure **III.D. Biological Resources** 3(a) applies.

Proposed Project Impact Analysis – Less Than Significant

The Project site does not represent a wildlife travel route, crossing, or regional movement corridor between large open space habitats. This conclusion is based on the Biological Resources Assessment (Appendix B), review of regional habitat connectivity mapping, and reconnaissance-level field surveys conducted for the Project. The site is largely surrounded by existing and planned industrial development, paved roadways, and disturbed open land with limited shrub cover, which do not support defined or functional movement pathways. In addition, no signs of concentrated wildlife use—such as repeated tracks, scat, burrows, or game trails—were observed during field surveys, and no mapped regional linkage areas (e.g., SC Wildlands, CDFW Essential Connectivity Areas) intersect the site. For these reasons, the area does not function as a wildlife corridor or movement bottleneck, and no features indicative of regional wildlife movement were identified onsite or in the immediate vicinity.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-22 to 11-25

The Town of Apple Valley has adopted an ordinance aimed at protecting native plants, which makes special provision for Joshua trees and other native species. The ordinance requires authorization from the Town before disturbing, removing, or destroying Joshua trees, and when removal is necessary, it prescribes their relocation and transplant whenever feasible. The Town of Apple Valley also protects and manages Joshua trees, as set forth in the Town's Development Code. Compliance with development code ensures that impacts are less than significant.

Applicable 2009 GP EIR Mitigation Measures

The following mitigation measures from the 2009 GP EIR are directly applicable to the Project:

III.D. Biological Resources

Mitigation Measures 3 (a), 3 (b), and 3 (c)

Proposed Project Impact Analysis

As documented in the Project's **General Biological Resources Assessment** (RCA Associates, 2022), the site supports a typical Mojave Desert scrub plant community that includes several native desert plant species regulated under local and regional native plant protection ordinances, such as **cacti and other yucca species**.

The Town of Apple Valley's **Municipal Code Chapter 9.76 (Plant Protection and Management Policy)** and the **San Bernardino County Desert Native Plant Protection Ordinance** regulate the removal, salvage, and handling of native desert plants, including cholla species and other protected cacti. Because development of the site would require removal or disturbance of these protected native plants, the Project must obtain a **Native Plant Permit** from the Town and comply with all applicable permit conditions for removal, salvage, and/or transplantation of regulated species.

Although no focused rare plant survey was conducted, the general biological survey documented all native plant species present on the site and confirmed that the site does not contain suitable habitat for the CNPS-ranked rare plant species known from the broader region (desert cymopterus and Mojave monkeyflower; Table 4-1, p. 9). Therefore, the Project would not conflict with any local or regional rare plant protection policies.

With compliance with the Town's and County's native plant protection requirements—which are mandatory and enforceable—the Project would **not** conflict with any local biological resource policy or ordinance. Impacts under Threshold 4.4(b) would therefore be **less than significant with compliance with existing regulations**.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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?

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, pp. 11-89-90

The Environmental Checklist Form suggested by the CEQA Guidelines was utilized by the Town of Apple Valley as part of the Initial Study process. The Town reviewed the Checklist to ensure that the EIR would address all environmental issues required to be addressed by CEQA. The Town determined that the proposed project would have no impact regarding a conflict with the provisions

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

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable because there are no conservation plans applicable to the Project site.

Proposed Project Impact Analysis

According to the California Natural Community Conservation Plans Map maintained by the California Department of Fish and Wildlife, there are no such plans that encompass the Project site.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.5 Cultural Resources

Impact 4.5 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less Than Significant	☐	☐	☑	☐

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-30 to 11-32

The 2009 EIR determined that of the 48 previously recorded sites identified in the Town, 32 were historic period sites. As shown in Exhibit III-4 of the EIR, sensitive areas for historic resources occur primarily adjacent to Highway 18, in the center of Town, and in the southern end of Town. Historic and prehistoric sites have also been recorded in the vicinity of the Mojave River. The northern portion of Town, including the NAVISP and Annexation areas, were determined to have low sensitivity for historic resources.

The 2009 EIR determined that build-out of the General Plan had the potential to impact historic resources, both directly and indirectly, as development occurs and lands are disturbed. As a result, the 2009 EIR included Mitigation Measure 1, requiring the preparation of cultural resource studies for projects located in areas of high potential sensitivity for historic resources. In addition, Mitigation Measures 3 and 4 were provided, mandating the Town's maintenance of a confidential inventory of historic sites, and the protection of historic sites from vandalism by the Town, respectively. The 2009 EIR concluded that with implementation of these mitigation measures, impacts to historic resources would be reduced to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR that are directly applicable to the Project.

III.E. Cultural Resources

3. Mitigation Measures

1. Cultural resource studies shall be required prior to development for all lands identified as having high potential for historic or archaeological resources, as identified in Exhibit III-

4. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.

Proposed Project Impact Analysis – No Impact

The analysis in this section is based in part on the following source.

- 2009 GP EIR, Section III.E, page III-72, et seq.)

Note: In 2015, per AB52, the CEQA Guidelines established "Tribal Cultural Resources" as a separate environmental category and no longer under Cultural Resources. For a discussion on Tribal Cultural Resources, please refer to Section 4.17, Tribal Cultural Resources.

As required by **III.E. Cultural Resources 3.1** above, a Historical/Archaeological Resources Survey, (CRM Tech, November 2, 2022) was prepared and is included as **Appendix E** to this IS/MND.

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

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-31 to 11-32

The 2009 GP EIR determined that areas within 1 mile of the Mojave River, as well as parts of the Town's northern and southern regions and the Highway 18 corridor, are highly sensitive for prehistoric and historic cultural resources, including possible subsurface deposits. Future development in these areas may disturb or destroy archaeological and historic sites through grading, excavation, construction, or increased traffic. Therefore, site surveys should be conducted on all new developments in sensitive areas to assess the presence and significance of resources and implement mitigation measures as needed.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR is directly applicable to the Project.

III.E. Cultural Resources

3. Mitigation Measures

1. Cultural resource studies shall be required prior to development for all lands identified as having high potential for historic or archaeological resources, as identified in Exhibit III-4. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.

Proposed Project Impact Analysis – Less Than Significant with Mitigation Incorporated

Records Search

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

Field Survey

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

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

Project-Specific Mitigation Measures

MM CUL-1

1. *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) and the Twenty-Nine Palms Band of Mission Indians (TPBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*

2. *If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN and TPBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*

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

With the implementation of **Project-Specific MM CUL-1** impacts will be **less than significant**.

Finding

The proposed Project does not result in or have new or substantially more severe significant

c) Disturb any human remains, including those interred outside of formal cemeteries?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings, p. 11-91

The 2009 EIR reported that cremated remains have been discovered along the Mojave River at known habitation sites, but did not find evidence of buried remains outside formal cemeteries. Potential impacts from such remains would be addressed through General Plan policies and programs and state law, and no mitigation measures were required.

Applicable 2009 GP EIR Mitigation Measures

Mandatory compliance with California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et seq. is required.

Proposed Project Impact Analysis – Less Than Significant

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.6 Energy

Impact 4.6 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-127

The 2009 GP EIR evaluated energy consumption under Section VII, Irreversible and Irretrievable Commitment of Environmental Resources, and under Section 4.3, Air Quality. It found that the ongoing depletion of fossil fuel resources will continue to occur as a result of the continued consumption of electrical energy, natural gas, oil, and other fossil fuels.

The General Plan establishes a regulatory framework and land use patterns and intensities that are intended to conserve and protect valuable resources and substantially reduce long-term impacts. Urban development is, over time, expected to have lesser impacts on finite resources than it does at present, as future and enhanced technology are anticipated to reduce impacts on fossil fuel resources and other finite mineral resources. Development standards and restrictions, as well as land use designations established in the proposed General Plan and annexation areas, are also expected to limit development impacts on non-renewable energy sources.

Applicable 2009 GP EIR Mitigation Measures

III. C. Air Quality

3. Mitigation Measure

12. The Town shall encourage the incorporation of energy-efficient design measures in site plans, including appropriate site orientation to assure solar access, and the use of shade and windbreak trees to enhance the use of alternative energy systems and reduce the need for excessive heating and cooling.

22. To minimize indirect-source emissions, developers may:
    - implement energy conservation measures beyond state and local requirements

- install low-polluting, high-efficiency appliances
- install solar pool and water heaters, where feasible
- landscape with appropriate drought-tolerant species to reduce water consumption and provide passive solar benefits
- install energy-efficient street lighting

23. To minimize building energy consumption, developers shall be encouraged to implement the following:
    - improve the thermal integrity of buildings
    - utilize window glazing, wall insulation, and efficient ventilation methods
    - introduce efficient heating and appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units
    - incorporate appropriate passive solar design and solar heaters
    - use devices that minimize the combustion of fossil fuels

Proposed Project Impact Analysis – Less Than Significant

Source: Updated Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum, LSA Associates, Inc., June 3, 2025 and is included as **Appendix A** to this Initial Study; GTS Cold Storage Project Trip Generation and Vehicle Miles Traveled Memorandum, LSA Associates, Inc., January 12, 2023, included as **Appendix K** to this Initial Study.

Note: The following Energy analysis is unchanged from the Draft circulated August 14–September 12, 2023. CalEEMod was used to estimate electricity, natural gas, and construction fuel demand for a 385,004-square-foot building (see Table 4.6-1). The refined Project totals 354,260 square feet. Because energy demand scales with building area and activity levels, actual energy consumption would be lower than previously modeled.

The Project would increase the demand for electricity, natural gas, and gasoline when compared to the existing condition of the site. The discussion and analysis provided below is based on the data included in the CalEEMod output, which is included in **Appendix A.**

Construction Energy Consumption

Methodology

Construction energy use was quantified using the project's confirmed construction schedule and CalEEMod default construction equipment lists, horsepower ratings, load factors, and operating hours. Fuel consumption was calculated using the standard brake-specific fuel consumption (BSFC) factors widely used in CEQA analyses:

- Diesel BSFC: 0.044 gallons per horsepower-hour
- Gasoline BSFC: 0.06 gallons per horsepower-hour

Construction equipment was assumed to operate 8 hours per day. Worker commute trips and vendor trips were included using EMFAC-based fuel economy factors. The analysis reflects the actual construction durations provided in the project's CalEEMod memorandum.

Table 4.6-1 summarizes the construction phases, duration, and CalEEMod default equipment activity incorporated into the fuel consumption analysis.

Table 4.6-1 Construction Schedule and Equipment Activity

Construction Phase	Duration (Workdays)	Primary Equipment (CalEEMod Defaults)
Site Preparation	10 days	Dozers, loaders, backhoes, graders
Grading	30 days	Graders, scrapers, dozers, water trucks, loaders
Building Construction	310 days	Cranes, forklifts, generators, welders, air compressors
Paving	20 days	Pavers, rollers, paving equipment, mixers
Architectural Coating	80 days	Compressors, air compressors, miscellaneous small equipment

Construction activity would require both diesel and gasoline, with diesel representing over 99 percent of total fuel demand due to its use in heavy equipment and haul trucks.

Fuel usage was calculated using:

Fuel (gallons) = Horsepower × Load Factor × Hours/day × Days × BSFC

Worker commute gasoline use was added based on typical CalEEMod/EMFAC default commute distances and trip rates.

Table 4.6-2 Construction Fuel Consumption

Construction Phase	Diesel (gal)	Gasoline (gal)	Total (gal)
Site Preparation	9,800	150	9,950
Grading	54,400	300	54,700
Building Construction	121,600	800	122,400
Paving	7,400	100	7,500
Architectural Coating	1,900	100	2,000
Total Construction Fuel Use	**195,100**	**1,450**	**196,550**

Adequacy of Energy Supply

The total construction fuel demand of approximately 197,000 gallons would occur over a roughly 18-month period. This level of consumption is well within regional fuel supply capacity and represents a minute portion of annual diesel and gasoline sales in San Bernardino County. Construction fuel would be purchased through existing commercial vendors and would not require the expansion of off-site energy infrastructure.

Construction Energy Efficiency Practices

Construction activities would comply with mandatory State and local fuel-efficiency requirements, including:

- CARB Off-Road Diesel Regulation (Tier 3/Tier 4 engine standards)
- CARB Heavy-Duty Vehicle GHG Standards
- Statewide 5-minute idling restriction
- Routine equipment maintenance consistent with manufacturer specifications
- Optimized equipment scheduling and staging
- CALGreen mandatory construction measures

These measures ensure construction energy use is efficient and avoids unnecessary fuel consumption. Therefore, construction energy demand would be temporary, would not require new or expanded energy infrastructure, would occur under stringent State engine and fuel-efficiency regulations, and would not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Operational Energy Use

Energy use includes both direct and indirect sources of emissions. Direct sources of emissions include on-site natural gas usage for heating, while indirect sources include electricity generated by off-site power plants. Natural gas use in CalEEMod is measured in units of a thousand British thermal units (kBTU) per year; however, this analysis converts the results to natural gas in units of therms. Electricity use in CalEEMod is measured in kWh per year.

CalEEMod divides building electricity and natural gas use into uses that are subject to Title 24 standards and those that are not. For electricity, Title 24 uses include the major building envelope systems covered by Part 6 (California Energy Code) of Title 24 (e.g., space heating, space cooling, water heating, and ventilation). Non-Title 24 uses include all other end uses (e.g., appliances, electronics, and other miscellaneous plug-in uses). Because some lighting is not considered as part of the building envelope energy budget, CalEEMod considers lighting as a separate electricity use category.

For natural gas, uses are likewise categorized as Title 24 or non-Title 24. Title 24 include building heating and hot water end uses. Non-Title 24 natural gas uses include appliances.

Table 4.6-3 shows the estimated potential increased electricity, natural gas, gasoline, and diesel demand associated with the operational characteristics of a cold storage warehouse. The electricity and natural gas rates are from the CalEEMod analysis, while the gasoline and diesel rates are based on the traffic analysis (see **Appendix K** of this SIS/MND) in conjunction with DOT fuel efficiency data.

Table 4.6-3 Estimated Annual Energy Use of the Proposed Project

Land Use	Electricity Use (kWh/yr)	Natural Gas Use (kBTU/yr)	Gasoline (gal/yr)	Diesel (gal/yr)
Industrial	2,175,595	10,142,635	91,602	262,140

Source: Compiled by LSA (April 2025).
gal/yr = gallons per year; kBTU/yr = thousand British thermal units per year; kWh/yr = kilowatt-hours

As shown in **Table 4.6-3** the estimated potential increased electricity demand associated with the proposed Project is 2,175,595 kWh per year. In 2022, San Bernardino County consumed 16,630 GWh or 16,629,614,195 kWh. Therefore, electricity demand associated with the proposed Project would be approximately 0.01 percent of San Bernardino County's total electricity demand.

Also shown in **Table 4.6-3**, the estimated potential increased natural gas demand associated with the proposed Project is 10,142,635 kBTU per year or 101,426 therms. In 2022, San Bernardino County consumed 562,123,065 therms. Therefore, natural gas demand associated with the proposed Project would be 0.02 percent of San Bernardino County's total natural gas demand.

Furthermore, the proposed Project would result in energy usage associated with gasoline and diesel to fuel Project-related trips. According to the CARB EMFAC2025 model, the average fuel economy for light-duty vehicles (automobiles, pickups, vans, and sport utility vehicles) in the Mojave Desert Air Basin in 2025 is 49.9 mpg and 7.6 mpg for heavy-duty trucks.

Using the traffic data from the Project traffic analyses, the proposed Project would result in the annual consumption of 91,602 gallons of gasoline and 262,170 gallons of diesel fuel. In 2019, vehicles in California consumed approximately 15.6 billion gallons of gasoline and 3.8 billion gallons of diesel fuel. Therefore, gasoline and diesel demand generated by vehicle trips associated with the proposed Project would be a minimal fraction of gasoline and diesel fuel consumption in California and, by extension, in San Bernardino County.

In addition, vehicles associated with trips to and from the Project site would be subject to fuel economy and efficiency standards, which are applicable throughout the state. As such, the fuel efficiency of vehicles associated with Project operations would increase throughout the life of the proposed Project. Therefore, implementation of the proposed Project would not result in a substantial increase in transportation-related energy uses.

