Joshua Grading and Excavating Operations Yard
DRAFT SUBSEQUENT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Site Plan Review 2025-001
Conditional Use Permit 2025-002
Special Use Permit 2025-003

Lead Agency:
Town of Apple Valley
Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307

Prepared by:

COMPASS
Consulting Enterprises, Inc.
Avalon, CA 90704

May 2026

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LIST OF ACRONYMS

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
BMPs	Best Management Practices
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRHR	California Register of Historic Places
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
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
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HCP	Habitat Conservation Plan
ITE	Institute of Transportation Engineers
kBTU	thousand British thermal units
LID	Low Impact Design
LOS	Level of Service
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
MTCO2e	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
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
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
SGMA	the Sustainability Groundwater Management Act
SF	Square Feet
SCAG	Southern California Association of Governments
SLF	Sacred Lands File
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
Town	Town of Apple Valley
TUMF	Transportation Uniform Mitigation Fee
VMT	Vehicle Miles Traveled

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1 BACKGROUND INFORMATION

1.	**Project Title:**	Joshua Grading and Excavating Operations Yard SPR 2025-001, CUP 2025-002, SUP 2025-003
2.	**Lead Agency Name:** **Address**	Town of Apple Valley Planning Division 14955 Dale Evans Pkwy Apple Valley, CA 92307
3.	**Contact Person:**	Nicole Montano (760) 240-7000, extension 7201 Email: nmontano@applevalley.org
4.	**Project Location:**	Northwest corner of Dachshund Avenue and Tecaya Road Gross Acres: 10 acres; Net Acres: 5.74 acres Site Address: None assigned. Topographic Quad (USGS 7.5"): *Apple Valley North* Topographic Quad Coordinates: T6N, R3W, Section 16 Latitude: 34°36'52.23"N, Longitude: - 117°11'58.61"W APN: 0463-441-07
5.	**Project Sponsor's Name:** **Address**	Conco Construction for Joshua Grading and Excavating Attn: Shannon Denmark 22276 Ottawa Rd Suite 3 Apple Valley, CA 92308 (760) 247-8814 sdenmark@conco-construction.com
6.	**General Plan Designation:** (SP-I)	North Apple Valley Industrial Specific Plan – Specific Plan Industrial
7.	**Zoning Designation:**	North Apple Valley Industrial Specific Plan

8. Description of Project:

Conco Construction, for Joshua Grading and Excavating (Applicant), proposes to establish an Operations Yard with an office, a repair shop and equipment temporary storage/staging on 5.74 acres of a 10 acre parcel (APN 0463-441-07) located south of Quarry Road and north of Tecaya Road, adjacent to the west side of Dachshund Avenue, approximately 0.4 mile east of Dale Evans Parkway that will consist of a 13,246 SF administrative/shop building, a 10,000 SF repair shop that services its fleet passenger trucks and heavy duty equipment, a future 6,000 SF warehouse and a fueling station with one, 12,000-gallon above-ground diesel fuel tank. The Proposed Project also includes improvements to Tecaya Road beginning at Dale Evans Parkway by grading and paving approximately 0.5 mile, approximately 26 feet wide, and install curb and gutter and sidewalk only along the Project frontage, and pave an approximately 26-foot wide half section

of Dachshund Avenue for approximately 545 linear feet from Tecaya Road that ends in a half cul de sac, with a sidewalk on the west side of the road along the parcel frontage The Proposed Project is within the NAVISP zone, with a land use designation of Specific Plan Industrial (SP-I), and the Proposed Project is an allowed use in that zone. No sensitive species that require a State or Federal Incidental Take Permit exist on the Project Site or within a 50-foot radius of the Project Site.

9. Surrounding Land Uses:

Surrounding land uses are identified in **Table 1 – *Surrounding Land Use*** and are also all located in the NAVISP, SP-I Land Use. The Project Site is currently a dirt lot and is vacant. Historical aerial imagery reviewed dating back to 1948 has identified that the Project Site has been vacant (refer to Appendix E). Vacant lands predominantly exist in the vicinity of the Project Site, except for a single residence that lies approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences that lie approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).

Table 1: Surrounding Land Use

Direction	Immediately Adjacent Land Use Description	General Plan/ Land Use / Zoning
North	Quarry Road (private road), Vacant Land (adjacent north)	Roadway
East	Dachshund Avenue, Vacant Land Adjacent (east)	NAVISP, SP-I
South	Tecaya Road, Vacant Land (also vacant adjacent along both north and south sides of the proposed road improvements)	NAVISP, SP-I
West	Vacant	NAVISP, SP-I

10. Other Public Agencies Whose Approval is Required:

The following discretionary approvals are required for the Project:

State Agencies:

- None.

11. California Native American Consultation

On July 29, 2025, the Town of Apple Valley sent AB 52 consultation request letters via email to the following tribal entities, notifying them of the Project and that they have 30 days to respond and request consultation in accordance with AB52. The following summarizes the results of the AB 52 consultation.

- Morongo Band of Mission Indians. Result. No comments received. Consultation concluded.
- Cabazon Band of Cahuilla Indians. Result: No comments received. Consultation concluded.
- Twenty-Nine Palms Band of Mission Indians. Result: No comments received. Consultation concluded.

- Yuhaaviatam of San Manuel Nation. Result: Response received, and mitigation measures were requested to protect unknown resources. Consultation concluded.

Mitigation measures to ensure resources to tribal cultural resources are mitigated to less than significant have been incorporated into this Initial Study.

12. 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 (herein referred to as "2009 GP EIR")

1.1 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 and Soils	☐ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

1.2 DETERMINATION

On the basis of this initial evaluation, the following finding is made:

	The Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	Although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **SUBSEQUENT MITIGATIVE NEGATIVE DECLARATION** will be prepared.
	The Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	The Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	Although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Signature Date

Name Title

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2 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.)

Joshua Grading and Excavating Shop and Maintenance Yard (Applicant) proposes to develop a new office and equipment repair/temporary staging yard with approximately 26,000 square feet of various buildings to more conveniently service the Burlington Northern Santa Fe (BNSF) railroad tracks throughout the desert of Southern California on 5.74 net acres of a 10-acre parcel (APN 0463-441-07) located along Tecaya Road, approximately 0.4 mile east of Dale Evans Parkway, adjacent to the south side of Quarry Road (Proposed Project, or Project). The Proposed Project is within the North Apple Valley Industrial Specific Plan zone, (NAVISP) with a land use designation of Specific Plan Industrial (SP-I), and the Proposed Project is an allowed use in that zone. This development proposal meets the definition of a "project" under CEQA and thus require further environmental review.

2.2 PRIOR CEQA DOCUMENT

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.

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

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.

2.3 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.

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.

2.4 SUBSEQUENT INITIAL STUDY/MITIGATED 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]

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

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
- 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."*

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

Hours: 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://applevalley.org/government/plans-reports-and-surveys/

2.5 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 analysis contained in 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) to the 2009 GP EIR in accordance with CEQA Section 15162(b) to address changes in circumstances that may result in a new significant impact beyond what was determined in the 2009 GP EIR, to adopt "project-specific" mitigation measures, and to implement the mitigation measures contained in the 2009 GP EIR for the Proposed Project.

Based on the analysis contained in this SIS, a determination has been made that the mitigation measures identified in the 2009 GP EIR apply to the Project and 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.

2.6 EVALUATION OF ENVIRONMENTAL IMPACTS

Section 4 provides a discussion of the potential environmental impacts of the Project. The evaluation of environmental impacts follows the questions provided in Appendix G of the CEQA Guidelines.

2.6.1 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 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.

In addition to the 2009 GP EIR following reports and/or studies are applicable to development of the Project Site and are hereby incorporated by reference:

- *Town of Apple Valley, General Plan 2009* (Town, 2009). (Available at https://www.applevalley.org/services/planning-division/2009-general-plan
- *Town of Apple Valley Zoning Map,* Last Amended November 28, 2022, (Available at www.applevalley.org/home/showpublisheddocument/33467/638266556298930000).
- *Town of Apple Valley North Apple Valley Industrial Specific Plan* (NAVISP, October 2006), last amended January 24, 2012 (Available at: https://www.applevalley.org/home/showpublisheddocument/18587/636149111285930000)
- *Town of Apple Valley Final Circulation Element Update,* prepared by Fehr & Peers, Amended October 14, 2025, Resolution 2025-29 (Town CE, October 2025) (Available at: https://applevalley.org/wp-content/uploads/2026/02/section-ii-b-circulation-element.pdf)
- *Town of Apple Valley, Resolution No. 2009, A Resolution of the Town Council of the Town of Apple Valley, California, Certifying that the Environmental Impact Report prepared for the Update of the General Plan and Annexations of the 2008-001 and 2008-002 is Recognized as Adequate and Complete; Recognizing the Overriding Considerations to Certain Significant Environmental Impacts; and Recognizing the Significant Environmental Effects Which Cannot Be Avoided, But Can Be Reasonably and Substantially Mitigated, if the Proposed Project is Implemented; Case No. General Plan Amendment 2008-001, Annexation 2008-001 and 2008-002, Exhibit A, Findings of Fact and Statement of Overriding Considerations Regarding the Final Environmental Impact Report (State Clearinghouse Number 2008091077) for the Town of Apple Valley, Comprehensive General Plan and Annexations No. 2008-01 and No. 2008-02*, Council Meeting Date: August 11, 2009 (referenced in this document as: "2009 GP EIR Findings").

These documents are available for review at the Town of Apple Valley, Planning Division, located at 14955 Dale Evans Pkwy, Apple Valley, CA 92307.

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. Project-only related issues are identified in **Table 2: *Issues Specific to the Proposed Project Compared to 2009 GP EIR*.**

Table 2: Issues Specific to the Proposed Project Compared to 2009 GP EIR

Environmental Topic	Description of Revisions
Air Quality	Project-specific mitigation measure to address Valley Fever
Biological Resources	Project-specific mitigation measures for sensitive plant and animal species
Cultural Resources	Project-specific mitigation measures for unanticipated resources
Transportation	Updated to address the impact change from Level of Service (LOS) to Vehicle Miles Traveled (VMT)

Tribal Cultural Resources	Added new section per CEQA Guidelines amendment in 2018 creating AB52
Wildfire	Added new section
Mandatory Findings of Significance	Added new Cumulative Impact analysis

2.6.2 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.

3 PROJECT DESCRIPTION

3.1 PROJECT SITE SETTING

The Proposed Project is situated on 5.74 net acres of a 10 acre parcel located on the on the northwest corner of Dachshund Avenue and Tecaya Road identified as APN 0463-441-07, approximately 0.5 mile east of Dale Evans Parkway, 1.7 miles east of I-15 and approximately 8 miles east of the Mojave River (refer to **Figure 1: *Regional Vicinity*** and **Figure 2: *Site Location: Aerial View,*** located at the end of this section)**.** The parcel is currently vacant, with no assigned address, and is bounded on the north by Quarry Road with vacant land uses beyond, on the west by vacant land, on the south by Tecaya Road with vacant land beyond, and on the east by vacant land. Vacant lands predominantly exist in the vicinity of the Project Site, except for a single residence that lies approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences that lie approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).

The Proposed Project Site is within the *Apple Valley North* U.S. Geological Survey (USGS) 7.5-minute topographical map in Section 16, Township 6 North, Range 3 West at an elevation ranging from approximately 3,055 feet and 3,095 feet above mean sea level and is relatively flat, sloping gently to the southwest **(refer to Figure 3: *Site Location: USGS,*** located at the end of this section).

The habitat within the Project site and road alignment consists of a mixture of Creosote bush - white bursage scrub (*Larrea tridentata - Ambrosia dumosa* Shrubland Alliance) and bare ground. The Project Site showed signs of trash dumping but was otherwise disturbed during the field investigations conducted on the Project Site. There were no sensitive plants or animals within the Project Site, within the Project road alignment, or within a 50-foot buffer area of the Site or the road alignment.

Site Land Use and Zoning

The Project site and its vicinity are situated within NAVISP of the Town of Apple Valley's General Plan. Within the Specific Plan, the Project Site's land use is Specific Plan Industrial (SP-I) (refer to **Figure 4: *Site Zoning: Town of Apple Valley***, located at the end of this section). This designation allows for a broad range of clean manufacturing and warehousing uses, ranging from furniture manufacture to warehouse distribution facilities. Key features of this designation include:

1. Outdoor storage must be completely screened from view.
2. All uses must be conducted within enclosed buildings.
3. Perimeter landscaping must be complementary with that of surrounding projects to provide a unified, cohesive streetscape.

Appropriate land uses in this designation include manufacturing facilities with showrooms and offices, regional warehousing facilities, and support services for manufacturing and warehousing.