Energy Use Summary

As described above, both construction and operation of the proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment uses, and transportation. Impacts would be less than significant, and no mitigation measures would be necessary.

Conflict with or Obstruction of a State or Local Plan for Renewable Energy or Energy Efficiency

As indicated above, energy usage associated with construction and operation of the proposed Project would be relatively small in comparison to the State's available energy sources, and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level and because the Project's total impacts to regional energy supplies would be minor, the proposed Project would not conflict with California's energy conservation plans as described in the CEC's 2024 Integrated Energy Policy Report. In addition, the proposed Project would comply with Title 24 and CALGreen standards. Thus, as shown above, the proposed Project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and would not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation. Impacts would be less than significant, and no mitigation measures would be necessary.

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

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.7 Geology and Soils

Impact 4.7 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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.	Less Than Significant	☐	☐	☑	☐
ii) Strong seismic ground shaking?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
iv) Landslides?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
d) Be located on expansive soil, as defined in the Uniform Building Code, creating substantial direct or indirect risks to life or property?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p.11-91.

The Town of Apple Valley is located near the boundary of two tectonic plates: the North American and Pacific plates. There are Alquist-Priolo Earthquake Fault Zones within the corporate limits of the Town of Apple Valley, or the Annexations. Therefore, impacts associated with the rupture of a known Alquist-Priolo Earthquake Fault are expected to **be less than significant.**

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

The following analysis is based in part on the Preliminary Soil Investigation Report, GeoMat Testing Laboratories, Inc., June 9, 2022, and is included as **Appendix F** to this SIS/MND

According to the California Department of Conservation, Fault Activity Map of California 2010, the site is located approximately 3.4 miles southwest of the Helendale-South Lockart Fault Zone and is not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972.[7] In addition, there is no evidence of any faults or faulting activity on the Project site. The risk of ground rupture due to fault displacement beneath the site is low. Impacts would be **less than significant**. Mitigation is not required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

ii) Strong seismic ground shaking?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-33 to 11-35.

A technical background report was prepared for the General Plan. It analyzed geological hazards in the planning area, which have been addressed in the EIR. The General Plan land use plan has been developed to reduce the exposure of people and property to potential damage from seismic events to the greatest extent feasible. The General Plan proposes policies and programs that, along with mitigation measures set forth in the EIR and in conjunction with application of standards set forth in

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

the most recent version of the Uniform Building Code, will reduce impacts associated with geological hazards to **less than significant** levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measures

2. Future development proposals shall require the preparation of a site-specific soils and/or geotechnical analysis that include an evaluation of seismic and soil conditions and provide recommendations that mitigate soils and geotechnical hazards or constraints.

3. Structural engineering must address anticipated ground motions, mitigating ground shaking hazards through seismic design that follows the latest Uniform Building Code and the Structural Engineers' Association of California parameters.

18. All imported and on-site fill soils must be approved by the project's soils engineer. Before use as compaction fill, the engineer will ensure materials are free of vegetation, organic matter, debris, and stones larger than 6 inches. Approved soil should be placed in horizontal layers at specified thicknesses and adjusted for optimal moisture as needed.

19. Fill must be compacted to at least 90% of maximum laboratory density using overfilling, cutting back, or approved mechanical methods per ASTM D-1557-78. The project's soils engineer will monitor fill placement and test for moisture, uniformity, and compaction. In-place density should be measured by the sand-cone method (ASTM D-1556-64 (74)) or another method approved by the Town's Building and Safety Department.

21. Foundation systems that utilize continuous and spread footings are recommended for the support of one and two-story structures. Foundations for higher structures must be evaluated based on structure design and on-site soil conditions.

22. Positive site drainage shall be established during finish grading. Finish lot grading shall include a minimum positive gradient of 2% away from structures for a minimum distance of three (3) feet and a minimum gradient of 1% to the street or other approved drainage course.

Proposed Project Impact Analysis

The subject site, as is the case with most of the tectonically active California area, will be periodically subject to moderate to intense earthquake-induced ground shaking from nearby faults. Significant damage can occur to the site and structural improvements during a strong seismic event. Neither the location nor the magnitude of earthquakes can accurately be predicted at this time. The Preliminary Soil Investigation Report (**Appendix F),** determined that the risk of ground rupture due to fault displacement beneath the site is low. Impacts are **less than significant.**

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

iii) Seismic-related ground failure, including liquefaction?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-39

Build out of the General Plan and Annexation areas could result in projects being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the build out of the General Plan, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measures

2. All future development proposals must include a site-specific soils or geotechnical analysis evaluating seismic and soil conditions, with recommendations to address any identified hazards or constraints.

Proposed Project Impact Analysis – Less Than Significant

According to Countywide Plan Policy Map HZ-2, Liquefaction and Landslides, the site is not located in an area considered to have a liquefaction potential.[8] Therefore, the potential for liquefaction and landslides is considered very low.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

iv) Landslides?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, p. 11-33

Although the Town is predominantly situated on broad alluvial plains, scattered slopes, hillsides, and mountains surround the planning area and present potential geological hazards in the Town and region. Development at the base of slopes, hillsides, and mountains is susceptible to hazards associated with slope instability such as rock falls and landslides.

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

As build-out of the General Plan continues, development should be minimized or avoided in areas that have greater than 15 percent slopes to limit potential impacts associated with slope instability and failure.

The Development Code includes specific requirements and prohibitions for the construction of structures on slopes. These areas can be maintained as open space for recreation or health and safety. Where development is proposed adjacent to slopes, hillsides, and mountains, site analyses that address the potential impacts of rock falls, landslides, and slope stability must be conducted to assess site-specific impacts and provide appropriate mitigation measures.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measure

8. Conduct site-specific geotechnical analyses for new development near steep slopes to assess landslide, rockfall, and slope failure risks. Include mitigation measures like setbacks, retaining walls, or vegetation buffers to reduce hazards

20. Finish cut slopes should not be steeper than 2:1 (horizontal to vertical). Excavating near-vertical cuts over 5 feet for retaining walls or utilities can cause slope failure, risking equipment damage and worker injury. The project engineer must inspect all cut slopes during grading to give further safety recommendations.

23. Utility trench excavations on slopes or near structures must be backfilled as follows:

- Pipes require at least 6 inches of pea gravel or approved granular soil bedding, with a minimum 1-foot cover of similar material. Compact this backfill mechanically or jet to firm condition.
- Remaining backfill may be fine-grained soils, placed in layers no thicker than 6 inches, brought to optimal moisture, and compacted to at least 90% of laboratory maximum density.
- For trenches within 5 feet of or on slope faces, use pea gravel or approved granular soils for bedding and initial backfill. Complete with onsite fill soil compacted as above.

Proposed Project Impact Analysis

Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. The site and the surrounding properties are flat and not prone to slope instability hazards, such as landslides. According to Countywide Plan Policy Map HZ-2, Liquefaction and Landslides, the Project site is not susceptible to landslides.[9] The Project will not be impacted by a landslide or impact adjacent properties due to a Project generated landslide.

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

b) Result in substantial soil erosion or the loss of topsoil?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-33 to 11-35

In some areas of the Town and the Sphere of Influence, especially where dry and granular sediment are present, aeolian and fluvial erosion present potential hazards. Grading, site development, or other surface disturbances can result in loose sediment that can easily be picked up by wind or water. Strong winds can cause deposits to become airborne, which can result in adverse health conditions, degraded air quality, and can erode structures. Project-specific erosion control measures shall continue to be required and implemented to protect soils within the Town and Sphere.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measures

7. Before building on wind or stream-deposited sediment or young alluvium, conduct subsurface geotechnical studies for risks like seismic settlement, collapsible or expansive soils, and liquefaction. Use proper excavation, compaction, backfilling, and foundation design to reduce these hazards.

15. All grading permit requests must include a soil erosion prevention plan. To control dust and sand during grading, maintain moist soils, limit dry exposed areas, plant stabilizing vegetation, use windbreaks or block walls, apply chemical stabilizers, and water construction sites before and during site work. (Also see Air Quality in Section III-C)

Proposed Project Impact Analysis-Less Than Significant

Construction

Proposed construction activities would include clearing the site of debris and/or vegetation, soil excavation, grading, asphalt paving, building construction, and landscaping. Such activities would disturb site soils, exposing them to the erosive effects of wind and water. However, all construction activities related to the proposed Project would be subject to implementation of BMPs for erosion control, as required under National Pollutant Discharge Elimination System (NPDES) regulations pursuant to the federal Clean Water Act. NPDES requirements for construction Projects of 1 acre or more in area are set forth in the Construction General Permit issued by the State Water Resources Control Board (State Water Board Order No. 2009-0009-DWQThe 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.

Furthermore, the Project's land clearing, grading, and construction activities would be required to comply with MDAQMD Rules 403 regulating fugitive dust emissions, thus minimizing wind erosion from such ground-disturbing activities. Therefore, the proposed Project would not generate substantial erosion. Soil erosion impacts would be less than significant.

Operation

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

Prior to the issuance of a grading permit, the Project Proponent would be required to prepare and submit site-specific detailed grading plans to Apple Valley in accordance with Chapter 9.45.030 (Industrial Design Standards) of the Apple Valley Development Code to minimize soil erosion, runoff, and water waste.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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c) Be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-39 to 11-42

Build-out of the General Plan and Annexation areas could result in projects being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the build-out of the General Plan, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

Alluvial fan sediments, composed primarily of granular soils, underlie the low-lying areas of the Town may be susceptible to collapse, and the expansion potential ranges from very low to moderately low.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measure

2, 3, 7, 15, 18, 19 shall apply.

Proposed Project Impact Analysis – Less Than Significant

The Geotechnical Report recommends that a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations. Upon implementation, post-construction differential movements of shallow foundations designed and constructed in accordance with applicable provisions of the 2022 edition of the CBC and measures identified in a project-specific Geotechnical Investigation would be within CBC tolerable limits of post-construction static and differential settlements of 1.0 and 0.5 inches, respectively. Therefore, impacts from settlement, subsidence, and/or collapse would be reduced to less than significant with compliance with the Town of Apple Valley Code of Ordinances, Section J104.2.3 Engineered Grading Requirements.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

d) Be located on expansive soil, as defined in the Uniform Building Code, creating substantial direct or indirect risks to life or property?

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, pp. 11-42 to 11-44

Expansive soils present hazards within the planning area, but are limited to finer-grained soils sediments that have a clay component. Collapsible, compressible, and expansive soils can have adverse impacts to structures and infrastructure if not properly managed. Site-specific studies must be conducted to evaluate soil parameters and determine the potential for soil collapse, compression, and expansion.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measure

3, 18, 19 apply**.**

Proposed Project Impact Analysis – Less Than Significant

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

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

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

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-42 to 11-44

A technical background report was prepared for the General Plan. It analyzed soil conditions in the planning area, which have been addressed in the EIR. The General Plan land use plan has been developed to reduce impacts associated with soils incapable of supporting septic tanks or alternative wastewater disposal systems to the greatest extent feasible

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR is directly applicable to the Project.

III. F. Geology and Soils

3. Mitigation Measure

17. The Town will require development applications to include plans showing leach fields, seepage pits, drainage facilities, and water-dependent landscaping, so staff can assess ground saturation risks and ensure foundations are properly sited to reduce localized soil collapse.

Proposed Project Impact Analysis

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-32 to 11-33

Future development in the Planning area could also impact paleontological resources, should Pleistocene-age soils be disturbed by grading or excavation activities resulting from buildout of the General Plan. Since the depth of Holocene-age soils in the planning area is not known, Pleistocene-age soils may be sufficiently close to the surface to be disturbed by grading activities.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR is directly applicable to the Project.

III.D. Cultural Resources

3. Mitigation Measures

1. Cultural resource and paleontological resource studies shall be required prior to development for all lands identified as having high potential for historic or archaeological resources or paleontological resources, as identified in the EIR. Studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground-disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.

Proposed Project Impact Analysis

The Project site is in an area identified as having low sensitivity for paleontological resources (2009 EIR Exhibit 111-5). Excavation in the young Quaternary alluvium is unlikely to uncover significant fossils, and no fossil discoveries have been reported locally. As a result, the Project is expected to have **no impact** on paleontological resources.

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.8 Greenhouse Gas Emissions

Impact 4.8 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and Unavoidable	☐	☐	☑	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant and Unavoidable	☐	☐	☑	☐

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

2009 GP EIR Impact Analysis – Significant and Unavoidable

Source: 2009 GP EIR Findings, pp. 11-104 to 11-114

Greenhouse Gas Emissions Impacts

The discussion and analysis of greenhouse gas emissions was provided in Section III-C Air Quality of the 2009 GP EIR. CEQA had not established significance thresholds for greenhouse gas emissions when the 2009 GP EIR was drafted; thus, there is not a standalone section.

The 2009 GP EIR determined that build-out of the General Plan and Annexation areas would increase emissions over 1990 levels, resulting in a significant impact. Mitigation measures were provided in the EIR. However, the reductions offered by these mitigation measures could not be effectively quantified. Therefore, the 2009 EIR determined that impacts associated with GHG emissions would be **significant and unavoidable.**

Applicable 2009 GP EIR Mitigation Measures

As stated in the General Plan EIR:

> Federal, state and local agencies have developed a range of mitigation measures that, with implementation, will reduce pollutant emissions associated with General Plan build out. These include achieving or exceeding California Title 24 Building Code standards, which will reduce pollutant emissions generated by power plants and the consumption of natural gas. The use of alternative methods of electrical power generation can replace the need for additional fossil fuel- based generating capacity and substantially reduce air quality emissions by utilizing clean energy sources such as wind and solar. In addition, air quality emissions from moving sources can be reduced by promoting public transit and alternative transportation options, use of electric and natural gas vehicles, and other land use and planning designs that reduce overall vehicle trips.

A wide range of mitigation measures can be applied to new development and redevelopment projects to reduce project-related pollutant emissions at General Plan build out, including those described below.[10]

The following Mitigation Measures from the 2009 GP EIR are partially applicable to the Project.

III.C. Air Quality

3. Mitigation Measures

Climate Change and GHG Reduction Measures

10. All new development shall be required to install infrastructure prior to occupancy, which will encourage a well-planned, orderly development pattern

12. New projects shall incorporate design parameters that allow for frequent, reliable, and convenient public transit.

15. Idling time for commercial, delivery, and construction vehicles shall be regulated and limited.

16. Landscaping designs shall use trees and other vegetation to maximize the shading of buildings in order to reduce energy requirements for heating and cooling.

21. Promote the use of facilities for low/zero carbon fueled vehicles in new developments, such as the charging of electric vehicles from green electricity sources. Promote the use of on-site renewable energy production including installation of photovoltaic cells or other solar options. The Town shall encourage the use of solar cells in private development and consider such project features favorably during project review. The Town shall investigate the cost effectiveness of installing such solar cells on Town buildings for the purposes of powering Town facilities and possibly selling excess "clean" energy back to the SCE power grid, pursuant to state law.

41. Prior to July 15, 2010, the Town shall develop and adopt a Climate Action Plan ("CAP") that enhances the General Plan's goals, policies and programs relating to meeting the greenhouse gas emission targets established in the California Global Warming Solutions Act, including reducing emissions to 1990 levels by including an emissions inventory; emission targets that apply at reasonable intervals through the life of the plan; enforceable GHG control measures; monitoring and reporting; and mechanisms to allow for the revision of the plan, if necessary, to stay on target. The goal of the CAP shall be to reduce greenhouse gas emissions within the Town's control the achieve the emission reduction goals required by AB 32, as further developed and quantified by the California Air Resources Board. The CAP shall quantify the approximate greenhouse gas emissions reductions of each measure developed with the CAP, and shall consider the mechanisms, strategies and techniques included above.

10 2009 GP EIR, p.III-40

Proposed Project Impact Analysis – Less Than Significant

The analysis in this section is based, in part, on the following technical information.

- Updated Air Quality, Greenhouse Gas Emissions, and Energy Impact Analysis Memorandum. LSA Associates Inc., dated June 3, 2025, included as **Appendix A** to this Initial Study.
- Mojave Desert Air Quality Management District, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020.

Note: The following GHG analysis is unchanged from the Draft circulated August 14–September 12, 2023. CalEEMod was used to quantify construction and operational GHG emissions for a 385,004-square-foot building and to evaluate consistency with applicable thresholds and reduction strategies (see Tables 4.8-1 through 4.8-4). With the Project now reduced to 354,260 square feet, energy use, fuel consumption, and trip activity would be lower than modeled.

Thresholds of Significance

The Town has not adopted a numeric significance threshold for GHG emissions. According to CEQA Guidelines §15064.4, when making a determination of the significance of greenhouse gas emissions, the "lead agency shall have discretion to determine, in the context of a particular project, whether to use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use." Moreover, CEQA Guidelines §15064.7(c) provides that "a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

Town of Apple Valley Climate Action Plan Threshold

The Climate Action Plan (CAP) includes general information about greenhouse gases and climate change, assumptions and data used to determine the 2005 inventory and baseline, the 2020 forecast under business as usual conditions, and the proposed reduction measures that will enable the Town to achieve the targeted reduction level, thereby doing its part to limit greenhouse gas emissions statewide that contribute to climate change.

2005 Baseline: 748,912 $MTCO_2e$
2020: 15% below baseline emission levels equal to 636,575 $MTCO_2e$
2030: 40% below baseline emission levels equal to 449,347 $MTCO_2e$
2050: 80% below baseline emission levels equal to 149,782 $MTCO_2e$

Greenhouse Gas Emissions Discussion

GHG emissions for the Project were estimated using the California Emissions Estimator Model (CalEEMod), which is the Mojave Desert Air Quality Management District's (MDAQMD's) recommended tool for quantifying criteria pollutant and greenhouse gas emissions associated with land use development. Applicable MDAQMD significance thresholds were used to evaluate Project impacts. The MDAQMD GHG thresholds include 100,000 tons of CO_2e per year for annual emissions and 548,000 pounds per day for daily emissions.

CalEEMod calculates CO_2e emissions in metric tons per year ($MTCO_2e$/year); for comparison with the MDAQMD threshold, emissions are presented in both metric tons per year and U.S. tons per year. Table 4.8-1 presents the combined construction and operational GHG emissions.

Construction Emissions

Construction activities generate GHG emissions from on-site equipment, off-road diesel engines, worker commute trips, and vendor/haul trucks. Construction emissions are temporary and occur only during the defined construction period. As shown in the CalEEMod results, total construction emissions equal 747 $MTCO_2e$.

Consistent with CEQA practice and statewide guidance, construction emissions are amortized over a 30-year project life to represent the Project's annualized contribution to GHG emissions: 747 $MTCO_2e$ ÷ 30 years = 24.9 $MTCO_2e$/year. This amortized value is added to the annual operational emissions for comparison to the MDAQMD annual threshold.

Operational Emissions

Operational emissions include mobile-source emissions (cars and trucks), energy use (electricity and natural gas), area sources, water supply and wastewater treatment, solid waste disposal, truck and trailer transport refrigeration units (TRUs), warehouse equipment, and the emergency fire pump.

The Project's refrigeration system uses CO_2 refrigerant (R-744), a low-GWP refrigerant. Modern CO_2 systems are sealed welded systems with very low leak rates, and CalEEMod does not calculate fugitive CO_2 emissions. Therefore, refrigerant-related GHG emissions are negligible.

The diesel fire pump (324 hp) operates only during emergencies. Routine testing of 1 hour per month reflects NFPA 25 and local fire code requirements for diesel fire pump maintenance.

The Project's total annualized GHG emissions equal 5,851.9 $MTCO_2e$/year, which is well below the MDAQMD annual significance threshold of 100,000 $MTCO_2e$/year.

Table 4.8-1 Annual Greenhouse Gas Emissions – Construction

Source Category	Annual Emissions ($MTCO_2e$/year)
Amortized Construction Emissions	24.9
Total Annual Construction Emissions	24.9
MDAQMD Annual Significance Threshold	100,000
Exceeds Threshold?	No

Table 4.8-2 Annual Greenhouse Gas Emissions – Operation

Source Category	Annual Emissions ($MTCO_2e$/year)
Area Sources	6
Energy Use	1,067
Mobile Sources	3,726
Truck/Trailer TRU Sources	464
Warehouse Equipment	355
Fire Pump	2
Waste	85
Water Supply and Wastewater Treatment	124
Refrigerant Leakage (CO_2 System)	0
Total Annual Operational Emissions	5,829.0
MDAQMD Annual Significance Threshold	100,000
Exceeds Threshold?	No

Conclusion

Because the Project's combined construction and operational emissions are well below the threshold, and because the Project incorporates low-GWP refrigeration, code-compliant building energy systems, and limited emergency engine usage, the Project would not generate GHG emissions that would have a significant impact on the environment. Therefore, greenhouse gas emissions would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

2009 GP EIR Impact Analysis – Significant and Unavoidable

Source: 2009 GP EIR Findings, pp. 11-104 to 11-114

As noted above, the 2009 GP EIR determined that build-out of the General Plan and Annexation areas would increase emissions over 1990 levels, resulting in a significant impact. Mitigation measures were provided in the EIR. However, the reductions offered by these mitigation measures could not be effectively quantified. Therefore, the 2009 EIR determined that impacts associated with GHG emissions would be **significant and unavoidable.**

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

The following analysis will consider whether the Project is compliant with the Apple Valley 2019 Climate Action Plan (CAP). If the Project is determined to be compliant with the CAP, then impacts related to the greenhouse gas emissions resulting from that Project will be considered less than significant. To ensure that the Project's GHG emissions are reduced to the greatest extent possible, the Project will be subject to applicable reduction measures from the CAP. The Project's consistency with applicable reduction measures is described in **Table 4.8-4.**

Town of Apple Valley Climate Action Plan 2019 Update

The 2019 Climate Action Plan (CAP) Update is Apple Valley's comprehensive strategy to reduce greenhouse gas (GHG) emissions in response to the challenges of climate change. The CAP, which was originally adopted in 2010, was designed to be revised every 3 years to respond to advances in technology, emerging policy reforms, and to build upon the successes of Apple Valley's efforts to reduce greenhouse gas emissions. The 2019 CAP represents the third update to the original document, and the information herein supersedes previous updates.[11] The 2019 CAP Update seeks to ensure that the reduction measures proposed and implemented in the CAP continue to support the Town's greenhouse gas emissions reduction targets of 15% below 2005 levels by 2020 and 40% below 2005 levels by 2030 per Senate Bill 32 (SB 32).

Based on a population of 84,535, **Table 4.8-3** below shows that for the Town to meet the 2030 emissions reduction target, the GHG emissions would have to be no more than 5.32 tons per capita. The table also shows that with implementation of the CAP reduction measures, the Town expects to go beyond the established emissions target, reducing forecasted emissions to 410,922 $MTCO_2e$ per year or 4.86 tons per capita. The 2030 emissions forecast with CAP measures accounts for community emissions, including industrial projects. It is therefore likely that the Project's estimated annual emissions of 5,827 $MTCO_2e$ would already be covered by the 2030 emissions forecast.

However, assuming an industrial development like the proposed Project was not accounted for in the CAP 2030 forecast, and to ensure a conservative analysis, the Project's emissions were added to the existing forecast. As shown in **Table 4.8-3**, the total annual emissions from the Project and existing 2030 forecast would be 416,749 $MTCO_2e$, or 4.93 tons per capita. Both the total and per capita emissions meet the CAP target for 2030 of 40% below the 2005 baseline. The Town-wide emissions in 2030, including the Project, would therefore meet the CAP greenhouse gas emissions reduction target.

Table 4.8-3 Project Emissions and CAP Reduction Target

Target/Scenario	Forecast ($MTCO_2e$)	Population	$MTCO_2e$ Per Capita
CAP 2030 forecast w/CAP measures	410,922	84,535	4.86
Project emissions (per year)	5,827	84,535	–
Total	416,749	84,535	4.93
CAP 2030 target (40% below baseline)	449,347	84,535	5.32
Would GHG Emissions Exceed the CAP 2030 Target?			No

Source: Town of Apple Valley's General Plan Housing Element and Climate Action Plan

To ensure that the Project's GHG emissions are reduced to the greatest extent possible, the Project will be subject to applicable reduction measures from the CAP. The Project's consistency with applicable reduction measures is shown in **Table 4.8-4**.

The CAP's reduction measures are divided into three broad categories: Town Municipal Operational Measures, Community Operational Measures, and New Development Measures. Because the Project is a "New Development," it is measured against the New Development Measures applicable to the

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

Project as shown in **Table 4.8-4**. As indicated in **Table 4.8-4** the Project would be consistent with the CAP New Development Measures, and therefore impacts are less than significant.

Table 4.8-4 Climate Action Plan (CAP) Development Measures

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

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

Source: Town of Apple Valley Climate Action Plan

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.9 Hazards and Hazardous Materials

Impact 4.9 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
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?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
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?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
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	☐	☐	☑	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Refer to Section 4.20, Wildfire	☐	☐	☐	☑

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-44 to 11-52

The use, storage and disposal of hazardous materials in Apple Valley are regulated by a variety of federal, state, regional, and local agencies. Among these are the County of San Bernardino Business Emergency/Contingency Plan (Business Plan), which requires new and existing businesses that generate or use hazardous materials to obtain approval from the County or Town prior to on-site use of such materials. The Town of Apple Valley Multi-hazard Functional Plan coordinates emergency response functions in the Town and with other agencies in the event of a hazardous materials spill or other disaster. The Town of Apple Valley is a member of the Southern California Hazardous Waste Management Authority. The Town's Development Code establishes standards that are intended to ensure that the use, handling, storage, and transportation of hazardous materials comply with all applicable requirements.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.G. Hazards and Hazardous Materials

3. Mitigation Measures

5. Future development within the General Plan area shall be required to comply with all applicable federal, state, and regional permitting requirements for hazardous and toxic materials generation and handling, including but not limited to the following:

a. If it is determined that hazardous wastes are, or will be, generated by any proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If so, the proposed facility shall obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.

b. If hazardous wastes are (a) stored in tanks or containers for more than ninety (90) days, (b) treated onsite, or (c) disposed of onsite, then a permit from the DTSC may be required. If so, the proposed facility shall contact DTSC at (818) 551-2171 to initiate pre-application discussions and determine the permitting process applicable to the facility.

6 Developers shall submit for approval a detailed description of any hazardous materials use, as well as detailed plans for location of any hazardous materials storage and management facilities to the Apple Valley Fire Protection District.

8. During project construction and implementation, the handling, storage, transport, and disposal of all chemicals, including herbicides and pesticides, runoff, hazardous materials and waste used on, or at, the project site, shall be in accordance with a project's BMPs/Integrated Pest Management Plan, other relevant regulatory plans, and applicable County, state, and federal regulations.

9. The Town shall require all business that use, store, or produce hazardous material to comply with the County's Business Plan in addition to all Town regulations.

Proposed Project Impact Analysis – Less Than Significant

Construction Impacts

Construction activities would involve the routine use of common hazardous materials such as diesel fuel and gasoline for equipment, motor oils and lubricants, hydraulic fluids, solvents and

cleaners, concrete-curing compounds, paints and coatings, and small quantities of adhesives and sealants.

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

Operational Impacts

Cold chain warehouse facilities often use ammonia-based refrigeration systems. Besides posing a corrosive risk to the lungs, skin, and eyes, ammonia also becomes flammable at an estimated 15% to 28% by volume in air.

The Occupational Safety and Health Administration (OSHA) has numerous ammonia-related standards, including protective clothing and eyewear guidelines. Moreover, employers must alert people to the associated hazards.[12]

1. The Project is subject to the mandatory requirements described above. Implementation of applicable General Plan policies and programs, as well as the following mitigation measures set forth in the Final EIR, will help ensure the proper handling of hazardous material releases or spills, so as to reduce them to less than significant levels:

    a. The Town shall maintain appropriately managed access routes to facilitate the transport of hazardous and toxic materials.

    b. The Town will work with the County Sheriff's Department, Caltrans, and CHP, to regulate the transport of hazardous materials along local roadways, state highways and routes, and interstates in the Town or the vicinity.

    c. The Town will coordinate with the Apple Valley Fire Protection District and the San Bernardino County Environmental Health Department to assure improved response to, and capability for, handling hazardous materials incidents.

    d. Future development within the General Plan area shall be required to comply with all applicable federal, state, and regional permitting requirements for hazardous and toxic materials generation and handling, including but not limited to the following:

        1) If it is determined that hazardous wastes are, or will be, generated by any proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If so, the proposed

12 Industry Safety & Hygiene News, (ISHN). https://www.ishn.com/articles/112965-a-quick-guide-to-keep-your-cold-storage-warehouse-employees-safe. Accessed July 10, 2025.

facility shall obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.

2) If hazardous wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from the DTSC may be required. If so, the proposed facility shall contact DTSC at (818) 551-2171 to initiate pre-application discussions and determine the permitting process applicable to the facility.

e. During project construction and implementation, the handling, storage, transport, and disposal of all chemicals, including herbicides and pesticides, runoff, hazardous materials and waste used on, or at, the project site, shall be in accordance with a project's BMP/Integrated Pest Management Plan, other relevant regulatory plans, and applicable County, state, and federal regulations.

f. The Town shall require all business that use, store, or produce hazardous material to comply with the County's Business Plan in addition to all Town regulations.

g. The Town shall annually update the SEMS Multihazard Functional Plan to ensure that emergency shelters and emergency evacuation routes are responsive to changing community needs.

h. The Town shall maintain documentation of known hazards to public health and safety and shall make this information available to government officials and organizations, emergency response personnel, and the general public.

With compliance with applicable federal, state, regional and local regulations, and the mitigation measures described above, impacts from the release of hazardous and toxic materials would be **less than significant.**

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR p.11-49

The land use plan of the General Plan does not result in the location of industrial land uses adjacent to existing schools. However, future schools could be proposed adjacent to commercial or industrial lands, and result in proximity of such schools to hazardous materials.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

The Project site is not located within one-quarter mile of a school. The nearest school is the Sycamore Rock Elementary School, approximately 3 miles to the southeast.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR, p. 116, and 122

A search of the US EPA Envirofacts Data Warehouse for the Town of Apple Valley conducted on October 20, 2008 did not identify any Federal Superfund Sites (NPL), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Permitted Sites, or Corrective Action Sites. The search did identify 7 school investigation sites, all of which require no further action since no hazards were found.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measure from the 2009 GP EIR is directly applicable to the Project.

III.G. Hazards and Hazardous Materials

3. Mitigation Measures

7. 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.

Proposed Project Impact Analysis – Less Than Significant

As detailed in the Phase I Environmental Site Assessment **(Appendix G)** prepared for the Project site and a one-half-mile radius encompassing the Project site, Environmental Database Reports were searched for records identifying recognized environmental conditions (REC), controlled recognized environmental conditions (CREC), and historical recognized environmental conditions (HREC) on or near the Project site. The assessment has revealed no recognized environmental conditions, historical recognized environmental conditions, controlled recognized environmental conditions, or significant data gaps in connection with the Subject Property and additional environmental investigations were not recommended.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings, p.11-89

The San Bernardino County Department of Airports provides for the management, maintenance, and operation of the Apple Valley Airport. Particularly hazardous land uses should be prohibited in all designated airport overlay zones, including those which would cause smoke, water vapor, or light interference impeding the pilot's ability to see the airfield. Uses which cause electrical interference with aircraft navigational and communications equipment also should be prohibited in the airport vicinity. Other inappropriate uses include those attracting large numbers of birds, including landfills and some types of food processing plants involving outdoor storage of grant and other raw materials or food by-products. The General Plan and Development Code include prohibitions against unsafe land uses, and conforms to the airport land use plan restrictions. The build-out of the General Plan will therefore not result in a safety hazard for people residing or working in the area.