As the Proposed Project is consistent with the General Plan and the NAVISP, the Project would not require a zone change or General Plan amendment.

3.2 PROJECT CHARACTERISTICS

The Project plans are provided in **Appendix J – *Project Plans***. The Project components include the following:

Site Plan

Overall, the Project would establish an office and repair shops and equipment yard for temporary storage on approximately 5.74 net acres of a 10 acre parcel located south of Quarry Road and north of Tecaya Road, approximately 0.4 mile east of Dale Evans Parkway (APN 0463-441-07) and will generally consist of three metal buildings that include one two story, 13,246 SF building that will include 6,200 SF for truck/equipment service and a 7,046 SF administrative building (Building A), one 10,000 SF repair shop that services its heavy duty equipment (Building B), one 6,000 SF future warehouse (Building C), and one diesel fueling islands with two pumps and an above-ground fuel tank. All development occurs primarily within the southern portion of the parcel, with the northern portion of the site, along Quarry Road, to be vacant. Refer to **Figure 5: *Site Plan Schematic*** for the site's layout.

The Site Plan includes approximately 3.69 acre asphalt paving for parking and drive aisles, 74 passenger vehicle spaces, of which 14 would be covered by a solar parking canopy, 13 truck parking spaces, approximately 0.55 acre of drought tolerant landscaping. The landscaping is designed primarily along the southern property boundary along Tecaya Road, along the southwestern boundary parking area, and within a trellis area along the southern portion of the administration/shop building.

The Site Plan also includes one, two-pump two diesel fuel island with one fuel dispenser. The dispensers would be served by a one, new 12,000-gallon above ground storage tank to be installed in accordance with the Town standards.

The eastern portion of the site, approximately 0.94 acres of the 10-acre parcel, would remain undeveloped. This portion exists primarily along the eastern portion of the developed area, adjacent to Dachshund Avenue.. An additional 3.72 acres north of the developed area, adjacent to Quarry Road will also remain undeveloped, however, temporary truck parking may occur as overflow if necessary.

Overall, of the 10-acre parcel, a 6-foot-high masonry wall would be installed along the frontage and west sides (developed area) while a 6-foot high wrought iron fence would be installed along the north and east sides of the property that would remain undeveloped..

The Project would install 2,200 linear feet of new water line in Tecaya Road from Dale Evans Parkway to the Project Site. Water would be served by Liberty Utilities Sewer would be provided by a 1,500 gallon septic system with seepage pit.

Off-Site Improvements

The Proposed Project also includes improvements to Tecaya Road and Dale Evans Parkway as follows:

- Tecaya Road from Dale Evans Parkway to Project frontage: Grading approximately 2,653 linear feet of the existing dirt road, approximately 33 feet wide. Paving only of 26 feet wide (two, 12-foot-wide travel lanes), leaving approximately 5 feet of road shoulder on each side. The new road

would connect to Dale Evans Parkway, with the intersection to be constructed to Town standards, which may include curb and gutter at the intersection and a new Stop Sign at Tecaya Road for vehicles to stop before proceeding to Dale Evans Parkway. The pavement thickness would be Town standard.

- Tecaya Road at Project frontage: Approximately 665 feet along the Project frontage, grading and paving of two 12-foot travel lanes, paving of the road shoulder on the north side adjacent to the Project frontage, installation of curb and gutter along the Project frontage.

- Dachshund Avenue: Paving of an approximately 26-foot wide half section from Tecaya Road, north, 545 linear feet, that ends in a half cul de sac, with a sidewalk on the east side of the parcel frontage, where no improvements are intended to connect to Quarry Road north of the improvements.

- Installation of new water main lines in Tecaya Road from Dale Evans Parkway to the Project frontage where new lateral lines would be installed.

Right-of-way

Approximately 645 linear feet by 33 feet wide beginning at Dale Evans Parkway has been dedicated to the Town for road improvements for Tecaya Road. However, the remaining approximately 2,008 linear feet would need right-of-way dedication to complete Tecaya Road through the Project frontage as follows:

Table 3: Right-of-Way Dedication for Tecaya Road

APN	Area – Square Feet (SF)
0463-441-01	20,000
0463-441-02	12,700
0463-441-03	12,700
0463-441-04	6,300
0463-441-05	6,300
0463-441-06	9,400
0463-441-07 (Project)	19,800
0463-441-12	25,400
0463-441-14	22,000
0463-441-15	19,800
0463-213-01	60,000

Refer to **Figure 6: *Parcels for Right-of-Way Acquisition***. The Applicant is currently in the process of working with the property owners along Tecaya Road on obtaining the necessary right-of-way and file the public dedication documentation, and anticipates this will be complete prior to construction.

In addition, the Project would provide a road dedication of 0.9 acre along the Project frontage. Right of way to be dedicated along Dachshund Avenue consists of no other parcels except that which is part of the Project.

Site Access, Circulation and Parking

Access: The primary access to the project site will be via two all-access entrances and exits on Tecaya Road and are designed to separate the passenger vehicle and truck ingress and egress. Driveway 1, located on the western portion of the site, would serve only the passenger vehicles. Driveway 2, approximately 281 feet east of Driveway 1 would serve as the heavy equipment ingress/egress.

Parking: The site contains a total of 74 standard parking spaces, whereas 49 are required, and are primarily located along the western boundary of the site. Of the 74 parking spaces, two handicapped spaces, and two electric vehicle charging station stalls (including 1 handicapped accessible) are provided. A 2,560 SF solar panel canopy would cover 14 spaces.

Landscaping, Lighting and Hardscape

Landscaping: Landscape buffer zones are planned along the southwestern perimeter and along the south perimeter, adjacent to Tecaya Road. Overall, landscaping makes up approximately 24,369 SF (0.55 acre). An additional approximately 1,425 SF of landscaping exists outside of the property line, in the public right-of-way. The Site would be screened with wrought iron fencing along the west and south boundaries.

Site Lighting: Site lighting will be low-level light emitting diode (LED) that will be pointed downward at the passenger parking lot and/or along the edges of the admin/shop building. Low-level security lighting would be placed on the buildings only, with the lighting to be pointed down, shielded. No lighting is planned for the remainder of the lot.

Architectural

All of the buildings planned for the Project Site are metal siding with a tan color, green metal trim and split face masonry along the lower portion of the buildings. The buildings would have covered entries and roll up doors. The elevations of the buildings vary but do not exceed 31 feet high to the top of the roof (**Figure 7: *Elevations***).

Fenestration and Glazing: As identified in the building elevations provided in Figure 7: *Elevations*, the maximum height of all of the buildings is 31 feet. The exterior surfaces of the proposed building would be finished with a combination of architectural coatings, trim, and/or other building materials that would not create a glare. Windows would consist of low reflective glass. The Project plans related to building materials are designed to ensure that glare does not create a nuisance to on- and off-site viewers of the Project site.

Energy Efficient Features: The Project has been designed to include a number of Project Design Features (PDFs) to incorporate best management practices as recommended by the California Attorney General, the California Air Resources Board, and the Town of Apple Valley Climate Action Plan (CAP).[3] While the

[3] *Town of Apple Valley Climate Action Plan 2019,* Adopted May 2021, prepared by Terra Nova Planning & Research, as accessed 5/8/26 at: https://applevalley.org/wp-content/uploads/2025/07/AV-CAP-2019-Update-421.pdf

Project is not classified as a "warehouse," the Project contains a number of larger buildings that would need to incorporate energy efficient features similar to warehouses.

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**: 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-3:** Energy star appliances will be installed in office breakrooms or as applicable.

- **PDF-4**: LED light bulbs will be installed throughout facility.

- **PDF-5:** 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-6:** All diesel-fueled fire pumps shall meet U.S. EPA-certified Tier 4 Interim emissions standards, at a minimum.

Stormwater Management

The Project applicant has prepared a Water Quality Management Plan that identifies stormwater management for the building operations/post construction. The proposed drainage design maintains the existing site drainage which is to the southwest. The onsite terrain drains to the southwest at a slope of 1 to 2 percent. The Project's stormwater design identifies a series of drains and underground chambers and an earthen stormwater basin that would reduce flows to less than existing.

Utilities

The Proposed Project would connect to the existing water main in Dale Evans Parkway, with new main lines to be constructed in Tecaya Road, with new laterals to the Project Site. Water is served by Liberty Utilities, and sewer would be through an on-site septic system.

The Project would be served by Southern California Edison (SCE), which has an existing utility line on the south side of Quarry Road. A single 2,500 amp electrical service would be installed on the administrative/service building (Building A), which would feed all of the buildings, lighting and air conditioning. Gas is served by Southwest Gas.

3.2.1 Construction Timing

Construction is anticipated to occur in one phase. Construction is anticipated to begin in late Fall 2026, lasting approximately 12 months. Initial site improvements include grading and underground infrastructure followed by building construction, paving, and landscape activities, and road improvements. The grading quantities are anticipated to balance on site and little to no import or export of fill material is anticipated. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks.

Construction activities include the following:

- Site grading and underground utility construction – this is expected to last approximately two months. Site activities include placement of underground water, septic system with seepage pit and other utilities underground throughout the site to service the structures. Typical equipment includes excavators and trenchers. Site excavation is anticipated to be balanced with little to no import or export.

- Building Construction – construction of the buildings is expected to occur over approximately seven months. The construction method is partially pre-fabricated buildings that would be assembled on-site. Typical equipment includes welders, concrete trucks, and cranes for lifting. The type of equipment will be evaluated and all permits obtained as necessary prior to construction.

- Final Site Paving and Landscaping – this activity is anticipated to occur over two months. All parking areas will be paved, and landscaping placed per the design. All parking lot lighting will also be installed.

3.2.2 Best Management Practices During Construction

The following best management practices are incorporated into the Project construction specifications to identity how the Project would conform to Federal, State, and Local regulations:

- Construction Water Quality Control. Construction projects that disturb 1 acre of land or more are required to obtain coverage under the NPDES General Permit for Construction Activities (General Construction Permit), which requires the applicant to file a notice of intent (NOI) to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes an overview of the Best Management Practices (BMPs) that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. The Project is more than 1-acre, therefore, the contractor is required to provide an SWPPP. The SWPPP will also address post-construction measures for water quality protection.

3.3 PROJECT CHARACTERISTICS - OPERATIONS

Joshua Grading and Excavating specializes in the maintenance of over 1,400 miles of track under the responsibility of BNSF as well as manages complex derailment recovery situations. Joshua Grading services the Southwest Region for BNSF including track in Arizona, Texas and Tennessee.

Typical work hours at the facility would be 6 am to 4 pm, Mondays through Fridays. Weekend or after hours work would occur if there are client emergencies and cleanup as required. The analysis in this document assumes that work would occur occasionally on weekends or after hours, generally one to two times per month.

Employees would consist primarily of office and maintenance crews.

Occasional training seminars may be held at the facility that would host employees from other regions. It is assumed that the occasional training seminars would host an additional 25 to 50 employees, approximately once per quarter.

Most of the fleet's heavy equipment would be located at the various job sites and would only return to the site if maintenance or repair were required that could not be fixed at the job site. It is anticipated that approximately five trucks may return from a local job site to the facility on a daily basis.

The number of employees on site would be approximately 10 to 12 daily for the office and maintenance. Another 10 to 12 employees would consist of equipment operators and/or field supervisors who would come to the site but leave with either an assigned standard pick up truck or an assigned dump truck that would be needed at a specific job location.

Repair Operations

Buildings A and B would serve as the primary repair facility for heavy equipment. Heavy equipment serviced at the facility would typically be dump trucks, hi-rail excavators, wheel loaders, dozers and backhoes. In general, maintenance equipment would remain deployed at the various BNSF work locations. They would only return to the proposed facility for maintenance as needed.

Building C would serve as a future warehouse or repair facility.

Hazardous Materials Storage

Based on the repair needs, it is anticipated that oils and grease would be stored in the repair buildings.

One, new 12,000 gallon above-ground storage tank would store diesel at the fueling stations, generally located in the eastern portion of the lot, between Building B and the future Building C (refer to Figure 5).

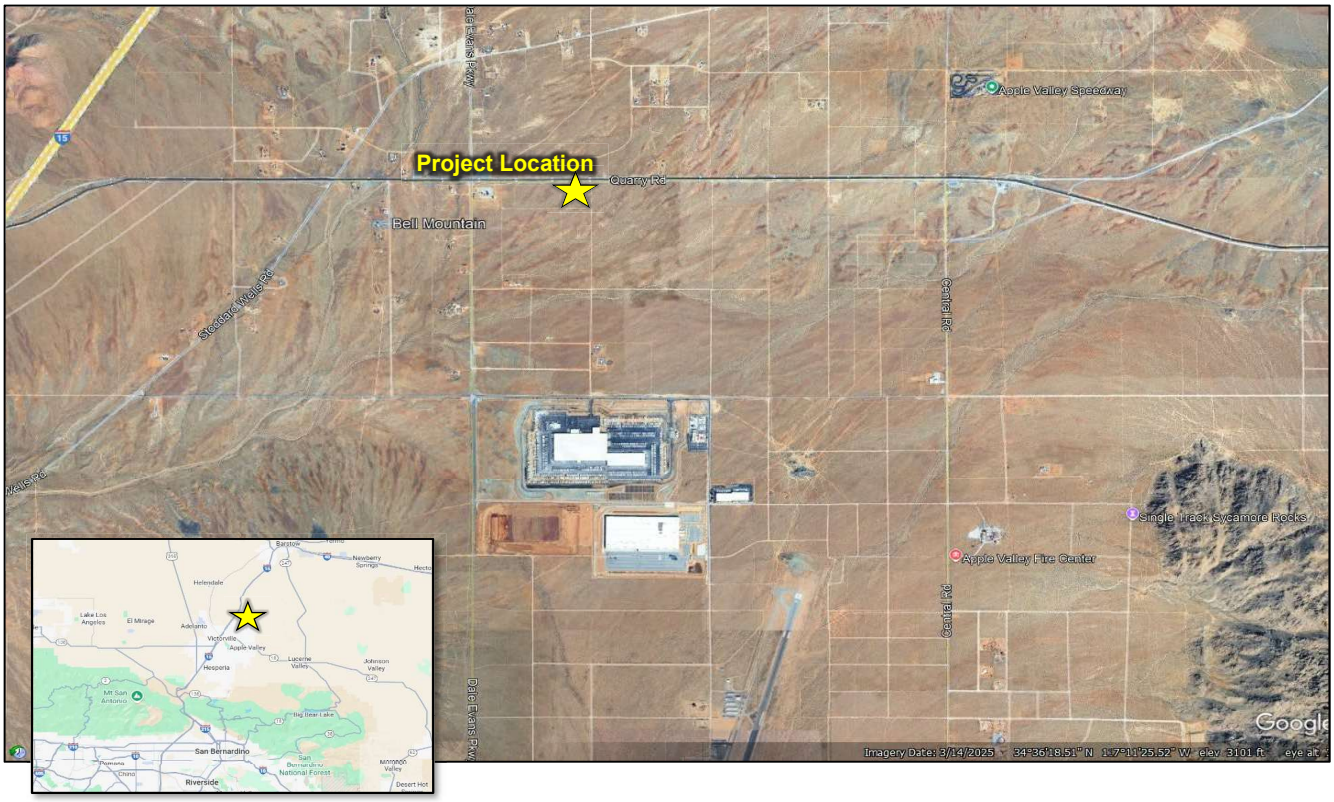
3.4 PROJECT APPROVALS

The following approvals and permits are required to implement the Proposed Project:

- Town of Apple Valley: Site Plan SPR 2025-001, CUP 2025-002, SUP 2025-003.

Other non-discretionary actions anticipated include:

- Town of Apple Valley: Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Town of Apple Valley: Review all on-site plans, including grading and on-site utilities; and
- Town of Apple Valley: Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate post- construction runoff flows.
- San Bernardino County Fire Protection District – Hazardous Materials Division, acting as the Certified Unified Program Agency (CUPA) that is authorized to enforce the Above Ground Petroleum Storage Act (APSA): Review for compliance the proposed above-ground storage tank, including ensuring permit fees are paid and conducting inspections.
- State Water Resources Control Board – file Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP) filed prior to construction.



Not to Scale

Figure 1: Regional Vicinity
Source: *Google Earth*

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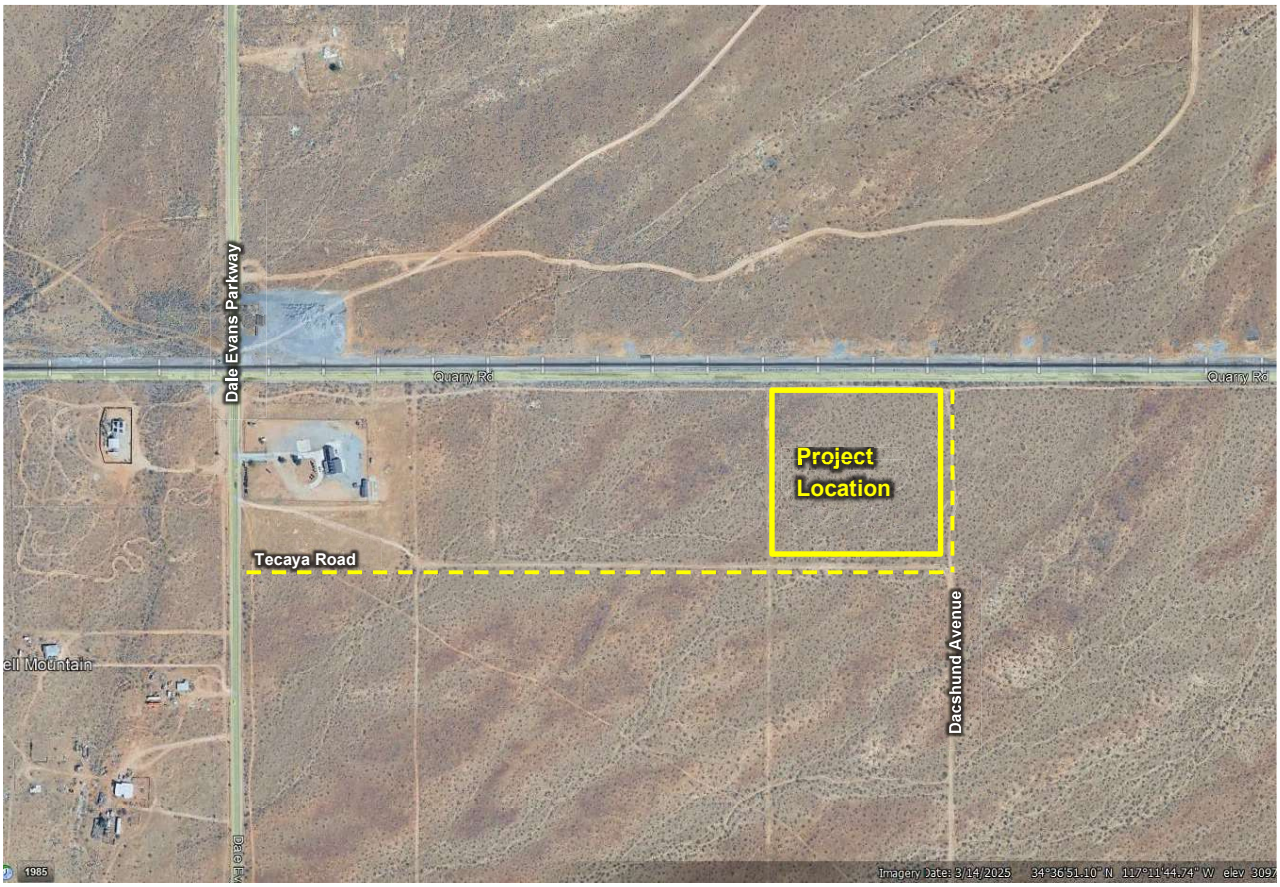

Not to Scale

Figure 2: Site Location – Aerial View
Source: *Google Earth*

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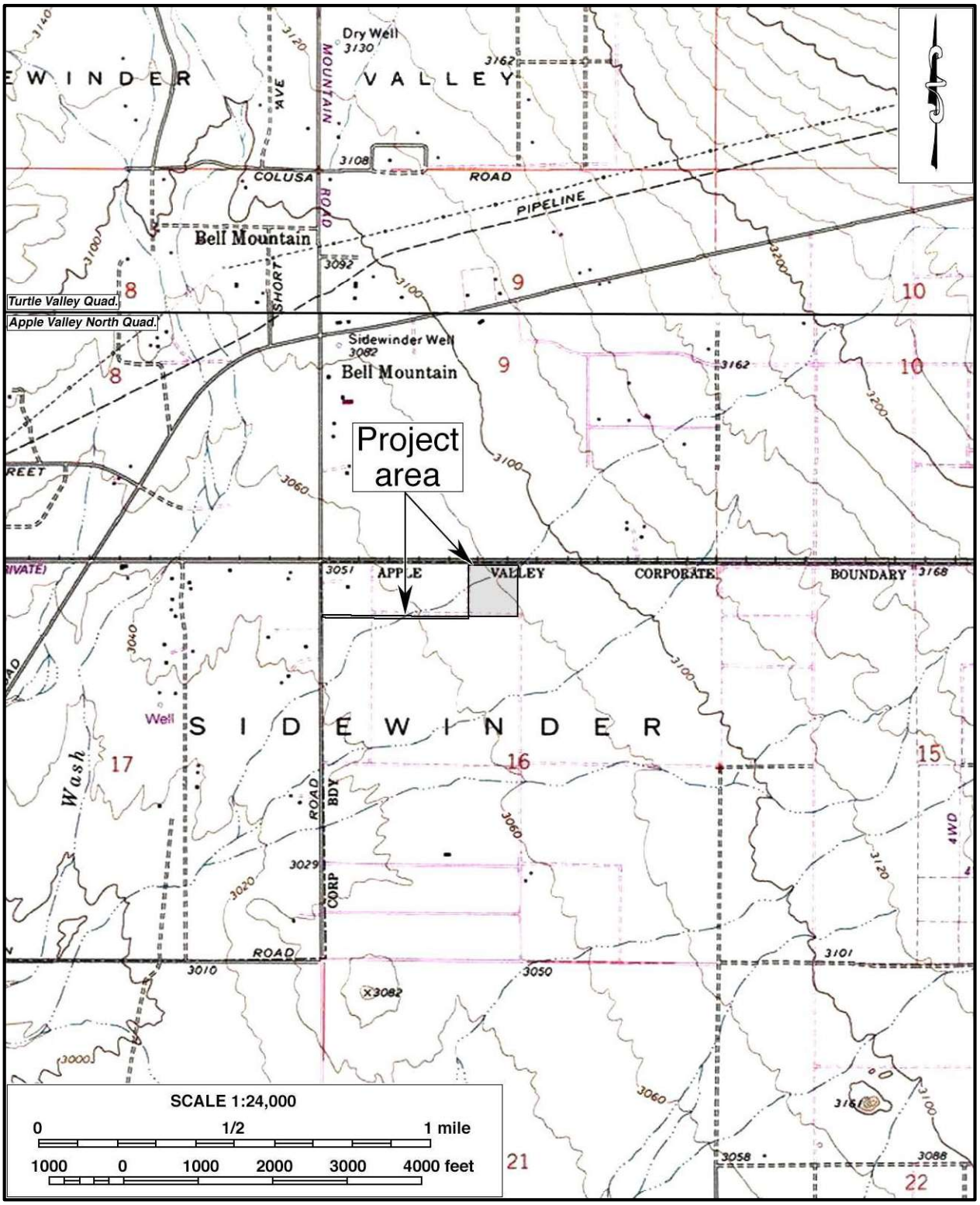

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Figure 3: Site Location, USGS
Source: *Google Earth*