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

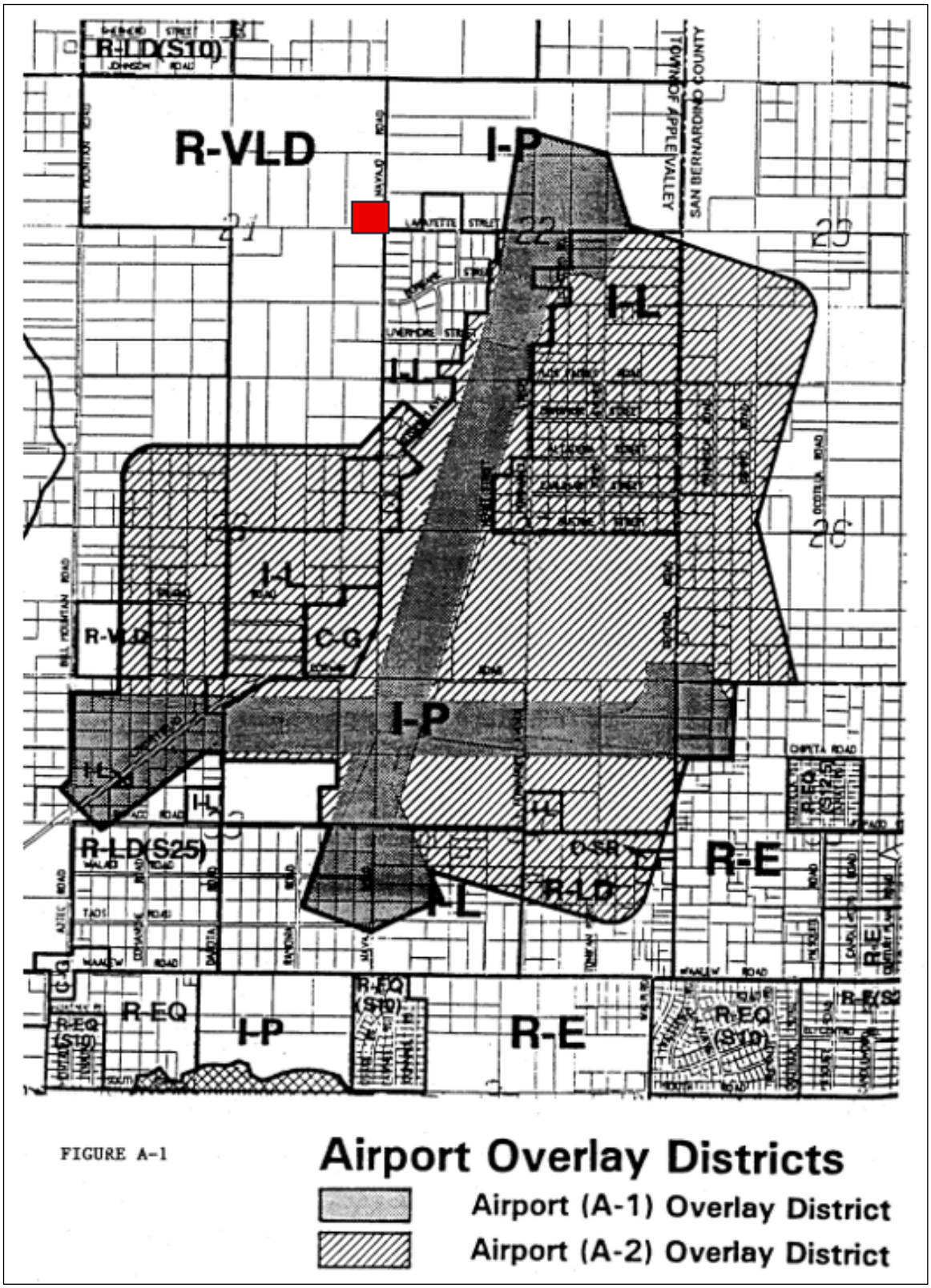
As shown in **Figure 4.9.1**, the Project site is not within an Airport Overlay District.13 No impact related to airport hazards for people residing or working on the Project site would occur. Mitigation is not required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

13 Town of Apple Valley Airport Land Use Compatibility Plan, March 1995. At: https://lus.sbcounty.gov/wp-content/uploads/sites/48/Airports/AppleValley.pdf

Figure 4.9.1 Apple Valley Airport Overlay Zoning District



f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings, pp. 11-51 to 11-52, 11-89

Major emergency routes in the Town include Central Road, Highway 18, and Interstate 15. The Town of Apple Valley Multi-hazard Functional Plan coordinates emergency response functions in the Town and with other agencies in the event of a hazardous materials spill or other disaster. The Town of Apple Valley is a member of the Southern California Hazardous Waste Management Authority. According to the Town's Local Hazard Mitigation Plan, interstates serve as major emergency response and evacuation routes.[14] Implementation of applicable General Plan policies and programs as well as mitigation measures set forth in the Final EIR, which require compliance with applicable federal, state, regional and local regulations, will reduce impacts associated with emergency plans and evacuation to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

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

These improvements would be subject to compliance with the Apple Valley Development Code and would be reviewed by the Apple Valley Fire Protection District and the San Bernardino County Sheriff's Department through the Apple Valley general development review process. Proper site design and compliance with standard and emergency access requirements would allow for evacuation if necessary during ongoing commercial operations. This would ensure that long-term impacts related to this issue are less than significant. Mitigation is not required. No new or increased severity of impacts would occur compared to those identified in the 2009 GP EIR.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

Wildfire

See Section 4.20 of this SIS/MND for a discussion of this topic.

14 Town of Apple Valley, Local Hazard Mitigation Plan, 2017, p. 4-76. Available at: https://www.applevalley.org/home/showpublisheddocument/24623/636571391905830000

4.10 Hydrology and Water Quality

Impact 4.10 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable ground-water management of the basin?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:					
(i) Result in substantial erosion or siltation on- or off-site?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
(iv) Impede or redirect flood flows?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR, p.III-142

Stormwater runoff from rooftops, streets, parking lots, and landscaped areas can pollute surface and groundwater. The Town complies with the NPDES under the Federal Clean Water Act of 1990, requiring stormwater management plans to limit pollutant discharge into U.S. waters. Developments that discharge directly to surface water must obtain an NPDES permit.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.H. Hydrology

3. Mitigation Measures

9 Future development proposals shall be required to submit a hydrology study and mitigation plan which conforms to the Apple Valley Master Plan of Drainage or the Apple Valley West/Desert Knolls Master Plan of Drainage and other regional and local requirements, policies, and programs.

10. All new development shall be required to incorporate, at the developer's expense, adequate flood control mitigation, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains and to, as part of project development.

11. Future flood control plans required of developers shall include specific recommendations and/or designs regarding pollution control techniques to be applied to keep pollutants, including herbicides, pesticides, and other hydrocarbons out of surface and groundwaters. Mitigation measures may include specifically designed open space areas such as artificial wetlands where nuisance and otherwise contaminated on-site runoff shall be retained separate from channels conveying off- site flows.

13. Stormwater retention shall be enforced through the development review process and routine site inspection.

Proposed Project Impact Analysis – Less Than Significant

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

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

Pre-Development Conditions

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

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

Construction Impacts

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

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

Compliance with the permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) will identify construction Best Management Practices (BMPs) that will be implemented to prevent soil erosion and the discharge of sediment into the local storm drains during the Project's construction phase. Typical BMP measures include, but are not limited to, preserving natural vegetation, stabilizing exposed soils, use of sandbags, and installation of temporary silt fencing.

Operational Impacts

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

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

Per the San Bernardino County Hydrology Manual, developed sites shall not increase flow rate exiting the site over the existing conditions. To meet mitigation requirements per "San Bernardino County Detention Basin Design Criteria" post-development peak flow rates generated by the site shall be less than or equal to 90% of the pre-development peak flow rate based on shifting the rainfall values for the 10-year, 25-year, and 100-year storms, providing a least a 50% confidence level that the detention basin outflow will not adversely impact downstream properties. This can be achieved with the use of an underground storm water chamber system with a minimum capacity of 2.9051 acre-feet (AF). This can be achieved with the use of 2,706 linear feet of 6-foot-diameter corrugated steel pipe in a gravel

bed measuring 900 feet by 28 feet and 8 feet of depth. Pipe shall be placed on a bed of 6 inches of gravel with 3-foot spacing between pipe side walls and 2 feet of gravel around the perimeter of the system. Out flow from the system shall be controlled with a 15-inch pipe and may be connected directly to the chamber system or any part of the on-site storm drain piping that is larger than 15 inches, as long as the invert remains 4 feet above the bottom of the chamber system. Total water depth is estimated to be at 7.70 feet from the bottom of the chamber system. Resulting in a peak out flow of the 100-year storm event is estimated to be 11.35 cfs. Discharge from the site to the street shall be routed through a 6-foot- wide parkway located along Lafayette Street near the southwest corner of the site.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR, p. III-164 to III-166

Future development of the General Plan area, including the Annexation areas, is expected to result in impacts to water resources that are about 17.5% more than those associated with the existing General Plan. Implementation of the proposed General Plan will facilitate urban development that will contribute to cumulative impacts on groundwater resources in the region; these impacts will include a reduction in the amount of potable groundwater in storage. The increased water consumption associated with General Plan build-out will occur over time, at a gradual rate as development occurs.

Development facilitated by adoption and implementation of the General Plan will require the expansion of existing or construction of new domestic water facilities to ensure adequate fire flows and provision of domestic water.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.I. Water Resources/ Quality

3. Mitigation Measures

General Mitigation Measures

3. The Town shall continue to implement its Water Conservation Plan ordinance and comply with State Assembly Bill 325 (AB 325) by limiting turfed areas in new projects, and requiring the use of native and other drought-tolerant planting materials, installing efficient irrigation systems and monitoring existing systems to ensure maximum efficiency and conservation.

4. The Town shall require that all new developments use water conserving appliances and fixtures, including low-flush toilets and low-flow showerheads and faucets. The Town shall require the application of water-conserving technologies in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and applicable sections of Title 24 of the State Code.

5. The Town shall encourage the use of faucets, showerheads and appliances in new development that exceed Title 20 and Title 24 water efficiency requirements.

11. The Town shall require that the development and maintenance of project-specific on-site stormwater retention/detention basins that implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and address applicable community design policies subject to all applicable regulations, standards and guidelines.

14. The Town shall restrict the amount of turf planted on all new commercial, industrial, public facilities, multi-family and front yards of single-family residential projects to reduce the amount of water used for irrigation.

15. Irrigation design that reduces overspray and uses conservation techniques shall be required for all new commercial, industrial, public facilities and multi-family projects which will reduce the amount of water used and wasted on irrigation.

Proposed Project Impact Analysis – Less Than Significant

Ground Water Supply Discussion

Groundwater levels in the Western Alto Subarea have declined due to intensive pumping and limited recharge, raising concerns about sustained yield and water quality. Although the subarea generally remains balanced, some areas show ongoing declines. The adjudicated sub-basin assigns users a Free Production Allowance (FPA); exceeding it requires purchasing replacement water, which the Mojave Water Agency (MWA) imports and recharges into the aquifer.

The Project site is outside designated recharge areas and will not add or withdraw groundwater. Construction will not affect groundwater flow. Compliance with codes will require a Water Quality Management Plan (WQMP) with Best Management Practices to ensure stormwater infiltration maintains post-development runoff at or below pre-development levels.

Project features like routing roof downspouts to pervious areas and preserving surface flows will support groundwater recharge. Infiltration basins and landscaped areas will be maintained as scheduled in the WQMP. With these measures, post-development infiltration will not exceed current levels, so the Project's impact on groundwater will be **less than significant** and no mitigation is needed.

Groundwater Recharge Discussion

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

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

Sustainable Groundwater Management Discussion

The Mojave River is an adjudicated basin (i.e., water rights are determined by court order).[15] Adjudicated basins are exempt from the Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of a basin. No component of the Project would obstruct or prevent the implementation of the management plan for the Mojave River Basin. As such, the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:

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

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

(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

(iv) Impede or redirect flood flows?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR, pp. III-42

The 2009 GP EIR evaluated the potential for future development allowed by the 2009 GP to result in the following impacts.

- Substantial erosion or siltation on- or off-site
- Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site
- 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
- Impede or redirect flood flows?

The proposed General Plan includes goals, policies and programs designed to limit flood hazards and protect natural watersheds as well as lives and properties in areas subject to flooding. In addition to

15 https://gis.water.ca.gov/app/bp-dashboard/final/, accessed on June 10, 2022.

land use strategies set forth in the General Plan Land Use Element, the Flooding and Hydrology Element establishes policies and programs intended to address potential flooding hazards and hydrology issues in the planning area as a whole, and establishes measures directed at minimizing the impacts of increased development of stormwater control facilities. Primarily, the Flooding and Hydrology Element will be implemented by the Apple Valley Master Plan of Drainage and the Apple Valley West/Desert Knolls Master Plan of Drainage. Both Master Plans of Drainage are currently being updated in consultation with the County of San Bernardino Flood Control District.

General provisions for flood hazard reduction are also provided in the Apple Valley Development Code, Grading Ordinance, and Subdivision Ordinance and apply to all lands in Areas of Special Flood Hazard. While the Town's Flood Hazard Overlay District and Flood Hazard Lake Overlay District are based on the FEMA maps, which show minimal at-risk areas, it should be noted that these provisions may also be applied to other portions of the planning area.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.H. Hydrology

3. Mitigation Measures

9. Future development proposals must submit a hydrology study and mitigation plan in accordance with the applicable Apple Valley and regional drainage master plans and policies.

10. Developers must ensure all new development includes sufficient flood control measures at their own expense, such as proper grading to avoid drainage issues on neighboring properties, on-site runoff retention, and suitable placement of structures in floodplains.

13. Stormwater retention will be enforced via development review and regular site inspections.

With the implementation of General Plan policies and programs, as well as mitigation measures set forth in the Final EIR, impacts associated with hydrology are reduced to less than significant levels.

Proposed Project Impacts – Less Than Significant

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

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

Existing Condition/Pre-Development

The 18.7-acre pre-developed site features sandy, loamy soil with little vegetation. It is affected by off-site runoff from a northeastern tributary, which flows southwest across the desert without a defined channel. The mostly flat Project area shows aerial evidence of southerly flows, though on-ground flow paths are unclear due to the sparse terrain cover.

Proposed Condition/Post Development

An increase in peak flow and runoff volume from Area "A" is anticipated due to the proposed development. To comply with the San Bernardino County Hydrology Manual, on-site mitigation will reduce discharge to 90% of pre-development conditions. According to the Detention Basin Design Criteria, post-development peak flow rates for 10-, 25-, and 100-year storms must be at or below 90% of pre-development rates, ensuring at least a 50% confidence level that outflows won't negatively affect downstream properties. After detention, the 100-year post-development runoff is 26.36 cfs, as shown in **Table 4.10-1**.

Table 4.10-1 Pre-Development vs. Post Development Storm Water Runoff

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

Source: Preliminary Hydrology Study, Appendix D

As shown in **Table 4.10-1** above, proposed development can be mitigated as designed to be compatible with the Town of Apple Valley Master Plan of Drainage. The development of the subject site will not significantly change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities.

Construction Impacts

Construction activities—including clearing, grading, paving, utility installation, building, and landscaping—will generate potential water quality pollutants such as silt, debris, chemicals, paints, and solvents. In the absence of protective measures, construction may create short-term impacts on water quality. The Town of Apple Valley, in accordance with the Town's General Plan and Environmental Impact Report, participates in the National Pollutant Discharge Elimination System (NPDES) and secures a Municipal Stormwater Permit for construction activities; this is required for all projects disturbing at least one acre of land.

Compliance with this permit mandates the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which details construction Best Management Practices (BMPs) to prevent soil erosion and sediment discharge into local storm drains. The SWPPP identifies BMPs and is focused on maintaining the quality of stormwater runoff and avoiding degradation of water quality. Typical BMPs may include:

- Diverting off-site runoff away from the construction area.
- Vegetating disturbed areas as soon as feasible after grading.
- Using perimeter straw wattles to contain sediment.
- Providing drop inlet protection (filters, sandbags, or straw wattles), and check dams within paved areas.
- Regularly watering exposed soils to minimize dust.
- Handling construction waste per specifications.
- Using contained wash-out and vehicle maintenance areas.

- Maintaining erosion and sediment controls for the duration of construction.
- Stabilizing entrances to prevent soil and debris from leaving the site.
- Providing training for all workers, including subcontractors, on site housekeeping practices.

The Town must also comply with the San Bernardino County Municipal NPDES MS4 Phase II Stormwater Permit by implementing a Construction Site Stormwater Runoff Control Program that aligns with the Mojave River Watershed SWMP. An Erosion and Sediment Control Plan (ESCP) is required for construction disturbing at least one acre of soil, ensuring BMPs are in place to prevent pollutant discharge. A Water Quality Management Plan (WQMP), prepared in accordance with regional guidance, must also be submitted and approved before grading permits are issued. Proper implementation of these BMPs for materials storage, waste handling, and equipment maintenance will minimize runoff pollution and help ensure compliance with both state and local regulations. As a result, short-term construction impacts on water quality standards and discharge requirements are expected to be less than significant.

Operational Impacts

Typical storm water pollutants include sediments, nutrients, trash, bacteria, oil, grease, and pesticides. The Municipal Separate Storm Sewer System (MS4) Permit and the Town of Apple Valley require a Water Quality Management Plan (WQMP) to address stormwater quality after construction. The Project will comply with both local and Phase II Small MS4 General Permit regulations for the Mojave River Watershed.

Site development increases runoff and peak flow, which must be mitigated. According to the San Bernardino County Hydrology Manual, post-development flow rates must not exceed existing conditions. Per county detention basin criteria, post-development peak flows should be no greater than 90% of pre-development rates for 10-, 25-, and 100-year storms, ensuring at least a 50% confidence level that downstream impacts are prevented.

Mitigation is achievable using an underground storm water chamber system with a minimum capacity of 2.9051 acre-feet, constructed with 2,706 linear feet of 6-foot corrugated steel pipe in a gravel bed (900 x 28 feet, 8 feet deep). Pipes are placed with specific gravel bedding and spacing. Outflow is regulated by a 15-inch pipe connected to the chamber or on-site drainage, provided the invert remains 4 feet above the base. The drainage area directs water to an underground infiltration system.

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[16] According to the California Department of Conservation, California Official Tsunami Inundation Maps,[17] the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche, because there is no water body around the Project site capable of producing as seiche.

16 https://www.fema.gov/flood-maps, accessed on June 10, 2022.

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings p.11-89.

The Environmental Checklist Form suggested by the CEQA Guidelines was utilized by the Town of Apple Valley as part of the Initial Study process. The Town reviewed the Checklist to ensure that the EIR would address all environmental issues required to be addressed by CEQA. The Town determined that the proposed project would have no impact regarding the release of pollutants due to inundation.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[18] According to the California Department of Conservation, California Official Tsunami Inundation Maps,[19] the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche, because there is no water body around the Project site capable of producing a seiche. There is no impact.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR p.11-64 to 11-67

General Plan policies and programs and mitigation measures set forth herein include compliance with measures set forth in the AVRWC and MWA Urban Water Management Plans, as well as with applicable state legislation intended to ensure the adequate provision of domestic water to future development. With the implementation of these policies, programs and measures, impacts to

18 Appendix H, National Flood Hazard Layer FIRMette, 06071C6475H, 08/28/2008.

19 https://www.arcgis.com/apps/mapviewer/index.html?layers=2769c700c0694548b5435a60ff52b807. Accessed August 20, 2025.

groundwater supplies and recharge in the General Plan area will be reduced to **less than significant** levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.I. Water Resources/Quality

3. Mitigation Measures

Water Conservation

3. The Town shall continue to implement its Water Conservation Plan ordinance and comply with State Assembly Bill 325 (AB 325) by limiting turfed areas in new projects, and requiring the use of native and other drought-tolerant planting materials, installing efficient irrigation systems and monitoring existing systems to ensure maximum efficiency and conservation.

4. The Town shall require that all new developments use water conserving appliances and fixtures, including low-flush toilets and low-flow showerheads and faucets. The Town shall require the application of water-conserving technologies in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and applicable sections of Title 24 of the State Code.

9. 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 extension

10. The Town shall require that the development and maintenance of project-specific on-site stormwater retention/detention basins that implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and address applicable community design policies subject to all applicable regulations, standards and guidelines.

11. The Town shall evaluate the potential of all proposed land use and development plans to create groundwater contamination hazards from point and non-point sources. The Town shall confer and coordinate as necessary with appropriate water agencies and water purveyors to ensure adequate review.

13. The Town shall restrict the amount of turf planted on all new commercial, industrial, public facilities, multi-family and front yards of single-family residential projects to reduce the amount of water used for irrigation.

14. Irrigation design that reduces overspray and uses conservation techniques shall be required for all new commercial, industrial, public facilities and multi-family projects which will reduce the amount of water used and wasted on irrigation.

Proposed Project Impact Analysis – Less Than Significant

As discussed under Thresholds 4.10 (a) and 10 (c), with implementation of the proposed drainage system improvements and features, the Project will not conflict with or obstruct implementation of the Lahontan Basin Plan. In addition, as discussed under Threshold 10 (b), the Project site is not subject to a Sustainable Groundwater Management Program and will not substantially impede sustainable groundwater management of the basin. Impacts are less than significant.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.11 Land Use and Planning

Impact 4.11 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	No Impact	☐	☐	☐	☑
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less Than Significant (Town limits) Less Than Significant (Annexation 2008-002), Significant and Unavoidable (2008-001)	☐	☑	☐	☐

a) Physically divide an established community?

2009 GP EIR Impact Analysis – No Impact

Source: 2009 GP EIR Findings p. 11-89.

The 2009 GP EIR determined that development proposed under the General Plan would have **no impact** regarding the physical division of an established community.

Applicable 2009 GP EIR Mitigation Measures

Mitigation measures were not required for this issue.

Proposed Project Impact Analysis –No Impact

The Project is situated within the boundaries of the North Apple Valley Industrial Specific Plan (NAVISP) and is included in a comprehensive planning program that aligns land uses with the placement of primary infrastructure such as roads and utilities. The Project site is positioned at the intersection of two main roadways and is surrounded by existing development. There is **no impact.**

Finding

The proposed Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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?

2009 GP EIR Impact Analysis – Less Than Significant (with Town limits), Significant and Unavoidable (Annexation Area 2008-001)

Source: 2009 GP EIR Findings, p. 11-91 and 11-92

The 2009 GP EIR determined that annexations would increase to residential units, commercial, and industrial square footage. Within the existing Town limits, this increase will be associated with changes in the distribution of land uses, including an increase in medium-density residential units.

The changes in the land use pattern within the Town, however, will not be significant, and will not substantially affect the pattern of development that has already occurred under the General Plan. Although the Land Use and Planning Section of the 2009 GP EIR did not specifically mention potential conflicts with any land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect, this issue was discussed throughout the 2009 GP EIR as a whole.

The following excerpts are from the 2009 GP EIR.

> An Environmental Impact Report (EIR) was prepared for this General Plan. The General Plan EIR provides a program-level review of the potential impacts associated with build out of the General Plan land uses, and implementation of the General Plan's Policies and Programs. Development and redevelopment projects proposed in the future, in addition to demonstrating consistency with the General Plan, will be subject to review under the California Environmental Quality Act (CEQA), if determined to be a project under CEQA. (2009 GP EIR p. I-4).
>
> This EIR has been prepared to analyze the environmental constraints and opportunities associated with adoption of the Apple Valley Comprehensive General Plan and two planned annexations. It assesses impacts and establishes appropriate mitigation measures. Further, it is intended to be used as an information database to streamline and facilitate the tiering of the environmental review process for future projects proposed in the Town. (2009 GP EIR p. I-1).
>
> The EIR also assesses a broad range of environmental issues associated with implementation of the General Plan. Among these are land use compatibility, traffic and circulation, flooding and drainage, geotechnical and seismic safety, air quality, biological and archaeological resources, noise impacts and visual resources. It considers the availability and provision of public services and facilities, as well as the socio-economic impacts of implementation of the General Plan. (2009 GP EIR p. I-2).

Therefore, development under the General Plan was discussed in each environmental topic and, with the exception of conflicts with the Mojave Desert Air Quality Plan, were found to have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation measure from the 2009 GP EIR is directly applicable to Project.

> **III.J. Land Use, Population and Housing**
>
> **3. Mitigation Measures**
>
> 1. Individual project proposals, especially those involving a mix of residential and other uses, as well as those located near sensitive lands or uses, shall be fully evaluated during the project review process to assure that all land use compatibility issues are addressed and mitigated.

Proposed Project Impact Analysis –Less Than Significant with Mitigation Incorporated

Throughout this Initial Study/Mitigated Negative Declaration, each environmental topic evaluates the Project's consistency with applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Rather than restating the same policies in a single table—which would duplicate the topical analyses—this section relies on the conclusions in each environmental issue area demonstrating that the Project complies with the applicable General Plan policies, Specific Plan requirements, Development Code standards, and regional plans referenced in those sections."2009 General Plan

- **Land Use Element:** The General Plan Land Use Designation for the Project site is SP (Specific Plan). The Project site is included in the NAVISP. As such, the Project is consistent with the General Plan land use designation of SP.
- **Circulation Element:** Please refer to Section 4.17, Transportation, for the analysis.
- **Conservation/Open Space Element:** Please refer to Section 4.1, Aesthetics, and Section 4.4, Biological Resources, for the analysis.
- **Noise Element:** Please refer to Section 4.13, Noise, for the analysis.
- **Safety Element:** Please refer to Section 4.9, Hazards and Hazardous Materials, for the analysis.
- **Community Design Element:** Please refer to Section 4.1, Aesthetics, for the analysis.

North Apple Valley Industrial Specific Plan

As stated in the 2009 General Plan:

> State law allows for the preparation of Specific Plans, which become site-specific General Plan and Zoning standards for a property or properties. The Specific Plan is required to include mapping, design standards and guidelines, analysis of infrastructure and phasing and other components necessary to allow the orderly development of the property or properties, in a manner consistent with the General Plan. The standards and procedures for the completion of a Specific Plan are provided in the Development Code. (2009 GP, p. I-4)

The Project site has a zoning classification of Industrial-Specific Plan. (I-SP). This classification provides for a range of clean, well-planned industrial, quasi-industrial, and commercial support uses within the North Apple Valley Industrial Specific Plan. Uses can range from manufacturing and warehousing to offices and retail facilities that support the employee population within the Specific Plan Area. Uses that generate excessive noise or other environmental impacts are not permitted in the District. All uses are to be conducted within enclosed structures. Outdoor storage may be permitted, if completely screened from view (NAVISP, p. II-7). As demonstrated throughout this SIS/MND document, the Project is consistent with zoning classification of I-SP. Additionally, as shown in **Table 4.11-1** below, the Project meets or exceeds the NAVISP development standards, **which function as regulatory design controls that inherently limit the scale, intensity, and physical placement of development in ways that avoid or reduce environmental effects. Compliance with these**

standards ensures appropriate building setbacks, height limits, lot coverage, circulation design, and landscaping, all of which are intended to maintain adequate separation from sensitive uses, minimize visual and noise impacts, reduce heat island effects, maintain drainage patterns, and ensure orderly site access and circulation. Therefore, adherence to the NAVISP development regulations serves as a built-in mitigation mechanism that reduces the potential for land use conflicts and environmental impacts.

Table 4.11-1 NAVISP Development Standards – Industrial Specific Plan Land Use District

Description	Requirement	Proposed Project
Minimum Lot Size	2 acres	17.68 acres
Minimum Width	100 feet	599 ± feet
Minimum Depth	100 feet	1,286 ± feet
Minimum Front Setback	25 feet	15 feet (Navajo Road)
Minimum Street Side Setback	25 feet	60 feet (Lafayette Street)
Minimum Building Rear Setback	15 feet	60 feet
Minimum Building Interior Side Yard Setback	0 feet	60 feet
Maximum Building Coverage (	45%	45%
Maximum Height Outside Airport Influence Area	50 feet	50 feet
Minimum Landscape Requirement	5% of the interior parking surface area	17%

Source: North Apple Valley Industrial Specific Plan, Table III-2, p.III-10, Site Plan, REV.A.

Town of Apple Valley Development Code

In instances where the NAVISP Development Regulations refer to the Town's Development Code, this situation is identified in the Analysis section for each environmental topic.

Mojave Desert Air Quality Management District Air Quality Management Plan

Please refer to Section 4.3 Air Quality, for the analysis.

San Bernardino County Regional Greenhouse Gas Reduction Plan

Please refer to Section 4.8 Greenhouse Gas Emissions, for the analysis.

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

Please refer to Section 4.10 Hydrology and Water Quality, for the analysis.

Conclusion

As demonstrated throughout this Initial Study document, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The only applicable mitigation relevant to this checklist question is Mitigation Measure III.J-1 from the 2009 General Plan EIR, which requires that individual development proposals be reviewed to ensure land use compatibility with surrounding uses. This measure is procedural in nature and is implemented through the Town's existing development review process. It applies broadly to future development under the General Plan rather than to a specific impact identified for this Project. In the context of this SIS/MND, compliance with Mitigation Measure III.J-1 reinforces that the Project has been evaluated for land use compatibility and does not result in a land use conflict or an environmental impact requiring additional mitigation.

Finding

The proposed Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.12 Mineral Resources

Impact 4.12 – Would the project result in:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) The loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑
b) 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?	Less Than Significant with Mitigation Incorporated	☐	☐	☐	☑

a) The loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

b) 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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-68 to 11-69

According to the 2009 EIR, the Town of Apple Valley had designated 452.5 acres as mineral resource land use. Of this, approximately 111.56 acres were developed for mining and processing of aggregate materials, and an additional 340.95 acres were designated for the use and production of mineral resources. The EIR found mining activities may be incompatible with surrounding land uses, as for example, dust, noise, and heavy truck traffic may create conflicts with residential and commercial uses. The designation of mineral resources land use, therefore, had some impact on the potential uses of adjacent lands and development proposals could be submitted to the Town that may generate land use conflicts with aggregate and limestone quarries. However, the 2009 EIR determined that thoughtful application of the Town's land use policies, and adherence to the following mitigation measures would reduce potential impacts from adjacent conflicting land uses to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

Because the proposed Project does not involve mining activities, there are no applicable mitigation measures.

Proposed Project Impact Analysis – No Impact

Mineral resources occur predominantly near the Mojave River as sand, gravel, and stone deposits. The Project site is located within the MRZ-3a mineral resource zone. According to California Department of Mines and Geology, MRZ-3a is an "area containing known mineral occurrences of undetermined mineral resource significance." The Project is located on land zoned Specific Plan Industrial (I-SP) by the NAVISP. According to NAVISP Table III-1, Allowable Uses, Mining is not

an allowable use. Therefore, impacts from the loss of available mineral resources of value to the state or local jurisdictions would be less than significant. Mitigation is not required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.13 Noise

Impact 4.13 – Would the project result in:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
b) Generation of excessive ground borne vibration or groundborne noise levels?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
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	☐	☐	☑	☐

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-70 to 11-71

The 2009 EIR found that build-out of the General Plan and Annexations will expose persons to noise levels in excess of standards in excess of those established in the General Plan. Noise impacts will be generated by short-term construction noise as well as increases in motor vehicle traffic generated by population growth.

The General Plan and mitigation measures described below utilize a variety of design features to reduce noise impacts. Motor vehicle noise is addressed through a variety of means, including enforcing truck route use, reducing vehicle speeds, regulating traffic flow using synchronized intersection signals, modifying parkway widths, using roadside acoustical barriers, and constructing roadways below the level of adjacent terrain.

Additionally, the Town has adopted exterior noise standards in Section 9.73.050 of its Development Code (Noise Ordinance) and has therein also provided regulations for noise measurement/monitoring, as well as establishing penalties for violation of the Noise Ordinance. The Town's exterior noise standards for various land uses are consistent with those set forth by the State of California in its "Land Use Compatibility for Community Environments" matrix.