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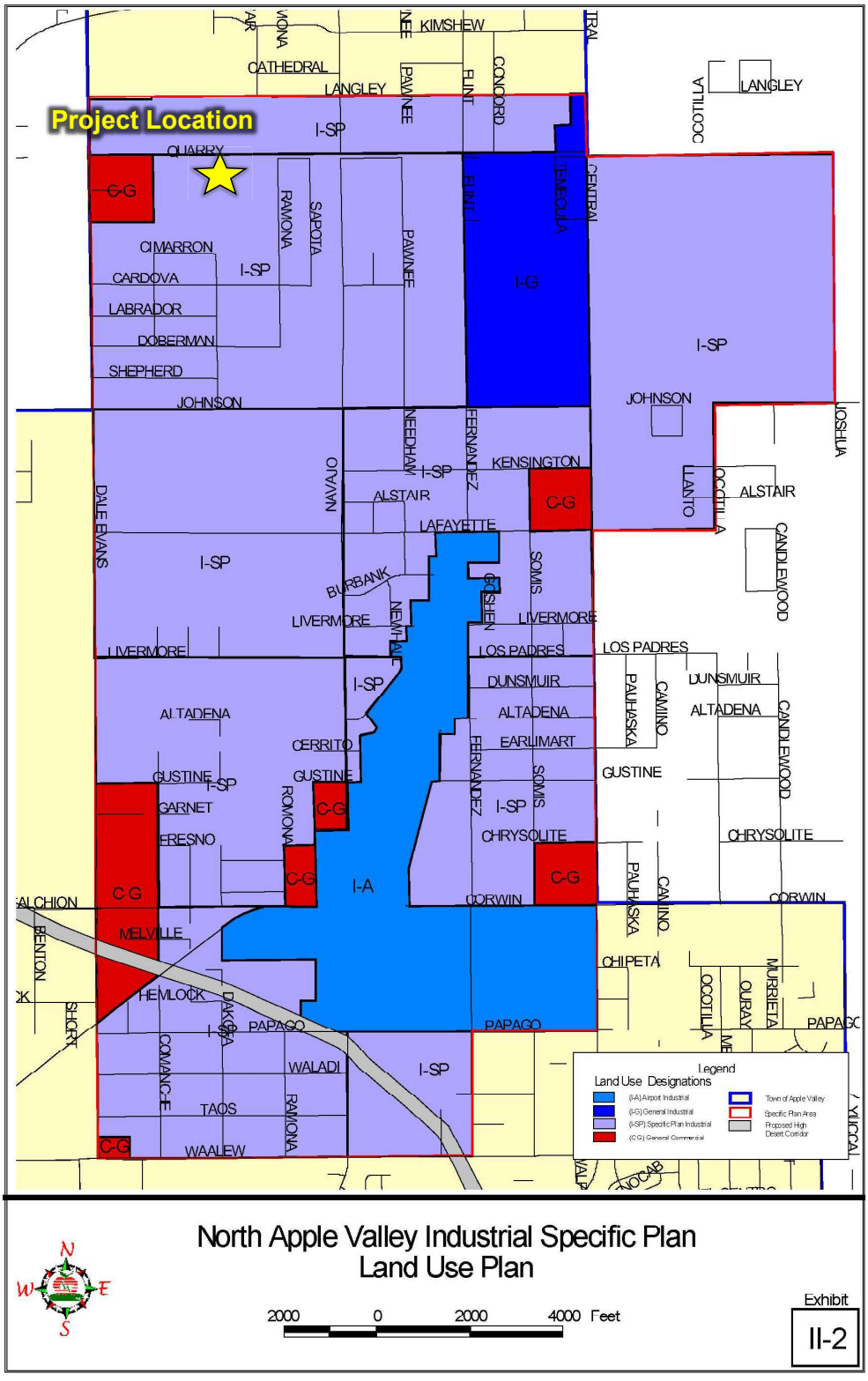

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Figure 4: Site Zoning: Town of Apple Valley

Source: *North Apple Valley Industrial Specific Plan*

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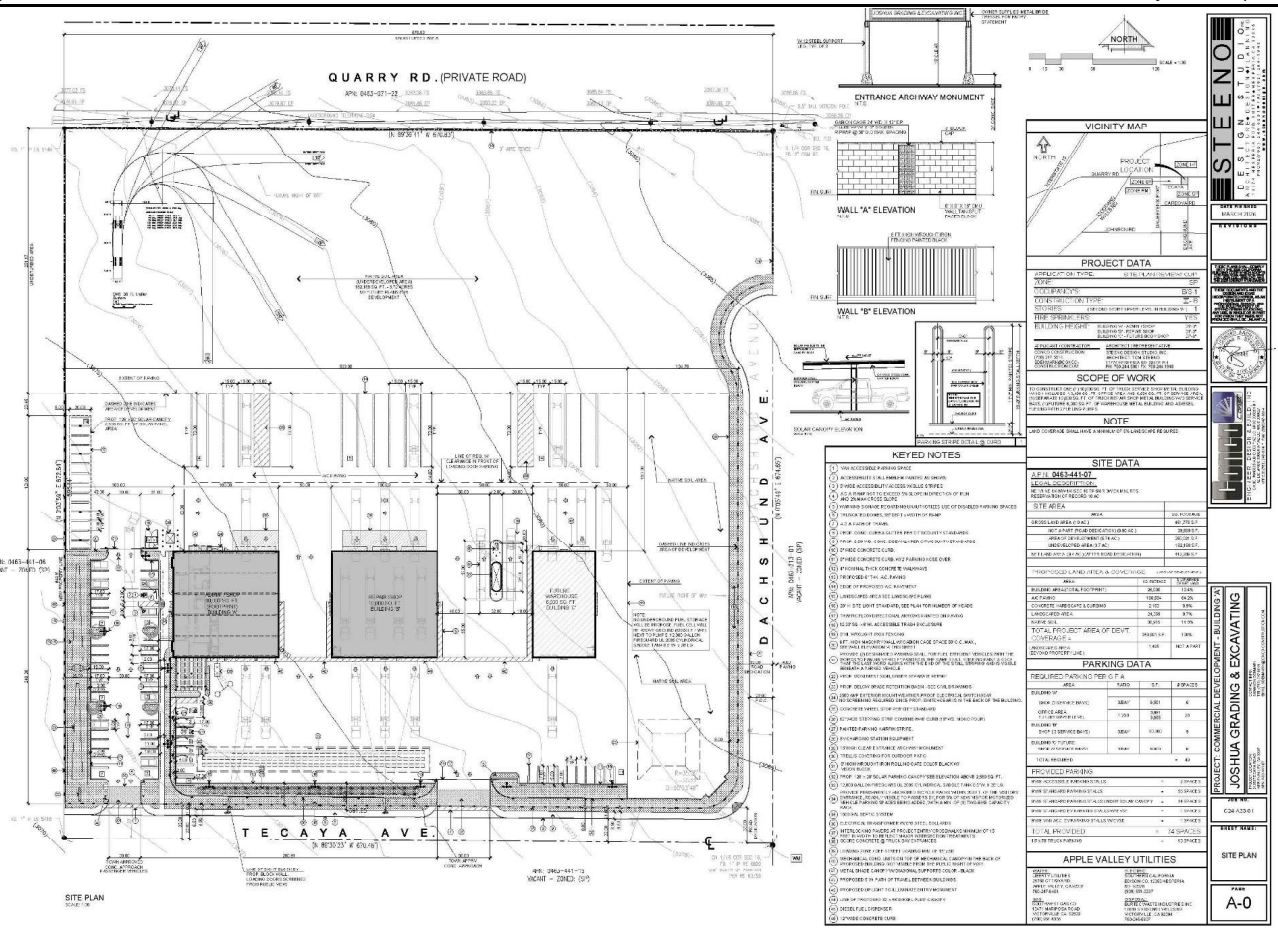

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Figure 5: Site Plan Schematic
Source: *Application Materials*

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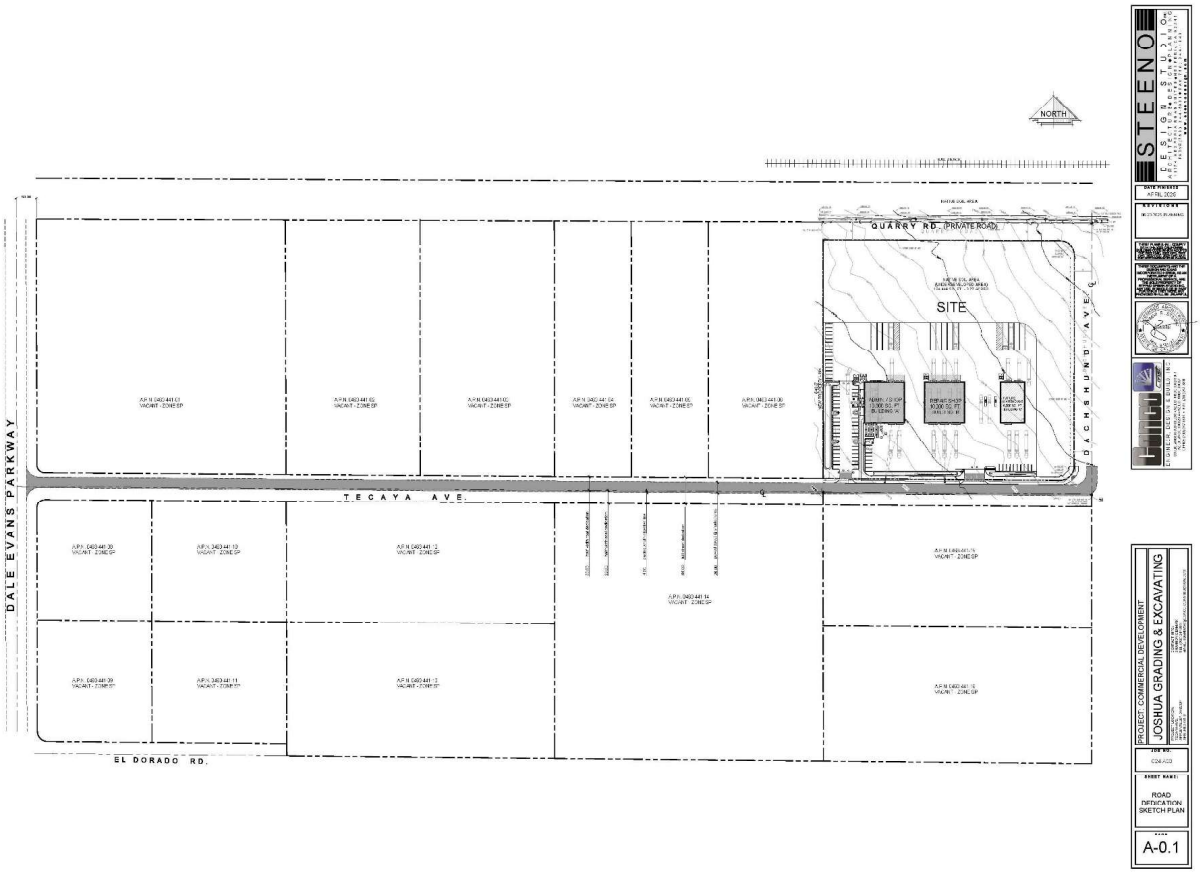

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Figure 6: Parcels for Right-of-Way Acquisition
Source: *Application Materials*

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Figure 7: Elevations
Source: *Application Materials*

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4 ENVIRONMENTAL IMPACTS

4.1 AESTHETICS

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	Less Than Significant With Mitigation Incorporated			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact				X
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 a 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			X	
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			X	

Discussion

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 CEQA Guidelines do not provide a definition of what constitutes a "scenic vista" or "scenic resource" or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

The Proposed Project proposes the establishment of a new office and repair/storage yard for its equipment that services the BNSF railroad tracks throughout the desert of Southern California on 5.74 net acres within the SP-I zone of the NAVISP of the Town of Apple Valley's General Plan. Surrounding land uses are also vacant and zoned SP-I.

The Proposed Project would change the visual character of the Project site in that it would add structures to a currently vacant parcel. However, the Proposed Project is be consistent with the zoning for the Project Site and Project area. Compliance with Town standards in terms of building height, massing, and development intensity would make the Project consistent with the intent of the ultimate plan for the area.

The surrounding area is primarily vacant. A single residence exists approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences exist approximately 2,000 feet to the southwest of the Project Site (along Cardova Road), The zoning for the residence that is 1,600 feet to the west is zoned General Commercial within the NAVISP, while the residence located approximately 2,000 feet to the southwest is zoned Specific Plan Industrial within the NAVISP.

Views from the residential streets are primarily of the flat desert floor, with mountainous terrain in the far background. The Project Site is not a scenic vista nor are there designated scenic vistas in the vicinity where the Project would interrupt the views from any scenic vista. Therefore, there is a less than significant impact.

Finding

The Proposed Project has no 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

The 2009 GP EIR found that there are no scenic highways in Apple Valley (refer to *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: No Impact

Since 2009, there have been no scenic highways designated in the Town. Thus, there is no new 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 Project Site is along northwest corner of Dachshund Avenue and Tecaya Road in the Town of Apple Valley, neither of which is a State scenic highway. Therefore, no impacts associated with scenic resources within a State scenic highway would occur, and no mitigation would be required.

Finding

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

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?

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

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

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: Less Than Significant

The Project site and Project vicinity are located within the Specific Plan Industrial (SP-I). The remaining surrounding area is primarily vacant. A single residence exists approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences exist approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).

Overall, of the 10-acre parcel, a 6-foot-high masonry wall would be installed along the frontage and west sides (developed area) while a chain link fence would be installed along the north and east sides of the

property that would remain undeveloped. Along the east side, there is an approximately 94-foot separation between the chain link fence and the developed portion of the Project, and along the north side, there is an approximate 207-foot separate between the chain link fence and the developed portion.

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 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.

Because the Proposed Project is designed to be consistent with the Town's Standards and Guidelines which ensures compatibility with the visual character intended for the vicinity, the impacts are less than significant, and no Project-specific mitigation is required.