With the application of General Plan policies and programs, as well as mitigation measures discussed above, potential noise impacts associated with build-out of the General Plan will be reduced to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.L. Noise

3. Mitigation Measures

1. The Town shall continue to maintain and enforce its noise ordinance to ensure that noise impacts throughout the General Plan area are maintained at acceptable levels.

10. All construction equipment operating in the General Plan area shall be equipped with properly operating and well-maintained mufflers to limit noise emissions.

12. Construction activities shall be conducted in compliance with the Town's Noise Ordinance to ensure that acceptable noise levels are achieved during sensitive time periods.

Proposed Project Impact Analysis – Less Than Significant with Mitigation Incorporated

The following analysis is based in part on the following technical information.

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

Note: The following Noise analysis is unchanged from the Draft circulated August 14–September 12, 2023. Construction equipment and operational noise (including heavy-truck movements) were analyzed for a 385,004-square-foot building using standard reference levels and propagation methods (see Tables 4.13-1 through 4.13-6). With the building area reduced to 354,260 square feet, construction activity and operational intensity would be lower than modeled.

Methodology

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

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

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

Existing Ambient Noise Levels

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

Figure 4.13.1, **Table 4.13-1**, and **Table 4.13-2** describe the measured average ambient noise levels.

Table 4.13-1 Short-Term Ambient Noise Level Measurements

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

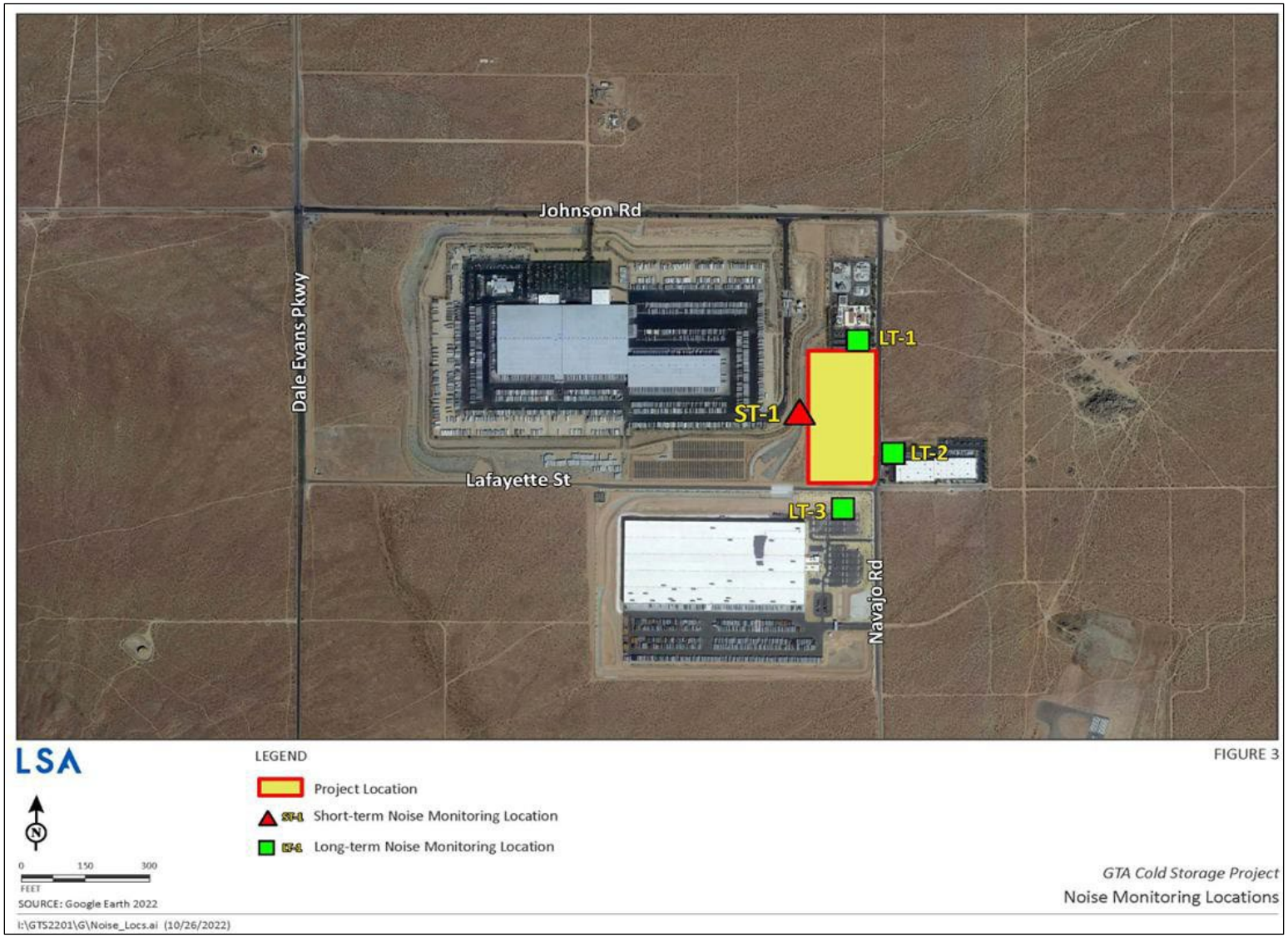
Source: Compiled by LSA (2022).
dBA = A-weighted decibel; Leq = equivalent continuous sound level; Lmax = maximum measured sound level Lmin = minimum measured sound level

Table 4.13-2 Long-Term Ambient Noise Monitoring Results

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

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

Figure 4.13.1 Noise Measurement Locations



Short-Term Construction Noise Impact Analysis

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

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

The second type of short-term noise impact is related to noise generated from construction activities. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. The Project anticipates site preparation and grading, building construction, paving, and architectural coating phases of construction. These various sequential phases change the character of the noise generated on a project site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. **Table 4.13-3** lists the Lmax recommended for noise impact assessments for typical construction equipment included in the FHWA Highway Construction Noise Handbook (FHWA 2006), based on a distance of 50 feet between the equipment and a noise receptor.

As shown on **Table 4.13-3** below, noise levels generated by heavy construction equipment can range from approximately 75 dBA to 99 dBA when measured at 50 feet.

Table 4.13-3 Typical Construction Equipment Noise Levels

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

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

CA/T = Central Artery/Tunnel; FHWA = Federal Highway Administration; ft = foot/feet; Lmax = maximum instantaneous noise level

Table 4.13-4 shows the combined noise level at 50 feet from all mobile and stationary equipment in each phase as well as the Leq noise level for each equipment at 50 feet based on the quantity, reference Lmax noise level at 50 feet, and the acoustical usage factor. As shown in **Table 4.13-4**, construction noise levels would reach up to 89.2 Leq at a distance of 50 feet from mobile construction equipment and 82.5 dBA Leq at a distance of 50 feet from stationary construction equipment.

Table 4.13-4 Summary of Construction Phase, Equipment, and Noise Levels

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

Source: Compiled by LSA (2022).
1. The acoustical usage factor is the percentage of time during a construction noise operation that a piece of construction equipment operates at full power.
2. Stationary construction equipment is not anticipated during this construction phase.
3. Mobile construction equipment is not anticipated during this construction phase.

dBA = A-weighted decibels; ft = foot/feet; Leq = equivalent continuous sound level; L_{max} = maximum instantaneous noise level

Table 4.13-5 shows the noise levels generated from mobile construction activities from the center of the Project site during the noisiest construction phase at the closest off-site property lines surrounding the Project site. As shown in **Table 4.13-5** the property lines to the north and west representing the college and the industrial use would be exposed to mobile construction noise levels of 66.6 dBA Leq and 73.5 dBA Leq, respectively. These noise levels would not exceed the Town's mobile construction noise standard of 85 dBA Leq for business properties. It should be noted that the college was evaluated as a business property because the college is zoned for industrial under the NAVISP.

Table 4.13-5 Mobile Construction Noise Levels

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

Source: Compiled by LSA (2022).
1. Distance from the center of the project site to the property line of the affected land use.
2. The college was evaluated as a business property with a mobile construction noise standard of 85 dBA Leq because the college is zoned for industrial under the North Apple Valley Industrial Specific Plan (NAVISP).

dBA = A-weighted decibels; ft = foot/feet Leq = equivalent continuous sound level

In addition, **Table 4.13-6** shows the noise levels generated from stationary construction activities in the area where the warehouse building would be constructed during the noisiest construction phase at the closest off-site property lines surrounding the Project site. As shown in **Table 4.13-6**, the

property lines to the north, south, and west representing the college and industrial uses would be exposed to stationary construction noise level of 81.7 dBA Leq, 76.1 dBA Leq, and 81.7 dBA Leq, respectively.

These noise levels would exceed the Town's stationary construction noise standard of 75 dBA Leq for business properties. Similar to mobile construction activities, it should be noted that the college was evaluated as a business property because the college is zoned for industrial under the NAVISP. Implementation of a minimum 10-foot-high portable temporary construction barrier would be required when stationary construction equipment is not shielded by the proposed warehouse building and is located within 120 feet of the Project construction boundary. The 10-foot-high portable temporary construction barrier would provide a noise reduction of 10 dBA and would reduce construction noise levels to below the Town's stationary construction noise standard of 75 dBA Leq for business properties, as shown in **Table 4.13-6**.

Table 4.13-6 Stationary Construction Noise Levels

Land Use	Direction	Reference Noise Level at 50 ft (dBA)	Distance[1] (ft)	Distance Attenuation (dBA)	Noise Level without Mitigation (dBA Leq)	Construction Noise Standard (dBA)	Exceeds Noise Standard?	Noise Level with Mitigation (dBA Leq)	Exceeds Noise Standard?
College	North	82.5	55	0.8	81.7	75[2]	Yes	71.73	No
Industrial	East	82.5	230	13.3	69.2	75	No	--	--
Industrial	South	82.5	105	6.4	76.1	75	Yes	66.13	No
Industrial	West	82.5	45	-0.9	83.4	75	Yes	73.43	No

Source: Compiled by LSA (2022).

1. Distance from the active construction area near the center of the project site to the property line of the affected land use.
2. The college was evaluated as a business property with a stationary construction noise standard of 75 dBA Leq because the college is zoned for industrial under the North Apple Valley Industrial Specific Plan (NAVISP).
3. A 10 ft high portable temporary construction barrier located near the stationary construction equipment would provide a minimum noise reduction of 10 dBA.

dBA = A-weighted decibels; ft = foot/feet Leq = equivalent continuous sound level

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

Project-Specific Mitigation Measures

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

Operational Noise Analysis

Long-Term Traffic Noise Impacts

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

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

Long-Term Stationary-Source Noise Impacts

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

Truck Delivery and Truck Loading and Unloading Activities

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

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

Truck Parking Activities

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

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

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

Refrigeration Equipment

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

Fire Pump

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

Heating, Ventilation, and Air Conditioning Noise

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

Stationary-Source Noise Impacts Summary

The combined stationary-source noise level at the property line of the college would be 62.2 dBA Lmax (64.0 dBA Leq). At the property line of the industrial uses to the east, south and west, the combined stationary-source noise levels would be 64.9 dBA Lmax (64.0 dBA Leq), 59.1 dBA Lmax

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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b) Generation of excessive ground borne vibration or groundborne noise levels?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR, p. III-24

Build-out of the proposed General Plan and annexations will result in overall increases to community noise levels from increased urbanization and associated activities including short- term construction noise, increases in motor vehicle traffic and other modes of transportation.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.L. Noise

3. Mitigation Measures

1. The Town shall continue to maintain and enforce its noise ordinance to ensure that noise impacts throughout the General Plan area are maintained at acceptable levels.

Proposed Project Impact Analysis – Less Than Significant

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

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings pp. 11-82

The 2009 EIR determined that there were no private airstrips in the General Plan area, but that the Apple Valley Airport would generate noise in the NAVISP area. The 2009 EIR analyzed the findings of the Airport's expansion plans, and found that the 65 and 60 dBA CNEL noise levels were all contained within the Airport property. In addition, the land uses proposed around the Airport in the NAVISP were less sensitive commercial and industrial uses. The 2009 EIR concluded that the Apple Valley Airport would have less than significant impacts on the Town's noise environment.

Applicable 2009 GP EIR Mitigation Measures

No mitigation measures were required.

Proposed Project Impact Analysis – Less Than Significant

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.14 Population and Housing

Impact 4.14 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant (Town limits and Annexation 2008-002) Significant and Unavoidable (Annexation 2008-001)	☐	☐	☑	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less Than Significant	☐	☐	☐	☑

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

2009 GP EIR Impact Analysis – Less Than Significant (Town Limits and Annexation 2008-002), Significant and Unavoidable (Annexation 2008-001)

Source: 2009 GP EIR Findings pp. 11-116 and 111-17

Implementation of the General Plan and Annexations may present inconsistencies with the land use plan established by the County of San Bernardino for Annexation Area 2008-001. This area is anticipated to shift from predominantly low-density residential designations to higher residential densities, including Medium Density and Mixed-Use residential development. Annexation 2008-001 will also change areas currently designated as Rural Living in the County General Plan to commercial and industrial uses. As development proceeds in the Town over the next several years, it is expected that land uses within Annexation 2008-001 would become more intensive regardless of existing patterns. The proposed land use designations in this annexation area are projected to alter the current pattern of scattered residential development. General Plan policies and programs, along with standards in the Town's Development Code, are intended to provide buffers between residential and commercial or industrial land uses, which may help limit development impacts on current residents. However, changes in land use designations as outlined in this General Plan and Annexation process cannot be mitigated to less than significant levels. As a result, impacts related to land use within Annexation 2008-001 are considered significant and unavoidable.

Applicable 2009 GP EIR Mitigation Measures

The Project site is maintaining the existing land use designation. There are no applicable mitigation measures for this issue.

Proposed Project Impact Analysis – Less Than Significant

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings p. 11-89.

The 2009 GP EIR found that the displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere was insignificant and no mitigation was required.

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – No Impact

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.15 Public Services

Impact 4.15 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Less Than Significant with Mitigation Incorporated				
i) Fire protection?		☐	☐	☑	☐
ii) Police protection?		☐	☐	☑	☐
iii) Schools?		☐	☐	☑	☐
iv) Parks?		☐	☐	☑	☐
v) Other public facilities?		☐	☐	☑	☐

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

i) Fire protection?
ii) Police protection?
iii) Schools?
iv) Parks?
v) Other public facilities?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-74 to 11-85

The 2009 GP EIR found that development of the land uses allowed by the General Plan will result in development that will generate increased demand for fire protection services, police protection services, school facilities, and libraries. To maintain an adequate level of services, the expansion of public facilities infrastructure will be required, which may result in potentially significant impacts on the physical environment.

In outlying or previously undeveloped areas, new fire stations, fire hydrants, and the extension of water mains may also be required to deliver adequate fire flows, police substations or vehicle maintenance facilities may be required, new school facilities may have to be constructed, and additional library space may be required. To offset the cost for construction of these new facilities, the Town imposes development impact fees.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.M. Public Services and Facilities

Fire Protection

3. Mitigation Measures

4. The Apple Valley Fire Protection District shall continue to review new development proposals and evaluate project plans to assure that it can provide adequate fire protection.

Law Enforcement

3. Mitigation Measures

1. New development projects shall be reviewed by the Sheriff's Department to ensure the Department's ability to provide adequate police protection. New developments shall comply with established Sheriff's Department standard.

Schools

3. Mitigation Measures

1. Statutory school mitigation fees for residential and commercial development shall continue to be assessed to developers.

With the implementation of these mitigation measures, impacts would be **less than significant.**

Proposed Project Impact Analysis – Less Than Significant

Fire Protection

The Apple Valley Fire Protection District (AVFPD) provides fire protection and prevention and emergency services to the Town and the Project site. The AVFPD is an independent district that encompasses a total of ±206 square miles serving the Town as well as unincorporated areas of San Bernardino County.[20] The AVFPD extends from Mojave River on the western boundary to Lucerne Valley in the east.[20] The District's desired ratio for full-time fire personnel to population is approximately 1 firefighter for every 1,500 persons within the service area.