Finding

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

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. 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

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

III.A. Aesthetics and Visual Impacts

3. Mitigation Measures

4. 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

Impacts from light are typically associated with the use of artificial lighting at nighttime. Glare typically occurs during the day, generally caused by a reflection of sunlight on highly polished surfaces, such as windows, generally associated by mid- to high-rise buildings with exterior facades that are comprised of highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source light that contrasts with the surrounding ambient lighting.

The type of land uses typically sensitive to light and glare include residential uses, hospitals, senior housing, and other types of uses that may disrupt sleep. Overall, the Project would establish an office and repair shops and equipment yard for temporary storage on approximately 4.5 acres of a 10-acre parcel.

During Project construction, no activities would occur at night primarily because the Applicant, which also operates heavy equipment, understands that operating heavy equipment and construction at night does not provide the high degree of accuracy required and therefore, construction should only be conducted during daylight hours. As such, the Applicant will require the construction contractor to only construct the Project during daylight hours. In addition, the Town of Apple Valley has set restrictions to control noise impacts associated with the construction of the Proposed Project. AVMC Section 9.73.060[F][1], Construction/Demolition indicates that operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between weekday hours of 7 p.m. and 7 a.m., or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real

As no construction would occur at night, no short-term impacts associated with light and glare would occur.

During operations, typical work hours at the facility would be 6 am to 4 pm, Mondays through Fridays. Weekend or after hours work would occur if there are client emergencies and cleanup as required. The analysis in this document assumes that work would occur occasionally on weekends or after hours, generally one to two times per month.

The Proposed Project is required to comply with the Town of Apple Valley lighting standards. This would require all exterior lighting to be shielded/hooded to prevent light trespass onto nearby properties. This would include onsite safety and security lighting that would face downwards to the parking lot. Additionally, the Project design features would include the use of non-reflective building materials. And though some new reflective improvements (i.e., windows and building front treatments) would be introduced to the site, the Project would not be a source of glare in the Project area because of the architectural treatments, and because it is adjacent to other similar commercial uses. Therefore, impacts associated with light and glare would be less than significant.

Finding

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

4.2 AGRICULTURE AND FORESTRY RESOURCES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
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				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	Less Than Significant				X
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				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact				X
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 or conversion of forest land to non-forest use?	Less Than Significant With Mitigation Incorporated				X

Discussion

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 nonagricultural use?

2009 GP EIR Impact Analysis – Less Than Significant With Mitigation Incorporated
Source: 2009 GP EIR Findings pp. 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 measures that are applicable.

Proposed Project Impact Analysis: No Impact

According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project site is identified as Grazing Land. Therefore, there would be no potential impacts associated with conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use, and no mitigation would be required.

Finding

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

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 contract 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. No impacts would occur, and no mitigation is required.

Finding

The Proposed Project has no new or 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))?*

2009 GP EIR Impact Analysis – Not Analyzed.

This criteria was not analyzed in the 2009 GP EIR as it was not a part of the CEQA Guidelines at the time.

Proposed Project Impact Analysis: No Impact

The habitat within the Project site and road alignment alignment consists of a mixture of Creosote bush - white bursage scrub (*Larrea tridentata - Ambrosia dumosa Shrubland Alliance*) and disturbed bare ground. No part of the Project site or its surroundings are designated as timberland as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). No impacts would occur, and no mitigation is required.

Finding

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

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

2009 GP EIR Impact Analysis – Not Analyzed.

This criteria was not analyzed in the 2009 GP EIR as it was not a part of the CEQA Guidelines at the time.

Proposed Project Impact Analysis: No Impact

The habitat within the Project site and road alignment alignment consists of a mixture of Creosote bush - white bursage scrub (*Larrea tridentata - Ambrosia dumosa Shrubland Alliance*) and disturbed bare ground. There is no designated forest land on the Project site, and the Proposed Project would therefore not affect forests during construction or operations. No impacts would occur, and no mitigation is required. No impacts would occur, and no mitigation is required.

Finding

The Proposed Project has no 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 nonagricultural use or the conversion of forest land to non-forest use?

2009 GP EIR Impact Analysis – Less Than Significant With Mitigation Incorporated
Source: 2009 GP EIR Findings pp. 11-20 to 11-21

Refer to Impact 4.2(a).

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 California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project site is identified as Grazing Land. The California Dept of Conservation defines Grazing Land as land on which the existing vegetation is suited to the grazing of livestock. This category is used only in California and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The Proposed Project is also consistent with its current zoning, which is SP-1. As discussed under Thresholds II.2 (b) through II.2(d), the Proposed Project would not involve other changes in the existing environment that would result in conversion of forest land to non-forest land. Therefore, there are no impacts associated with changes in the environment which could result in conversion of farmland to non-agricultural use, and no mitigation would be required.

Finding

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

4.3 AIR QUALITY

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant and Unavoidable			X	
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			X	
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant		X		
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	Less Than Significant			X	

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Joshua Grading Apple Valley, Air Quality, Greenhouse Gas, and Energy Impact Study*, MD Acoustics, May 10, 2026 (included as Appendix A to this SIS).
- MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020, available at https://www.mdaqmd.ca.gov/rules/overview.

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

Conformity with Air Quality Management Plans

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).[4]

[4] 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 Emissions Thresholds

As shown by the results of the air quality analysis in Appendix A and the discussion in Impact III (c) below, the Project's emissions do not exceed any MDAQMD thresholds during either short-term construction or long-term operation of the Project. 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.

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.

Consistency with Growth Forecasts

The Project is located within the 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

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

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 identified in Threshold III(a) apply to the Project.

Proposed Project Impact Analysis: Less Than Significant

Table 3: *Attainment Status of MDAQMD – Portion of Mojave Desert Air Basin* identifies the criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Table 4: Attainment Status of MDAQMD – Portion of Mojave Desert Air Basin

Pollutant	Federal Designation	State Designation
1-Hour Ozone	--	Nonattainment
8-Hour Ozone	Nonattainment	Nonattainment, Moderate
CO	Unclassified/Attainment	Attainment
PM10	Nonattainment	Nonattainment
PM2.5	Unclassified/Attainment	Nonattainment
Lead	Unclassified/Attainment	Attainment
SO2	Unclassified/Attainment	Attainment

NO2	Unclassified/Attainment	Attainment

Notes:

[1] MDAQMD = Mojave Desert Air Quality Management District

[2] Source: California Air Resources Board (2019) (https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations) and MDAQMD (https://www.mdaqmd.ca.gov/air-quality/mdaqmd-attaiment-status).

The MDAQMD also has developed regulatory standards for criteria pollutants that are considered pre-cursers to Ozone, PM10 and PM2.5 production. These include CO, nitrogen dioxide (NO2), sulfur dioxide (SO2).

The MDAQMD currently recommends that projects with construction-related and/or operational emissions that exceed any of the following emissions thresholds should be considered significant:

- 25 tons per year or 137 pounds per day pounds per day of VOC
- 25 tons per year or 137 pounds per day of NOx
- 100 tons per year or 548 pounds per day of CO
- 25 tons per year or 137 pounds per day of Sox
- 15 tons per year or 82 pounds per day of PM10
- 12 tons per year or 65 pounds per day of PM2.5

Cumulative projects include local development as well as general growth within the Project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic by nature.

The Project area is out of attainment for both ozone and particulate matter. Construction and operation of cumulative projects will further degrade the air quality of the Mojave Desert Air Basin. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria or can be mitigated to less than criteria levels are not considered significant and do not significantly add to the overall cumulative impact.

Construction Impacts

The analysis in Appendix A utilized the latest version of CalEEMod to estimate the onsite and offsite construction emissions to determine if construction of the Project would exceed any threshold. The emissions incorporate Rule 403.2, as discussed in Section 2.1.2. Rule 403.2 (fugitive dust) is not considered a mitigation measure as the project by default is required to incorporate this rule during construction. The results of the emission modeling for construction is provided in **Table 5: *Daily Construction Emissions*** and identifies that the Project would not exceed emission thresholds during construction (also refer to Appendix A).

Table 5: Daily Construction Emissions

Construction Year	Pollutant Emissions (pounds/day)					
	VOC	NOx	CO	SO_2	PM10	PM2.5
2026	3.23	29.20	30.20	0.05	9.14	5.14
2027	9.45	9.56	13.80	0.02	0.55	0.36
Maximum	**9.45**	**29.20**	**30.20**	**0.05**	**9.14**	**5.14**
MDAQMD Thresholds	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Thresholds	No	No	No	No	No	No

Notes:
[1] Source: CalEEMod Version 2022.1.1.30. See Appendix A for full output.
[2] On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM-10 and PM-2.5 emissions show mitigated values for fugitive dust for compliance with MDAQMD Rule 403.
[3] Off-site emissions from equipment operated on public roads.
[4] Construction, architectural coatings and paving phases may overlap.

Operational Impacts

The Project area is out of attainment for both ozone and particulate matter. Operation of cumulative projects will further degrade the air quality of the MDAB. However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

The operations-related criteria air quality impacts created by the Proposed Project have been analyzed through the use of CalEEMod model (Appendix A). The operating emissions were based on an opening year of 2027, which is a conservative estimate of the opening year for the Project. The summer and winter emissions created by the Proposed Project's long-term operations were calculated and the highest emissions from either summer or winter as summarized in **Table 6: *Operational Emissions***.

Table 6: Operational Emissions

Activity	Pollutant Emissions (tons/year)[1]					
	VOC	NOx	CO	SO2	PM10	PM2.5
Area Sources[2]	0.80	0.01	1.13	0.00	0.00	0.00
Energy Usage[3]	0.02	0.30	0.25	0.00	0.02	0.02
Mobile Sources[4]	0.06	0.94	0.91	0.01	0.63	0.18
Total Emissions	**0.88**	**1.25**	**2.29**	**0.01**	**0.65**	**0.20**
MDAQMD Annual Thresholds	**25**	**25**	**100**	**25**	**15**	**12**
Exceeds Threshold?	No	No	No	No	No	No

Notes:
[1] Source: CalEEMod Version 2022.1.1.30. See full output in Appendix A.
[2] Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3] Energy usage consists of emissions from on-site natural gas usage.
[4] Mobile sources consist of emissions from vehicles and road dust.

Table 6 shows that the Project does not exceed the MDAQMD operational thresholds.

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 Impact With Mitigation Incorporated

A sensitive receptor is defined by MDAQMD as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. Also included are long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

The potential impact of Project-generated air pollutant emissions at sensitive receptors was considered in Appendix A.

As per the MDAQMD Guidelines, the following project types located within a specified distance to an existing or planned sensitive receptor land use must be evaluated to determine exposure of substantial pollutant concentrations to sensitive receptors:[5]

- 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 Proposed Project would develop an equipment yard for railroad support, which is an industrial use. The surrounding area is primarily vacant. A single residence exists approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences exist approximately 2,000 feet to the southwest of the Project Site (along Cardova Road). The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the Proposed Project.

The Office of Environmental Health Hazard Assessment (OEHHA) has issued the Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments, February 2015 to provide a description of the algorithms, recommended exposure variates, cancer and noncancer health values, and the air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. Hazard identification includes identifying all substances that are evaluated for cancer risk and/or non-cancer acute, 8-hour, and chronic health impacts. In addition, identifying any multi-pathway substances that present a cancer risk or chronic non-cancer hazard via non-inhalation routes of exposure.

OEHHA recommends a 30-year period when analyzing health risk from toxic air contaminants. Given the relatively limited number of heavy-duty construction equipment, an 11-month construction schedule, and that the nearest sensitive receptors are greater than 500 feet from the property line, the Proposed Project would not result in a long-term substantial source of toxic air containment emissions and corresponding individual cancer risk during construction and operations.

Additionally, as identified in Table 5 and Table 6, Project emissions would not exceed the MDAQMD significance thresholds during construction or operations. Therefore, sensitive receptors would not be subject to a significant air quality impacts during Project construction and operational activities. Thus, a less than significant impact to sensitive receptors during construction and operations activity is expected.

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.

[5] Mojave Desert Air Quality Management District. California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, August 2016. http://www.mdaqmd.ca.gov/home/showdocument?id=192 , accessed 2/3/25.

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

PS-MM AQ-1: 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 Town of Apple Valley Planning 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 San Bernardino County

Department of Public Health (DPH) Environmental Health Services (EHS).

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 National Institute for Occupational Safety and Health (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, with the implementation of **PS-MM AQ-1** the impacts would be less than significant.

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

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 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 Measures

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

Proposed Project Impact Analysis: Less Than Significant

The surrounding area is primarily vacant. A single residence exists approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences exist approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).

Construction

Potential sources that may emit odors during construction activities include equipment usage and the application of materials such as asphalt and concrete. The objectionable odors that may be produced during the construction process are short-term in nature, and the odor emissions are expected cease upon construction completion and the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors, located 1,600 feet to the west and 2,000 feet to the southwest. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the Proposed Project.