Development of the proposed industrial facility may incrementally increase the demand for fire protection services but not to the degree that the existing fire stations could not meet demand because fire hazards are continuously monitored and investigated by AVFPD through their ongoing programs. The fire stations nearest to the Project site are AVFPD Station 334 at 12143 Kiowa Road and Station

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

337 at 19305 Jess Ranch Parkway. These fire stations have an average response time of 6 minutes 25 seconds within the Town, ensuring quick access to fire services in emergencies. Additionally, the AVFPD maintains a mutual aid agreement with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management, which allows nearby fire departments to assist the Town during major emergencies.

Project design features incorporated into the structural design and layout of the proposed development would keep service demand increases to a minimum. For example, the Town and AVFPD will coordinate closely to enforce fire codes and other applicable standards and regulations as part of building plan review and conduct building inspections. The AVFPD will continue to review the development process to identify and mitigate any fire hazards and ensure adequate emergency water flow to the proposed development.

As required by **Fire Protection Mitigation Measure 3.4**, the Project would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public safety structures such as fire stations and purchasing equipment for new public safety structures. Impacts are less than significant.

Law Enforcement

The Town of Apple Valley contracts with the San Bernardino County Sheriff's Department for law enforcement services within Town limits. The Apple Valley Police Department is in the Apple Valley Civic Center at 14931 Dale Evans Parkway in Apple Valley.

The Project was reviewed by the Sheriff's Department and found that the adequate facilities exist to support Department personnel and equipment.

As required by **Law Enforcement Mitigation Measure 3.1**, the Project would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public safety structures such as fire stations and purchasing equipment for new public safety structures. Impacts are less than significant.

Schools

The Project does not include housing; therefore, no increase in the number of school-age students is expected. As required by **Schools Mitigation Measures 3.1,** the Project would pay school impact fees.

Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." Through payment of development fees, impacts are less than significant.

Parks

The Project does not include development of residential units; therefore, there would be no direct increase in population or corresponding demand for park facilities or programs. The Project would provide new jobs for people that would either live in Apple Valley or in the surrounding communities where existing parks are available. It is anticipated that the Project would not increase the use of existing neighborhood parks or regional parks in the Town or in the surrounding area. Additionally,

as required by the Town Ordinance No. 294, the Project is required to pay Development Impact Fees. Impacts are less than significant.

Other Public Facilities

The type of use of the proposed Project (i.e., cold storage) does not generate new population, because employees and patrons are expected to reside in Apple Valley and vicinity. Also, the Project is consistent with the Town's Land Use and Zoning designations, so it will cause an unanticipated increase in population. Additionally, as required by the Town Ordinance No. 294, the Project is required to pay Development Impact Fees. Impacts are less than significant.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.16 Recreation

Impact 4.16 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact	☐	☐	☐	☑

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

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-87

Build- out of the General Plan and Annexations would increase the use of existing neighborhood and regional parks and other recreational facilities. Impacts from increased population and resulting utilization of local recreational resources are expected to be reduced to less than significant levels through implementation of Quimby Act requirements, including payment of applicable in lieu fees and dedication of parklands for projects above certain thresholds. To facilitate the acquisition of further areas of parkland the Town may, in addition to the Quimby Act, implement Development Agreements and/or Developer Impact Fees, as well as a range of other funding mechanisms that are provided for in the Parks and Recreation Element of the General Plan.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.L. Recreational Resources

3. Mitigation Measures

1. The Town will require developers to participate in the Town's parkland fee programs/Quimby requirements.

Proposed Project Impact Analysis – Less Than Significant (Threshold a) No Impact (Threshold b).

The Project does not directly increase the demand for recreational facilities because it does not include housing. It may indirectly increase the demand for and the use of recreational facilities if the jobs it creates result in new residents.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.17 Transportation

Impact 4.17 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less Than Significant	☐	☐	☑	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Not Directly Analyzed	☐	☐	☑	☐
c) 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 with Mitigation Incorporated	☐	☐	☐	☑
d) Result in inadequate emergency access?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

2009 GP EIR Impact Analysis – Less Than Significant

Source: 2009 GP EIR Findings pp. 11-89, 11-93, 11-118 to 11-121

On December 28, 2018, the California Office of Administrative Law approved revised CEQA guidelines, removing vehicle delay and level of service (LOS) from consideration. Now, transportation impacts are evaluated using Vehicle Miles Traveled (VMT). As a result, the 2009 GP EIR's LOS analysis is excluded from the Initial Study. However, LOS still must be reviewed for General Plan consistency, which appears in the Site Plan Staff Report.

This section examines whether the Project presents any conflicts with the Town's circulation system, encompassing transit, roadway, bicycle, and pedestrian facilities.

The Town's circulation system included the following components regarding transit, roadways, bicycles, and pedestrian facilities.

Sustainability Principles

The following objectives have been considered in the design of the proposed Circulation system to improve and further develop its ability to be sustainable.[21]

- *Network Connectivity*: where possible, more than one route between land uses is provided;

21 2009 GP EIR, p. III-288

- *Operational Balance:* flexibility so as to realize community objectives and allow the Town to further its goals towards place making while preserving safety and mobility;
- *Emissions Reduction/Energy Efficiency*: gives priority to design that provides for minimizing idling times and reducing vehicle miles traveled, contributes towards resource conservation and minimizes waste;
- *Pedestrian Accommodations:* fully integrates pedestrian walkways and bike paths;
- *Transit Readiness:* provides access to transit stops and promotes effective inter-modal connections.

Proposed Multi-Use Trails

Bike Paths[22]

- The Town of Apple Valley proposes expanded and updated bike facilities as shown on Exhibit III-32. The proposed bikeway system includes more connectivity, allowing bicycle users better access throughout the Town and planning area.
- Apple Valley's bicycle network is part of a larger regional bikeway system that provides bicycle corridors and transit connections to regional facilities. Cooperation with neighboring cities and the County ensures that the bicycle network is an effective tool in providing greater access to the region's transit network, as well as providing a backbone of commuter bikeways to facilitate greater commuter bicycle travel.

Impacts were found to be **less than significant.**

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.O. Transportation and Traffic

3. Mitigation Measures

11. The Town shall ensure that sidewalks are provided on all roadways that are 88 feet wide or wider. In Rural Residential land use areas, the Town shall ensure that designated pathways are provided.

14. The Town shall require, as necessary, project-specific and/or phase-specific traffic impact analyses for subdivision and other project approvals. Such analyses may be required to identify build-out and opening year traffic impacts and service levels, and may need to exact mitigation measures required on a cumulative and individual project or phase basis.

18. All new development shall be required to pay a "fair share" of improvements to surrounding roadways, bridges and signals that are impacted by and are located within and surrounding the development project.

22 2009 GP EIR, p. III-307

19. The Town shall ensure that pedestrian access is preserved and enhanced by means of the following: improved sidewalks, pedestrian walkways, lighting and landscaping designs and connections to existing sidewalks and trails.

20. New development proposals shall be required to construct bicycle lanes in conjunction with off-site improvements.

Proposed Project Impact Analysis – Less Than Significant

Roadway Facilities

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

Bicycle and Pedestrian Facilities

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

Public Transit Facilities

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

Bike Paths

The Town of Apple Valley proposes expanded and updated bike facilities as shown on Exhibit III-32. The proposed bikeway system includes more connectivity, allowing bicycle users better access throughout the Town and planning area. Apple Valley's bicycle network is part of a larger regional bikeway system that provides bicycle corridors and transit connections to regional facilities. Cooperation with neighboring cities and the County ensures that the bicycle network is an effective tool in providing greater access to the region's transit network, as well as providing a backbone of commuter bikeways to facilitate greater commuter bicycle travel.

- Navajo Road
  - Between LaFayette Street and Fresno Road – new Class II bike lanes
  - Between Thunderbird Road and Yucca Loma Road – change from Class I to Class II bike lanes
  - Between Tussing Ranch Road and Ocotillo Way – new Class II bike lanes

- LaFayette Street
  - Between Dale Evans Parkway and Dachshund Avenue – new Class II bike lanes
  - Between Dachshund Avenue and Navajo Road – new Class II bike lanes
  - Between Navajo Road and Central Road -- new Class II bike lanes

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

2009 GP EIR Impact Analysis – Not Directly Analyzed

Source: 2009 GP EIR Findings pp. 11-89, 11-93, 11-118 to 11-121

As noted above, on December 28, 2018, the California Office of Administrative Law approved revised CEQA guidelines, removing vehicle delay and level of service (LOS) from consideration. Now, transportation impacts are evaluated using Vehicle Miles Traveled (VMT). As a result, the 2009 GP EIR's LOS analysis is excluded from the Initial Study. However, LOS still must be reviewed for General Plan consistency, which appears in the Site Plan Staff Report.

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis

The following analysis is based in part on the following technical information.

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

Note: The following VMT analysis is unchanged from the Draft circulated August 14–September 12, 2023. Trip generation and VMT were developed using ITE Trip Generation (11th Ed.) and SBTAM for a 385,004-square-foot building and evaluated against the Town of Apple Valley's adopted VMT thresholds (see Tables 4.17-1 and 4.17-2). As circulated, the Project's VMT per service population was below the Town's threshold in both the base year (approximately 5.7% below) and cumulative year (approximately 0.2% below). With the Project reduced to 354,260 square feet, trips and VMT would be lower than modeled.

With the adopted guidelines, transportation impacts are to be evaluated using the metric of VMT. The Town adopted its Resolution No. 2021 08 on May 11, 2021. The resolution contains the VMT analysis methodologies for non-screened development. Additionally, the Town recommended using the screening criterion from the County's TIS (Transportation Impact Study) Guideline to determine whether a project could be screened out from a detailed VMT analysis.

Project Screening Determination

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

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

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

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

Project Traffic Analysis Zone Update

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

population. Project land uses were converted into model socioeconomic data using appropriate regional factors.

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

Model Runs and Project VMT Estimation

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

Project VMT Impact

Both construction and operational activities were considered in evaluating transportation impacts. Consistent with CEQA Guidelines Section 15064.3 and Caltrans' **Transportation Analysis under CEQA, Second Edition (September 2024)**, construction-related trips are temporary and do not generate long-term VMT. As noted by Caltrans, 'vehicle trips used for construction purposes would be temporary, and any generated VMT would generally be minor and limited to construction equipment and personnel and would not result in long-term trip generation.[23]' Therefore, construction activities do not require quantitative VMT analysis, and construction-related traffic is addressed qualitatively. Operational VMT was evaluated using the LSA (2023) Trip Generation and VMT Memorandum based on SBTAM regional modeling.

Table 4.17-1 summarizes the Town's significant threshold and Project VMT per service population for the base year. As shown in **Table 4.17-1**, the Project's VMT per service population is 5.7% lower than the Town's threshold. Therefore, based on the Town's VMT resolution, the Project will not have a significant VMT impact for the base year.

Table 4.17-1 Threshold and Base Year Project VMT per Service Population

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

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

Table 4.17-2, Threshold and Cumulative Year Project VMT per Service Population below, summarizes the significant threshold and the Project's VMT per service population for the cumulative year. As shown below, the Project's cumulative year VMT per service population is 0.2% lower than the Town's threshold. Therefore, as stated in the Town's VMT resolution, the Project will not have a significant VMT impact for the cumulative year.

23 Transportation Analysis under CEQA Second Edition September 2024, pg 21

Table 4.17-2 Threshold and Cumulative Year Project VMT per Service Population

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

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

Project's Effect on VMT

The VMT per service population values shown in Table 4.17-3 were calculated using the San Bernardino Transportation Analysis Model (SBTAM), which provides townwide daily VMT and service population (residents plus employees) under No Project and With Project conditions. The Project's trip generation was added to the SBTAM baseline network, and the model was run to determine whether the additional Project-generated trips changed total daily VMT or the townwide service population. The resulting VMT per service population metric is calculated by dividing total daily VMT by total service population. Because the Project generates relatively few new daily trips compared to the townwide trip totals, the With Project model run produced the same VMT per service population value as the No Project condition, resulting in a less-than-significant impact.

Table 4.17-3 Base Year (2016) Townwide Roadway VMT per Service Population

2040	No Project	With Project	Difference	Percentage Difference
Town of Apple Valley*	9.3	9.3	0.0	0.0%

Estimated using SBTAM model.

Table 4.17-3 below summarizes the corresponding values for cumulative year. As shown in **Table 4.17-3**, the With Project townwide roadway VMT per service population remains unchanged compared to the No Project metric. As such, the Project's effect on VMT for the cumulative year is **less than significant.**

Table 4.17-4 Cumulative Year (2040) Townwide Roadway VMT per Service Population

2040	No Project	With Project	Difference	Percentage Difference
Town of Apple Valley*	10.7	10.7	0.0	0.0%

*Estimated using SBTAM model

Finding

The proposed Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

2009 GP EIR Impact Analysis –Less Than Significant

Source: 2009 GP EIR Findings pp. 11-89

The Town of Apple Valley used Appendix G of the CEQA Guidelines for its Initial Study. Reviewing the Checklist ensured the EIR covered all required environmental issues. The Town found that the General Plan build-out would not significantly increase hazards due to design or incompatible uses, so no mitigation measures were needed. Future street improvements will follow all relevant engineering and safety standards. Additionally, the Project is located in an area planned for industrial

uses. As such, the Project would not be incompatible with existing development in the surrounding area to the extent that it would create a transportation hazard because of an incompatible use. Overall impacts are expected to be less than significant.

Applicable 2009 GP EIR Mitigation Measure

No mitigation measures are applicable to the Project for this issue.

Proposed Project Impact Analysis – Less Than Significant

There are no proposed roadway improvements other than to rehabilitate pavement and construct curb, gutter, and sidewalk adjacent to the project site. In addition, the Project is located in an area planned for industrial uses. As such, the Project would not be incompatible with existing development in the surrounding area to the extent that it would create a transportation hazard because of an incompatible use.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

d) Result in inadequate emergency access?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-93 to 11-94

Emergency access to development throughout the planning area has been and will continue to be designed in a manner consistent with the requirements of emergency service providers and the Apple Valley Municipal Code. Future site-specific development will be subject to design review by the Apple Valley Fire Protection District and Police Department. Build-out of the Proposed General Plan is not expected to result in any adverse impacts. As such, impacts are less than significant.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.O. Transportation and Traffic

3. Mitigation Measures

3. All Town streets shall be designed to have a minimum lane width of 12 feet.

6. The Town shall require that new development projects on arterial roadways incorporate bus pullouts, to allow buses to leave the flow of traffic and reduce congestion.

15. Concurrent with construction, all new development proposals located adjacent to public roadways shall be required to install all improvements to their ultimate General Plan half-width.

Proposed Project Impact Analysis – Less Than Significant

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.18 Tribal Cultural Resources

Impact 4.18 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐

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)?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-32 to 11-33

In 2004, California's Senate Bill 18 (SB 18) required cities and counties to consult with tribes if a general plan or specific plan was being adopted or amended, to determine potential impacts to Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.

The analysis in the 2009 GP EIR was conducted under SB18, as discussed below.

> A cultural resources study was conducted over the planning area to determine areas of high sensitivity for pre-historic resources. Approximately one-third of the planning area has been previously systemically surveyed for the presence of cultural resources, and identified sites have been documented. To ensure that impacts to previously undiscovered cultural resources are reduced to less than significant levels, mitigation measures are set forth in the EIR and discussed above. These measures include requirements that archaeological surveys be conducted in identified sensitive areas prior to the issuance of grading permits. During a Native American consultation conducted as part of the cultural resources study, the Native American Heritage Commission was requested to conduct a search of the Sacred Lands File; the search indicated that no sites are recorded within the Planning Area. A Native American consultation associated with the cultural resources study resulted in a response from one Native American group, and the recommendations of that group have been incorporated into mitigation measures in the EIR. A Native American consultation was also conducted by the Town in compliance with SB18, and no responses were received.[24]

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

> **III.E. Cultural Resources**
>
> **3. Mitigation Measures**
>
> **1.** Cultural resources studies shall be required prior to development for all lands identified as having high potential for historic or archaeological resources, as identified in Exhibit III-4. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the studies shall be made conditions of approval of the ground disturbing permits.