Operations

Potential sources that may emit odors during the on-going operations of the Proposed Project would include odor emissions from vehicular emissions and trash storage areas. As the Proposed Project is a storage yard for well drilling equipment, odors may be solvents, diesel exhaust, and disinfectant chemicals. However, these are anticipated to be used in small quantities and properly stored in accordance with all regulations, which would also serve to reduce odor. The nearest sensitive receptors are located approximately 1,600 feet west and approximately 2,000 feet southwest of the Project Site. Emissions are anticipated to dissipate rapidly from the Project Site and should not reach objectionable levels at nearby residences. The Project's trash enclosure would be constructed to City standard which includes walled, covered enclosures, and Project-generated refuse would be removed at regular intervals.

Therefore, potential impacts associated with other emissions, such as those leading to odors adversely affecting a substantial number of people, would be less than significant, and no mitigation would be required.

Therefore, potential impacts associated with other emissions, such as those leading to odors adversely affecting a substantial number of people, would be less than significant, and no mitigation would be required.

Finding

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

4.4 BIOLOGICAL RESOURCES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project:					
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		X		
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			X	
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				X
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		X		

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less Than Significant With Mitigation Incorporated				X
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				X

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Biological Resources Assessment and Jurisdictional Delineation for the Joshua Grading and Excavation Operations Yard in the Town of Apple Valley,* prepared by Jennings Environmental, April 2025 (included as Appendix B to this SIS).

a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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

The following Mitigation Measures from the 2009 GP 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: Less Than Significant With Mitigation Incorporated

Jennings biologist, Gene Jennings, conducted the general reconnaissance survey within the Project alignment and a 250-buffer to identify the potential for the occurrence of special status species, vegetation communities, or habitats that could support special status wildlife species, with focus on species known to occur in the region. The survey was conducted on foot, throughout the Project site between 0830 and 1030 hours on March 21, 2025, and Weather conditions during the survey included temperatures ranging from 58.4 to 63.2 degrees Fahrenheit, with no cloud cover, no precipitation, and 2.2 to 3.1 mile-per-hour winds. Photographs of the Project site were taken to document existing conditions.

Vegetation and Land Cover

The habitat within the Project site and road alignment along Tecaya Road from Dale Evans Avenue through the Project frontage consists of a mixture of Creosote bush - white bursage scrub (*Larrea tridentata - Ambrosia dumosa Shrubland Alliance*) and bare ground. The site showed signs of trash dumping but was otherwise disturbed. Appendix B contains a list of plants found within the alignment and survey buffer. Surrounding land uses include undeveloped parcels and rural residential developments.

Special Status Species

According to the literature review conducted as part of the Biological Resources Assessment in Appendix B, 40 sensitive species including 12 listed species, have been documented in the Apple Valley North, Turtle Valley, Helendale, and Victorville quads. This list of sensitive species and habitats includes any State and/or federally-listed threatened or endangered species, CDFW-designated Species of Special Concern (SSC), and otherwise Special Animals. “Special Animals” is a general term that refers to all of the taxa the CNDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of “species at risk” or “special status species.” The CDFW considers the taxa on this list to be those of greatest conservation need.

An analysis of the likelihood of the occurrence of all CNDDB-sensitive species documented in the Apple Valey North, Turtle Valley, Helendale, and Victorville quads is provided in Appendix B.

The analysis in Appendix B determined that the Project site and the road alignment did not contain signs of any sensitive species, although low-grade suitable habitat does exist. The analysis in Appendix B identified the following.

Western Joshua Tree: State – Candidate Threatened

The WJT was granted candidate status under the California Endangered Species Act on September 25, 2020. This species is endemic to the Mojave Desert and occupies an elevation range of 1,600 and 6,660 feet above mean sea level. This species is recognized in several vegetation communities in varying densities. Known occupied communities include sagebrush scrub, desert shrub, southwestern shrubsteppe, pinyon-juniper woodland, and desert grasslands. When this species is dominant in high densities, the occupied habitat may be classified as a Joshua tree woodland, although densities are typically low due to their extensive and competitive root systems. Mature size varies greatly due to irregular branching, and large individuals can exceed 40 feet in height. Like other large members of family Agavaceae, western Joshua trees grow slowly, with estimated growth rates ranging from 2.3 to 4.6 inches per year depending on individual age and conditions. Western Joshua trees are long-lived species, with most estimates of average lifespan ranging from 150 to 300 years, although some estimates exceed 700 years. The largest known western Joshua tree exceeds 60 feet in height and is an estimated 1,000 years old. Like other long-lived plant species, seed production occurs vaery slowly and irregularly, although rhizome production and clonal growth can occur. Western Joshua trees are only known to be pollinated by once species: the yucca moth (*Tegeticula synthetica*).

In late June 2023, the State of California enacted the Western Joshua Tree Conservation Act which requires CDFW to develop a state-wide management plan for protecting Joshua trees, as well as to develop a new and independent permitting process for removing Joshua trees. The CDFW considers any disturbance within 50 feet of a Western Joshua Tree as a “take” and therefore, even if the tree would not be removed, Western Joshua Tee Conservation Act Incidental Take Permit (ITP) for impacts is required.

The Project site does contain suitable habitat for this species, however, none are present on-site. This species was observed within adjacent parcels but located outside the 50-foot buffer for each tree, and none of the Project activities would impact the tree or the buffer.

Burrowing Owl: State-Candidate Threatened

The burrowing owl was granted candidate status under the California Endangered Species Act on October 10, 2024. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground. They are dependent upon the presence of burrowing mammals (such as ground squirrels) for roosting and nesting habitat.

Portions of the Project Site are unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owl. However, the Project Site lacks suitable burrows (greater than 4 inches in diameter) capable of providing roosting and nesting opportunities.

Additionally, no burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) was observed during the field investigation. Based on the results of the field investigation, it was determined that the Project Site has a low potential to support burrowing owls and focused surveys are not recommended. However, to ensure burrowing owls have not moved into the site prior to construction, **Project-Specific Mitigation Measure (PS-MM) BIO-1** to provide a site survey prior to construction is required to reduce potential impacts to less than significant. With the implementation of Mitigation Measure BIO-1, impacts would be less than significant.

Desert Kit Fox: State - Species of Special Concern

The Project road alignment and Project Site are minimally suitable for this species. However, this species was not observed during the survey. No burrows or suitable size or shape were observed within the road alignment or the Project Site, and no evidence of this species was observed either (scat, predation remains, tracks, etc.).

However, because the species is transitory, to ensure no Desert Kit Fox have moved into roadway or Project Site prior to construction, **PS-MM BIO-2** to provide a site survey prior to construction is required to reduce potential impacts to less than significant. With the implementation of Mitigation Measure BIO-2, impacts would be less than significant.

American Badger: State - Species of Special Concern

The Project road alignment and Project Site are minimally suitable for this species. However, this species was not observed during the survey. No burrows or suitable size or shape were observed within the road alignment or the Project Site, and no evidence of this species was observed either (scat, predation remains, tracks, etc.).

However, because the species is transitory, to ensure no American Badger have moved into roadway or Project Site prior to construction, **PS-MM BIO-2** to provide a site survey prior to construction is required to reduce potential impacts to less than significant. With the implementation of Mitigation Measure BIO-2, impacts would be less than significant.

Desert Tortoise: State-Endangered / Federal-Threatened

The habitat within the Project site contains low suitability for desert tortoise. As such, protocol surveys for this species were conducted using the 2019 US Fish and Wildlife Service Survey Protocols. No sign of desert tortoise (i.e. burrows, tracks, or pellets) was observed during the survey. No desert tortoise individuals were observed. Additionally, the alignment is outside of the USFWS-accepted current range for this species. Based on surveys and the field reviews, this species is considered absent from the Project Site and Project alignment. However, since there is some suitable habitat for this species within the Project Site, pre-construction surveys are recommended. However, because the species is transitory, to ensure no Desert Tortoise have moved into roadway or Project Site prior to construction, Mitigation

Measure BIO-2 to provide a site survey prior to construction is required to reduce potential impacts to less than significant. With the implementation of Mitigation Measure BIO-2, impacts would be less than significant.

Mohave Ground Squirrel: State – Threatened

The project site falls within the historic range of the MGS but is located outside, to the south, of the Mohave ground squirrel Conservation Area set forth in the West Mojave Plan. The habitat on Project Site and Project alignment is not suitable for MGS. Additionally, adequate cover and forage for MGS is limited within and around the site. No winterfat (Eurotia lanata), nor spiny hopsage (Grayia spinosa) were found within the Project alignment or Project Site, which are considered important forage for MGS. Absence of this habitat feature further lessens the likelihood of MGS presence on the study site or their ability to persist during long term drought conditions. No wildlife corridors are expected to exist between the closest core MGS population and the project site. The maximum documented movement of MGS is 3.9 miles. Because the site does not have suitable habitat for MGS and is outside the historical range, this species is considered absent from the Project area and presence/absence surveys for this species are not warranted or recommended.

Critical Habitat

Under the federal Endangered Species Act, "Critical Habitat" is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat. The purpose of the consultation is to ensure that projects will not jeopardize the continued existence of the listed species or adversely modify or destroy its designated Critical Habitat. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing is on federal lands, uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highways Administration or a Clean Water Act Permit from the United States Army Corps of Engineers). If a there is a federal nexus, then the federal agency that is responsible for providing the funding or permit would consult with the USFWS.

The Project Site is not located within federally designated Critical Habitat. Further, the nearest Critical Habitat designations are located approximately 7 miles to southwest for southwestern willow flycatcher (*Empidonax traillii extimus*). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the Proposed Project.

Project-Specific Mitigation Measures

PS-MM BIO-1: **Pre-Construction Surveys: Burrowing Owls.** A 30-day pre-construction survey for Burrowing Owl in compliance with CDFW's Staff Report on Burrowing Owl Mitigation, dated March 7, 2012, shall be conducted prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree

removal, site watering, equipment staging, grading, etc.) to safeguard that no owls have colonized the Project site.

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

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

PS-MM BIO-2: **Pre-Construction Surveys: Desert Kit Fox and American Badger.** No more than 14 days prior to the beginning of ground disturbance and/or Project activities, an applicant-retained qualified biologist shall conduct pre-construction surveys to determine if potential desert kit fox and American badger dens are present in the Project area. Pre-construction surveys should include 100-percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupation by desert kit fox or American badger, Project activities shall be immediately halted, and the qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures.

Pre-Construction Surveys: Desert Tortoise. All pre-construction surveys will be performed by an applicant-retained qualified biologist to the latest standards by the CDFW and USFWS protocols. No more than 14 days prior to the beginning of ground disturbance and/or Project activities, an applicant-retained qualified biologist shall conduct pre-construction surveys to determine if potential badger dens are present in the Project area. Pre-construction surveys should include 100-percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupied desert tortoise, Project activities shall be immediately halted, and the qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures.

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. With the implementation of Project-Specific Mitigation Measures **PS-MM BIO-1** and **PS-MM BIO-2** impacts would be less than significant relating to candidate, sensitive, or special status plant and wildlife species.

b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game 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 – Less Than Significant

The analysis in Appendix B identified that the literature review identified that National Wetland Inventory maps did identify the existence of a Riverine/Riparian system could be within the Project Site.

The analysis in Appendix B surveyed the Project Site and road alignment with 100 percent visual coverage. It determined that the Project Site does contain a degraded topographical feature, as seen in Appendix B, in the same location as the historical blueline stream identified on the mapping that would have previously been considered jurisdictional (refer to Figure 2 in Appendix A that is within the Biological Resources Report located within Appendix B of this document). However, based on the field review, this particular topographical feature was found to no longer be jurisdictional because there is no discernable bed and bank within the topographical feature despite the recent rain fall within the region. The California Department of Fish and Wildlife (CDFW) defines “stream” in Title 14, Section 1.72 of the Fish and Game Code puts an emphasis on the presence of Riparian Vegetation, as well as the presence of resources for fish or other aquatic life, as defining streams. The reason is that if the only requirement to define a stream (i.e., jurisdictional water) is limited to “a body of water that flows at least periodically or intermittently”, an intermittent stream could include a number of linear features that support water flow, such as a curb, a gutter, a rivulet, a topographical feature, etc.

Because the degraded topographical feature on-site does not contain any evidence of past or present riparian vegetation, does not have any evidence of natural flow, does not contain a bed and bank, does not support fish or other aquatic wildlife, and does not meet the definition of a stream or other waterbody definitions as defined above in Section 1602, Subsection (a) of the Fish and Game Code, this Project is not subject to Fish and Game Code Section 1602. Therefore, the Project does not need to obtain a Streambed Alteration Agreement.