Proposed Project Impact Analysis – Less Than Significant with Mitigation Incorporated

Assembly Bill 52 (AB 52), which took effect July 1, 2015, requires consultation with California Native American tribes and consideration of "tribal cultural resources" in the CEQA process as described below.

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

> (a) "Tribal cultural resources" are either of the following:
>
> (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
>
> (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
>
> (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

24 2009 GP EIR, p. 11-32

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

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

As required by **III.E. Cultural Resources 3.1** above, a Historical/Archaeological Resources Survey, (CRM Tech, November 2, 2022) was prepared and is included as **Appendix E** to this SIS/MND.

California Register of Historical Resources/Local Register of Historical Resources

A historical resource or archaeological resource may also be a tribal cultural resource if it conforms with the criteria described in Public Resources §21084 (a) above. As discussed in Section 4.5, Cultural Resources, based on a records search and a pedestrian field survey, no historic or archaeological resources eligible for listing on the California Register of Historical Resources or a local register were encountered on the surface of the Project site. However, grading, utility trenching, and the construction of the water quality basin have the potential to reveal buried deposits below the surface. Therefore, **Project-Specific Mitigation Measure MM CUL-1** and **MM CUL-2** under Section 4.5, Cultural Resources, shall apply. These measures require that the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the discovery, to provide Tribal input with regards to significance and treatment. In addition, if significant pre-contact cultural resources, as defined by CEQA, are discovered, and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment.

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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

As noted above, the analysis in the 2009 GP EIR was conducted under SB18, and not AB52. Therefore, this SIS/MND includes an AB52 analysis.

Proposed Project Impact Analysis – Less Than Significant with Mitigation Incorporated

Assembly Bill (AB) 52

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

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

Two tribes requested consultation. The Yuhaaviatam of San Manuel Nation indicated that the proposed Project is near known prehistoric tribally affiliated sites, and the development will exclusively be conducted on undisturbed native soil. The Twenty-Nine Palms Band of Mission Indians indicated that no known cultural resources are located within the project Area of Potential Effect, but there exists the possibility of surface and/or buried archaeological materials. The Tribe requests that the agency follow specific conditions for all cultural resources on any developmental plans or entitlement applications.

Therefore, the following mitigation measures (MM) are required.

Project-Specific Mitigation Measures

Project-Specific MM TCR-1

1. *The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) and the Twenty-Nine Palms Band of Mission Indians (TPBMI) shall be contacted, as detailed in CUL-1, of any pre-contact cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN*

and TPBMI or the remainder of the project, should YSMN or TPBMI elect to place a monitor onsite.

2. *Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN or TPBMI. The Lead Agency and/or applicant shall, in good faith, consult with YSMN and TPBMI throughout the life of the project.*

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

Finding

The proposed Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.19 Utilities and Service Systems

Impact 4.19 – Would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple years?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
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?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
d) Generate solid waste more than State or local standards, or more than the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant with Mitigation Incorporated	☐	☐	☑	☐

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-79 to 11-85

The 2009 GP EIR determined that the development allowed by the General Plan will result in construction of new water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities or expansion of existing facilities, which could cause significant environmental effects.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

- All Air Quality Mitigation Measures involving construction
- All Biological Resources Mitigation Measures apply
- All Cultural Resources Mitigation Measures apply
- Geology III. E., Cultural Resources 3.1
- Mitigation Measures Noise MM 10, 11, and 12 apply
- Mitigation Measures TCR 2 through TCR-3

Proposed Project Impact Analysis – Less Than Significant with Mitigation Incorporated

The relocation of utility and service facilities is not required because all such facilities are adjacent to the Project site.

Note: The original utilities analysis was prepared for a 385,004-square-foot building. The Project has since been reduced to 354,260 square feet (an ~8 percent reduction). Previously identified water supply, collection/conveyance and treatment capacities, and landfill capacity remain adequate. The refined Project would not require new or expanded water or wastewater treatment facilities, nor would it generate solid waste in excess of permitted capacity.

The Project will connect to the existing facilities on Lafayette Street and/or Mojave Road. This will result in a physical disturbance on undeveloped land.

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

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

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

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

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

Telecommunication Facilities: Telecommunication facilities include a fixed, mobile, or transportable structure, including all installed electrical and electronic wiring, cabling, and equipment, all supporting structures, such as utility, ground network, and electrical supporting structures, and a transmission pathway and associated equipment to provide cable TV, internet, telephone, and wireless telephone services to the Project site. Services that are not provided via satellite will connect to existing facilities maintained by the various service providers.

Construction or installation of utilities and service systems may impact Biological Resources, Cultural Resources, Paleontological Resources, and Tribal Cultural Resources. **Project-Specific Mitigation Measures BIO-1** through **BIO-11**, **CUL-1** and **CUL-2**, and **TCR-1** through **TCR-3** are required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

2009 GP EIR Impact Analysis – Less than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-79 to 11-84.

Build-out of the proposed General Plan and annexations will result in water demand associated with increased residential, commercial, industrial and other types of development, such as open space amenities and street rights-of-way. This increased demand has been estimated based on water consumption factors from a variety of sources. These include, but are not limited to, historical water use for residential development in AVWRC's service area. Based on these factors, General Plan build-out is estimated to generate water demand of 95,999 acre-feet per year for all types of development.

General Plan policies and programs and mitigation measures set forth herein include compliance with measures set forth in the AVRWC and MWA Urban Water Management Plans, as well as with applicable state legislation intended to ensure the adequate provision of domestic water to future development. With the implementation of these policies, programs and measures, impacts to groundwater supplies and recharge in the General Plan area will be reduced to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.M. Public Services

3. Mitigation Measures

1. All future development projects shall be subject to review by the Town and the applicable water purveyor to assess their potential impact on local groundwater supplies.

3. The use of drought tolerant landscaping shall be encouraged in public and private development.

4. Future development shall be required to conform to standards set forth in Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and applicable sections of Title 24 of the State Code. These measures include the installation of low-flush toilets, low-flow showerheads and faucets in all new construction.

Proposed Project Impact Analysis – Less Than Significant

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

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

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

Since the proposed Project is consistent with the planned land use and zoning designations of the site, the general water demand from the proposed development was anticipated in the projections presented in the 2015 Urban Water Management Plan for Mojave Water Agency. Therefore, the amount of water available for the Project is sufficient for normal, single-dry, and multiple-dry years. Based on the analysis above, the Project's water demand can be accommodated by the AVRWC during normal, dry, and multiple years. Impacts are less than significant.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-84 to 11-85

Development facilitated by build-out of the General Plan and annexation areas will increase demand on existing wastewater collection and treatment facilities. It is estimated that domestic wastewater flows average approximately 100 gallons per capita per day. Applying this factor to the estimated build-out population of 194,931, wastewater generation in the General Plan and Annexation areas would be approximately 19,493,069 gallons per day.

Implementation of mitigation measures set forth herein will reduce potential impacts to wastewater capacity associated with build-out of the General Plan to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.M. Public Services and Facilities

3. Mitigation Measures

1. To the greatest extent feasible, all new development shall connect to the existing wastewater treatment collection system, or otherwise comply with the Town's Sewer Connection Policy.

Proposed Project Impact Analysis – Less Than Significant

Apple Valley's average wastewater flow is 100 gallons per person per day. Under a worst-case scenario where the Project site would be occupied 24 hours per day, the Project would generate 7,200 gallons of wastewater per day or 2.628 million gallons of wastewater per year. The Project's estimated wastewater treatment demand represents 0.04% of Victor Valley Wastewater Reclamation Authority's (VVWR) current daily surplus capacity.[25] As sufficient surplus treatment capacity is available, impacts would be **less than significant**, and mitigation is not required.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

d) Generate solid waste more than State or local standards, or more than the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated

Source: 2009 GP EIR Findings pp. 11-85 to 11-86

Implementation and build-out of the proposed General Plan and Annexations will increase the generation of solid waste and the need for additional disposal sites. Build-out of the General Plan and Annexation areas is expected to result in approximately 63,749 dwelling units, which includes existing and potential residences. Of these, approximately 36,619 will be single-family units, and about 27,130 will be multi-family units. Build-out could also result in up to 51,860,766 square feet of commercial development and 58,581,040 square feet of industrial development. This level of development could generate approximately 950,712 tons of solid waste per year, or 2,603 tons per

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

day (including existing and future development). This estimate assumes moderate densities at build-out, and actual waste generation may vary, depending on future levels of development.

None of the land uses proposed within the planning area are expected to create high quantities of solid waste or severe hazardous waste conditions. Nonetheless, the Project will increase the volume of solid waste generated, and waste management will need to carefully monitor these levels to assure safe and cost-effective disposal of the Town's solid waste.

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III.M. Public Services and Facilities

3. Mitigation Measures

5. As landscaping debris comprises a significant percentage of residential solid waste, developers shall contract for professional landscaping services from companies which compost green waste. Several landscaping companies in the Apple Valley/Victorville area are currently composting for waste disposal. On-site composting and grass recycling (whereby grass clippings are left on the ground) is also encouraged wherever possible.

Proposed Project Impact Analysis – Less Than Significant

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

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

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.20 Wildfire

Impact 4.20 – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Not Applicable	☐	☐	☐	☑
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?	Not Applicable	☐	☐	☐	☑
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?	Not Applicable	☐	☐	☐	☑
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?	Not Applicable	☐	☐	☐	☑

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

2009 GP EIR Impact Analysis

Source: 2009 GP EIR p. III=117

The 2018 Update to Appendix G of the CEQA Guidelines created a new section for Wildfire. Previously, Wildfire was discussed under the **Hazards and Hazardous Materials** of the 2009 GP EIR.

As stated on Page III-117 of the GP EIR:

> Fire hazards are based on a combination of several factors, which include fuel loading, slope, weather, dwelling density, wildfire history, and whether or not there are local mitigation measures in place, such as an adequate network of fire hydrants, fire-rated construction, and fuel modification zones. The Apple Valley Fire Protection District constantly monitors the fire hazard in the Town, and has ongoing programs for investigation and alleviation of hazardous situations. Section III-M, Public Services discusses in further detail fire protection, project impacts, and mitigation measures.

Please refer to Section 4.15, Public Serviced (Fire Protection) of this Initial Study document for further analysis.

2009 GP EIR Mitigation Measures

Proposed Project Impact Analysis – No Impact

According to the California Department of Forestry and Fire Protection (CAL FIRE), the Project site is not located within a wildfire State Responsibility Area, nor is the site classified as a Very High Fire Hazard Severity Zone (VHFHSZ).[26] The nearest VHFHSZ is located approximately 10 miles south of the site. The Project is required to comply with 2019 California Building Code requirements for ignition-resistant construction. In consideration of the Project site's location in an area of Apple Valley away from wildland areas susceptible to fires and compliance with wildland fire safety policies, it is not expected that the Project would expose people or structures to significant loss or injury from wildland fires.

Finding

The proposed Project does not result in new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

4.21 Mandatory Findings of Significance

Impact 4.21	2009 GP EIR Impact	Proposed Project Impact			
		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant with Mitigation Incorporated	☐	☑	☐	☐

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

As outlined in this Initial Study, the development of the Project may have adverse effects on Biological Resources, Cultural Resources, Geology and Soils (Paleontology), and Tribal Cultural Resources. However, as described herein, potentially significant impacts related to these resources will be effectively mitigated. Therefore, the impacts are considered less than significant.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, p. 11-97 to 11-104.
https://www.applevalley.org/home/showpublisheddocument/4702/635611242901270000

According to CEQA Guidelines, §15130(b) and §15168(d), a discussion of cumulative impacts may rely on the analysis of cumulative impacts contained in a previously certified EIR (i.e. 2009 GP EIR).

The 2009 EIR determined that the following impacts would be **significant and unavoidable.**

Air Quality

- Conflict with the ozone attainment plan by increasing land use density and population, creating a significant impact with no available mitigation.
- 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.
- Even though the land use pattern has been developed to locate sensitive receptors away from pollutant concentrations to the extent possible, because the build-out of the General Plan and Annexation areas will exceed criteria pollutant thresholds, the impacts cannot be mitigated to less than significant levels.

Applicable 2009 GP EIR Mitigation Measures

The Mitigation Measures from the 2009 GP EIR are directly applicable to the Project.

III. Air Quality

3. Mitigation Measures

4. The Town shall conduct an initial study for all projects that are expected to exceed any of the MDAQMD pollutant emission threshold criteria, and shall require detailed air quality analyses for all development applications that have the potential to adversely affect air quality including quantification of greenhouse gas emissions. Until new factors are developed, the use of the CEQA Handbook prepared by SCAQMD or other appropriate modeling tools such as URBEMIS shall be utilized.

5. All construction activities within the Town of Apple Valley shall be subject to Rule 401, Visible Emissions; Rule 402, Nuisance; and Rule 403, Fugitive Dust in accordance with the Mojave Desert Planning Area PM10 Attainment Plan.

Even with the implementation of the mitigation measures described above, impacts will be **significant and unavoidable.**

Proposed Project Impact Analysis

The analysis in Section 4.3, Air Quality, of this SIS/MND determined that the proposed Project does not exceed the emissions thresholds, implements applicable emission control measures, and is consistent with the growth forecasts used to prepare the Air Quality Management Plan (i.e., Ozone Attainment Plan).

The analysis in Section 4.3, Air Quality of this SIS/MND determined that the proposed Project site is not located near residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. However, because construction workers could be exposed to Valley Fever, **Project-Specific Mitigation Measure MM AQ-1: Valley Fever,** is required which outlines measures to minimize exposure to this condition.

Therefore, the proposed Project's impacts are **less than cumulatively considerable**.

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

Land Use, Population and Housing

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, p. 11-116 to 11-118

The 2009 GP EIR determined that the impacts associated with land use and planning in Annexation 2008-001 area are a **significant unavoidable impact**. Even with the implementation of mitigation measures, land use impacts associated with Annexation 2008-001 will remain significant, due to the change in character resulting from the proposed land use.

Proposed Project Impact Analysis

Because the proposed Project is not located within the boundaries of Annexation 2008-001, there is no impact.

Transportation and Traffic

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, p. 11-118 to 11-121

The EIR assesses traffic impacts associated with build out of the General Plan and Annexations, which will result in a substantial increase in traffic load and capacity of the street system. As demonstrated in the EIR, however, capacity will be maintained throughout the system, with the implementation of mitigation measures, with the exception of one intersection, at Corwin Road and Dale Evans Parkway. At this intersection, even with the construction of improvements, the capacity of the intersection cannot be maintained. The build-out of the General Plan will also exceed the level of service established in the General Plan for this intersection. The level of service for all other intersections will remain at acceptable levels at build out of the General Plan and Annexation areas.

Proposed Project Impact Analysis

As outlined in Section 4.17 of the SIS/MND, the California Office of Administrative Law approved the updated California Environmental Quality Act (CEQA) guidelines for implementation on December 28, 2018. Notably, these revisions eliminated vehicle delay and level of service (LOS) from consideration under CEQA. Under the current guidelines, transportation impacts must be assessed using vehicle miles traveled (VMT) as the primary metric. Consequently, this impact is no longer applicable.

Finding

The proposed Project does not result in or have new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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

2009 GP EIR Impact Analysis

Source: 2009 GP EIR Findings, p. 11-116 to 11-118

As noted above, the 2009 EIR determined that the air quality emissions would be **significant and unavoidable,** and therefore will cause substantial adverse effects on human beings, either directly or indirectly.

Proposed Project Impact Analysis

As discussed in Section 4.3, Air Quality, of this SIS/MND, the proposed Project does not exceed the MDAQMD's emissions thresholds, is not located near residences, schools, daycare centers, playgrounds, and medical facilities (which are considered sensitive receptor land uses), and requires **Project-Specific Mitigation Measure MM AQ-1: Valley Fever,** which outlines measures to minimize exposure to this condition, adverse effects to human beings, either directly or indirectly, would be **less than cumulatively considerable.**

Finding

The proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.