Therefore, based on the analysis in Appendix B, the Project would have a less than significant adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The Project impacts would be less than significant, and no mitigation is required.

Finding

The Proposed Project has no new or 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 Measures from the 2009 GP are directly applicable to the Project.

III.D. 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.

Proposed Project Impact Analysis: No Impact

A field survey for biological and waters resources occurred in March 2025. The results identified that the Project Site and off-site improvement area do not contain any federally protected wetlands, marsh, vernal pool, or coastal wetlands, or drainage features (Appendix B). Therefore, the Project will have no impact on federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) because none exist on the Project Site or within the Project vicinity.

Finding

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

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 Impact With Mitigation Incorporated

A wildlife corridor is defined as a linear landscape element which serves as a linkage between historically connected habitats/natural areas and is meant to facilitate movement between these natural areas.

Birds observed or otherwise detected on or in the vicinity of the Project Site and Project alignment during the surveys included; white-crowned sparrow (*Zonotrichia leucophrys*), rock wren (*Salpinctes obsoletus*), and house finch (*Haemorhous mexicanus*). The Project site and immediate surrounding area does contain habitat suitable for nesting birds.

According to the San Bernardino County General Plan, the Project Site has not been identified as occurring within a Wildlife Corridor or Linkage. As designated by the San Bernardino County General Plan Open Space Element, the nearest major open space area documented in the vicinity of the Project Site is the Mojave River, located approximately 6 miles to the east of the site. The site is separated from this identified regional wildlife corridors and linkages by existing development and roadways, and undeveloped land, and there are no riparian corridors or creeks connecting the Project Site to these areas.

The Project Site and limited adjacent undeveloped land are generally isolated from other open space nearby. As such, the site is not expected to contribute meaningfully to local wildlife movement through

the area. Therefore, implementation of the Proposed Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Therefore, the Proposed Project would have a less than significant impact 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, and no mitigation is required.

However, the vegetation on site may attract birds and other mammal species that are protected by the MBTA. As such, implementation of **PS-MM BIO-3** to perform a pre-construction nesting bird survey is required to reduce potential impacts to nesting birds protected by the MBTA. With the implementation of Mitigation Measure BIO-3, impacts would be less than significant.

Project-Specific Mitigation Measures

PS-MM BIO-3: To avoid and/or minimize impacts to nesting birds, to the extent possible, construction activities (i.e., earthwork, clearing, and grubbing) shall occur outside of the general bird nesting season for migratory birds, which is March 15 through August 31 for songbirds and January 15 to August 31 for raptors.

If construction activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season for migratory birds (March 15 to August 31) and raptors (January 15 to August 31), a qualified biologist shall be retained to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and CFG Code. The preconstruction survey shall be performed no more than seven days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by a qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted.

If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young have fledged the nest, and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer as applicable for the specific bird species and type of work, or propose other recommendations to avoid indirect impacts to nesting birds.

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. With the implementation of Project-Specific Mitigation Measures **PS-MM BIO-3**, impacts would be less than significant relating to candidate, sensitive, or special status plant and wildlife species.

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 are directly applicable to the Project.

III.D. Biological Resources

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

Proposed Project Impact Analysis: No Impact

Certain desert plant species are regulated pursuant to Section 80073 of the California Desert Native Plant Act (CDNP) and Section 88.01.060 of the San Bernardino County Development Code. Impacts to these species should be avoided in all instances. No aspect of the Project would impact any plant species that are regulated by the CDNP or the County development code. Therefore, there is no conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There is no impact, and no mitigation is required.

Finding

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

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 to the Project for this issue.

Proposed Project Impact Analysis: No Impact

The Project Site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans are not expected to occur from development of the Proposed Project, and mitigation is not required.

Applicable 2009 GP EIR Mitigation Measures

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

4.5 CULTURAL RESOURCES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	Less Than Significant With Mitigation Incorporated			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	Less Than Significant With Mitigation Incorporated		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less Than Significant		X		

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Phase 1 Historical/Historical Archaeological Resources Survey, Conco Truck Repair Facility and Associated Road Improvement,* prepared by CRM Tech, July 17, 2025, Updated January 16, 2026 (included as Appendix C to this SIS).

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.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §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 Measures from the 2009 GP 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: Less Than Significant With Mitigation Incorporated

Public Resources Code Section 15064.5(a) defines historical resources, which includes: *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.).* The study in Appendix C included a records search through the South Central Coastal Information Center (SCCIC), intensive-level pedestrian field survey, paleontological resources overview, and Sacred Lands File Search with the Native American Heritage Commission. The records search revealed that 10 previous cultural resource studies have taken place within a 1-mile radius of the Project, but no studies have been previously performed on the Project Site.

The Project Study Area (Project Site and road alignment) had not been surveyed intensively for cultural resources before the present study, although the area was covered by a program-level reconnaissance study completed for the North Apple Valley Industrial Specific Plan in 2006. Within the 1-mile scope of the records search, SCCIC files identified 10 other studies on various tracts of land and linear features, according to Appendix C.

Based on the analysis in Appendix C, a historic-period refuse scatter, designated Locus 21 of Site 36-020981, was previously recorded as lying within the Project area, and artifacts were observed at its previously recorded location, although at greatly reduced number. During the field survey, an additional refuse scatter and a well standpipe were observed in the Project area and recorded into the California Historical Resources Inventory under the temporary designations of 4242-01H and 4242-02H, respectively. These three localities constitute the only potential "historical resources" known to be present within the project boundaries.

Surface scatters of common household refuse from the 20th century comprise the most proliferate type of historic-period archaeological sites found in the southern California desert region. Similarly, remnants of abandoned irrigation features are a common throughout the arid region. Neither the refuse scatters nor the standpipe is known for any documented association, let alone a close association, with persons or events of recognized significance in national, state, or local history. The well standpipe, a minor, ubiquitous feature, does not demonstrate any remarkable merits in design, construction, or engineering. In the absence of an exceptional quantity or quality of artifacts, the refuse deposits do not hold the potential for any important archaeological data, and nor does the well standpipe. What little data potential they may have is largely exhausted through their recordation into the California Historical Resources Inventory.

Based on these considerations, none of the three localities recorded in the Project area appears to meet any of the criteria for listing in the California Register of Historical Resources. Therefore, they do not qualify as "historical resources" under CEQA provisions. Based on these considerations, none of the three localities recorded in the project area appears to meet any of the criteria for listing in the California Register of Historical Resources. Therefore, they do not qualify as "historical resources" under CEQA provisions.

As such, the report in Appendix C determined that there are no "historical resources" as defined by CEQA that exist within or adjacent to the Project site or within the Project alignment. Therefore, potential impacts associated with an adverse change to a historical resource would be less than significant, and no mitigation would be required.

Finding

The Proposed Project has no new or 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 §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 develop-ment 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

Mitigation Measure III.E. Cultural Resources 1 applies.

Proposed Project Impact Analysis: Less Than Significant Impact With Mitigation Incorporated

Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites). No other potential markers of prehistoric human activities were found in the on the Project site.

An inquiry to the Native American Heritage Commission (NAHC) was submitted as part of the investigation in Appendix C to ascertain the presence of known sacred sites, Native American cultural resources, and/or Native American human remains within the boundaries of the Proposed Project. On February 24, 2025, the NAHC search of the Sacred Land Files came back negative for tribal resources within or adjacent to the Project (Appendix C).

As it always possible that intact archaeological deposits could be present at subsurface levels, the Project site should be treated as potentially sensitive for archaeological resources. Implementation of **PS-MM CUL-1,** and **PS-MM CUL-2** are required to manage unanticipated discoveries of archaeological and Native American resources when monitoring is not required by the Phase 1 cultural resources survey. Implementation of PS-MM CUL-1, PS-MM CUL-2, and PS-MM CUL-3 would reduce potential impacts to unanticipated discoveries of archaeological resources.

Project-Specific Mitigation Measures

PS-MM CUL-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 an applicant-retained qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within MM 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.

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

Finding

With the implementation of Project-Specific Mitigation Measures **PS-MM CUL-1** and **PS-MM CUL-2** impacts would be less than significant. Therefore, 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) 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

There are no mitigation measures. However, the Project is required to comply with California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et seq.

Proposed Project Impact Analysis: Less Than Significant Impact With Mitigation Incorporated

Based on an analysis of records and surveys of the property, it has been determined that the Project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. However, implementation of **PS-MM CUL-3** would manage unanticipated discoveries of human remains.

Project-Specific Mitigation Measures

PS-MM CUL-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[HP37.1][JG37.2] of construction of the project.

Finding

With the implementation of Project-Specific Mitigation Measures **PS-MM CUL-3,** impacts would be less than significant. Therefore, 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

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY: Would the project:					
a) Result in a 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			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant With Mitigation Incorporated			X	

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Joshua Grading Apple Valley, Air Quality, Greenhouse Gas, and Energy Impact Study*, MD Acoustics, February 4, 2026 (included as Appendix A to this SIS).

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

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

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

III.C. Air Quality

3. **Mitigation Measures**

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

The Project will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. Information from the CalEEMod 2022.1.1.26 Daily and Annual Outputs contained in the air quality and greenhouse gas analyses (Appendix A) were utilized to determine the potential energy demand. The CalEEMod outputs detail Project related construction equipment, transportation energy demands, and facility energy demands. Electricity used for the Project during construction and operations would be provided by Southern California Edison, which serves more than 15 million customers. SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. Natural gas would be provided to the Project by Southwest Gas. Project-related vehicle trip energy consumption will be predominantly gasoline and diesel fuel. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

Construction Energy

The Project's estimated energy consumption during construction is provided in Appendix A (refer to Section 8, Tables 12-16). Information from the CalEEMod 2022.1.1.30 Daily and Annual Outputs in Appendix A was utilized for this analysis. The CalEEMod outputs detail Project-related construction equipment, transportation energy demands, and facility energy demands. In summary, the usage was estimated as follows:

- Appendix A, Table 12: Project Construction Power Cost and Electricity Usage: 14,257 kWh. Based on the 2017 National Construction Estimator, Richard Pray (2017), the typical power cost per 1,000 square feet of building construction per month is estimated to be $2.32. The Project plans to develop the site with 26,000 square feet of industrial space over the course of approximately 13 months. Therefore, the construction electricity usage was determined to be 14,257 kWh.

- Appendix A, Table 13: Construction Equipment Fuel Consumption Estimates: 28,878 gallons of diesel fuel. Using the CalEEMod data input, the Project's construction phase would consume electricity and fossil fuels as a single energy demand, that is, once construction is completed their use would cease. CARB's 2017 Emissions Factors Tables show that on average aggregate fuel consumption (gasoline and diesel fuel) would be approximately 18.5 hp-hr-gal. Table 13 in Appendix A shows that an estimated 28,878 gallons of diesel fuel would be consumed during construction.

- Appendix A, Table 14: Construction Worker Fuel Consumption Estimates: 2,177 gallons. It is assumed that all construction worker trips are from light duty autos (LDA) along area roadways. With respect to estimated vehicle miles traveled (VMT), the construction worker trips would generate an estimated 57,604 VMT per CalEEMod default trip lengths. Vehicle fuel efficiencies for construction workers were estimated in the air quality and greenhouse gas analysis using information generated using CARB's EMFAC model. Table 14 shows that an estimated 2,177 gallons of fuel would be consumed for construction worker trips.

- Appendix A, Table 15: Construction Vendor Fuel Consumption Estimates (Medium Heavy Duty Trucks): 1,516 gallons. The estimated fuel consumption for vendor and hauling during building construction and architectural coating. With respect to estimated VMT, the vendor and hauling trips would generate an estimated 9,994 VMT per CalEEMod default trip lengths. For the architectural coatings it is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light duty vehicles.

- Appendix A, Table 16: Construction Hauling Fuel Consumption Estimates (Heavy Heavy Duty Trucks): 0 gallons. There are no heavy heavy duty trucks anticipated to be used during construction.

Construction of the Proposed Project would require the typical use of energy resources. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies).

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.

Therefore, Project compliance with State regulations will reduce impacts during construction to less than significant and no mitigation is required.

Operations

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 includes building heating and hot water end uses. Non-Title 24 natural gas uses include appliances.

Energy consumption in support of or related to Project operations would primarily include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

The largest source of operational energy use would be vehicle operation of employees. The site is located in a rural area. Using the CalEEMod output, an average trip for all vehicles was assumed to be 40 miles. To show a worst-case analysis, as the Proposed Project is industrial, it was assumed that vehicles would operate 365 days per year. **Table 7: *Estimated Vehicle Operations Fuel Consumption*** shows that an estimated 55,394 gallons of fuel would be consumed per year for the operation of the Proposed Project,

representing the worst-case estimated annual fuel consumption for all classes of vehicles from autos to heavy-heavy trucks.

Table 7: Estimated Vehicle Operations Fuel Consumption

Vehicle Type	Vehicle Mix	Number of Vehicles[1]	Average Trip (miles)[2]	Daily VMT	Average Fuel Economy (mpg)	Total Gallons per Day	Total Annual Fuel Consumption (gallons)
Light Auto	Automobile	16.0	40.00	639	26.46	24.14	8,811
Light Truck	Automobile	1.8	40.00	72	22.14	3.26	1,192
Light Truck	Automobile	5.4	40.00	217	22.48	9.67	3,530
Medium Truck	Automobile	3.8	40.00	152	18.22	8.32	3,037
Light Heavy Truck	2-Axle Truck	0.0	40.00	0	15.95	0.00	0
Light Heavy Truck 10,000 lbs +	2-Axle Truck	0.7	40.00	27	16.46	1.62	591
Medium Heavy Truck	3-Axle Truck	5.0	40.00	200	7.20	27.78	10,139
Heavy Heavy Truck	4-Axle Truck	12.3	40.00	493	6.41	76.97	28,094
Total		45.0	--	1,800	--	151.76	--
Total Annual Fuel Consumption							**55,394**

Trip generation generated by the Proposed Project are consistent with other similar industrial uses of similar scale and configuration as reflected in the traffic assessment for the Project. That is, the Proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips, nor associated excess and wasteful vehicle energy consumption. Therefore, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Table 18 in Appendix A identifies that the Project's annual operational energy demand according to the CalEEMod 2020.4.0 model annual output would be as follows:

- Natural Gas – 1,115,039 million cubic feet per year (kBTU/year)
- Electricity – 396,799 kilowatt hours per year

In 2022, the non-residential sector of the County of San Bernardino consumed approximately 10,328 million kWh of electricity. In addition, the estimated natural gas consumption for the Proposed Project is approximately 190,297 kBTU per year. In 2022, the non-residential sector of the County of San Bernardino consumed approximately 294.8 million therms of gas. Therefore, the increase in both electricity and natural gas demand from the Proposed Project is insignificant compared to the County's 2022 demand.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). The Proposed Project is also required to comply with the CalGreen Code standards, which require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The Proposed Project's use as an equipment yard is consistent with intent of the NAVISP zoning within the Town of Apple Valley's General Plan. As such, the energy demands of the Project would be accommodated within the context of the planned availability of resources and energy delivery systems by Town and Regional planning documents.

In addition, there are no characteristics of the Proposed Project that would involve atypical usage of energy for the construction and operations phases of the Project.

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. Therefore, there is a less than significant impact, and no mitigation is required.

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.

Applicable 2009 GP EIR Mitigation Measures

Refer to discussion in Threshold VI(a) above.

Proposed Project Impact Analysis: Less Than Significant

Construction

The Proposed Project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for temporary buildings used during construction, lighting, and other sources. California Code of Regulations Title 13, Sections 2449 and 2485, limit idling from both on-road and off-road diesel-powered equipment and are enforced by the California Air Resources Board. The Proposed Project would comply with these regulations. There are no policies at the local level applicable to energy conservation specific to the construction phase. Thus, it is anticipated that construction of the Proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, construction-related energy efficiency and renewable energy standards consistency impacts would be less than significant.

Operations

California's Renewable Portfolio Standard (RPS) establishes a goal of renewable energy for local providers to be 44 percent by 2040. Similarly, the State is promoting renewable energy targets to meet the 2022 Scoping Plan greenhouse gas emissions reductions. As discussed in this document (Section VI (a) above), the Project would result in approximately 14,257 kWh /year of electricity Project annually.

The Proposed Projects would be designed and constructed in accordance with the Town's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. For example, the Title 24 Lighting Power Density requirements define the maximum wattage of lighting that can be used in a building based on its square footage. Title 24 standards, widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in the proposed building and promote energy conservation. Compliance with the aforementioned mandatory measures would ensure that the Proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, operational energy efficiency and renewable energy standards consistency impacts would be less than significant.

Given the above, the Proposed Project would have a less than significant potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Finding

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

4.7 GEOLOGY AND SOILS

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS: Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
• Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant				X
• Strong seismic ground shaking?	Less Than Significant With Mitigation Incorporated			X	
• Seismic-related ground failure, including liquefaction?	Less Than Significant With Mitigation Incorporated			X	
• Landslides?	Less Than Significant With Mitigation Incorporated				X
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant With Mitigation Incorporated			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant With Mitigation Incorporated			X	

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Less Than Significant With Mitigation Incorporated			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less Than Significant With Mitigation Incorporated			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant With Mitigation Incorporated				X

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Preliminary Geotechnical and Infiltration Feasibility Investigation, Three Proposed Commercial Buildings APN 0463-441-07, Apple Valley,* prepared by LOR Geotechnical, March 14, 2025, Revised January 28, 2026 (included as Appendix D-1 to this SIS).

- *Revised Percolation Feasibility Investigation, Proposed Commercial Development, APN 0463-441-07*, prepared by LOR Geotechnical, March 14, 2025, Revised June 9, 2025 (included as Appendix D-2 to this SIS).

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- *Rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

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: No Impact

The Project site is located in Southern California, a seismically active area and susceptible to the effects of seismic activity including rupture of earthquake faults. The proposed development site lies outside of any Alquist Priolo Special Studies Zone[7]. The closest known active fault to the subject site is the Helendale fault located approximately 4.3 kilometers (2.7 miles) northeast of the site (Appendix D-1). There is no impact to this criterion, and no mitigation is required.

Finding

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

- *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 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 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

[7] California Dept of Conservation, Earthquake Zones of Required Investigation map, accessed 12/4/24 at: https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3AdataSource_4-191d8e93088-layer-27%3A453

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: Less Than Significant

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 closest known active fault is the Helendale fault, located approximately 4.3 kilometers (2.7 miles) to the northeast. In addition, other relatively close active faults include the North Frontal fault located approximately 20.0 kilometers (12.4 miles) to the south, the Cleghorn fault located approximately 36.0 kilometers (22.4 miles) to the southwest, and the San Andreas fault located about 45 kilometers (28 miles) to the southwest.

Therefore, due to the distance of known active and potentially active faults, severe ground shaking should be expected during the life of the proposed structures, although due to the distance from the potentially active faults, the risk of ground rupture due to fault displacement beneath the site is low. The Project is required to be constructed consistent with all applicable seismic design standards contained in the latest adopted California Building Code (CBC), including Section 1613- Earthquake Loads, which would reduce impacts from ground shaking. Therefore, the impacts are less than significant, and no mitigation is required.

Finding

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

- *Seismic related ground failure, including liquefaction?*

2009 GP EIR Impact Analysis – Significant and Unavoidable
Source: 2009 GP EIR Findings, p. 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 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

Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when these ground conditions exist: 1) Shallow groundwater; 2) Low density, fine, clean sandy soils; and 3) High intensity ground motion. Effects of liquefaction can include sand boils, settlement, and bearing capacity failures below foundations.

The geotechnical investigation in Appendix D-1 identified that groundwater is in excess of 50 feet below ground surface. Therefore, as shallow groundwater does not exist, the possibility of liquefaction at the site is considered negligible. Therefore, the impacts are less than significant, and no mitigation is required.

Finding

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

- *Landslides?*

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR Findings, pp. 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.

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 are directly applicable to the Project.

III.F. Geology and Soils

3. **Mitigation Measures**

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: No Impact

The Project site and the surrounding area is flat. Due to the low relief of the site and surrounding region, the geotechnical analysis in Appendix D-1 identified that the potential for landslides to occur at the site is considered nil. Therefore, there is no impact, and no mitigation is required.

Finding

The Proposed Project has no new or 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, p. 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 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. 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.

Proposed Project Impact Analysis: Less Than Significant

Construction

During Project construction when soils are exposed, temporary soil erosion may occur, which could be exacerbated by rainfall. To control the potential for soil erosion, wind, dust, and water quality impacts, the Project is required to comply with MDAQMD rules relating to dust control (such as MDAQMD Rule 403) and rules to protect water quality including preparing a SWPPP to be approved by the RWQCB. Compliance with Federal, State, and Local regulations will ensure potential impacts are less than significant.

Construction would result in the cut and fill of materials. The Project applicant would be required to comply with State and local requirements to ensure dust and water quality are not impacted during grading operations.

Operations

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.

Project development would develop approximately 60 percent of a vacant lot with buildings, pavement, stormwater controls, and landscaping, with approximately 40 percent remaining undeveloped. The site would be graded and developed in a manner that preserves the natural drainage flow and manages the drainage flow of the developed portions so that it does not flow into the undeveloped portions. The undeveloped portions would be maintained in their current condition. Therefore, once constructed, there would be no loss of topsoil.

Therefore, Project impacts regarding soil erosion or loss of topsoil are less than significant, and no mitigation is required.

Finding

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

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR Findings, p.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 are directly applicable to the Project.

III.F. Geology and Soils

3. **Mitigation Measures**

2, 3, 7, 15, 18, 19 (refer to above)

Proposed Project Impact Analysis: Less Than Significant

Refer to the above discussion regarding hazards associated with liquefaction and landslide hazards. The geotechnical analysis in Appendix D-1 identifies that according to Chapter 20 of the ASCE 7-16, the materials beneath the site are considered Class C, very dense soil and soft rock. Settlement generally occurs within areas of loose, granular soils with relatively low density. Since the site is underlain by relatively dense alluvial materials and igneous bedrock, the potential for settlement is considered very low. In addition, the earthwork operations to be conducted during the development of the site should mitigate any near surface loose soil conditions (Appendix D-1). 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 has no new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR Findings, p. 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 are directly applicable to the Project.

III.F. Geology and Soils

3. **Mitigation Measures**

3, 18, 19 (refer to above)

Proposed Project Impact Analysis: Less Than Significant

Expansive soil is a soil/clay (such as montmorillonite or bentonite) that is prone to expansion or shrinkage due directly to variation in water volume. Expansive soils swell when exposed to large amounts of water and shrink when the water evaporates. This continuous cycle of wet to dry soil keeps the soil in perpetual motion causing structures built on this soil to sink or rise unevenly, often requiring foundation repair. Expansive soils are comprised primarily of minerals (incredibly fine particles) with little to no organic material and are thus incredibly viscous, proving difficult to drain.

Onsite soils were identified in Appendix D-1 as very dense soil and soft rock which have very low expansion potential (EI<20), as defined in ASTM D4829. The Project would follow the California Building Codes including any recommendations by the geotechnical engineer. Therefore, the Project impacts regarding expansive soils would be less than significant, and no mitigation is required.

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR Findings, p. 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 Measures from the 2009 GP are directly applicable to the Project.

III.F. Geology and Soils

3. **Mitigation Measures**

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: Less Than Significant

For the administration/shop building, an on-site septic tank and seepage pit wastewater disposal system is proposed. As proposed, a 1,500 gallon total tank capacity, which can accommodate a drainage fixture unit (DFU) value up to 33 according to Table H201.1(1) Capacity of Septic Tanks (California Plumbing Code, 2022), will be used for design. Subsurface data and percolation test results in Appendix D-2 indicate favorable characteristics for use of septic tank and seepage pit wastewater disposal systems at the site. The site native soils in the area proposed for the seepage pit field were noted to have a percolation rate of 10.3 to 10.8 gal./sq. ft./day. For the proposed administration/shop building, a standard septic system with seepage pits would be used. Due to refusal experienced at a depth of approximately 40 feet, pits would be limited to a maximum depth of 30 feet in accordance with the recommendations made in Appendix D-2. The system would be designed according to Town standards and approved by the Town. Therefore, the soils are capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. The impacts are less than significant, and no mitigation is required.

Finding

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

f) Would the project 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, p. 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.

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

Applicable 2009 GP EIR Mitigation Measures

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: No Impact

The Project Site is flat, and there are no rock outcroppings or unique geologic features within the Project Site. 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.

Finding

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

4.8 GREENHOUSE GAS EMISSIONS

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS: Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and Unavoidable			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant and Unavoidable			X	

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Joshua Grading Apple Valley, Air Quality, Greenhouse Gas, and Energy Impact Study*, MD Acoustics, February 4, 2026 (included as Appendix A to this SIS).

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, p. 11-104 to 11-114.

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.[8]

Applicable 2009 GP EIR Mitigation Measures

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

III.C. Air Quality, Climate Change and GHG Reduction Measures

3. **Mitigation 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;

[8] 2009 GP EIR, p.III-34

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.

Proposed Project Impact Analysis: Less Than Significant

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 MTCO2e
2020: 15% below baseline emission levels equal to 636,575 MTCO2e
2030: 40% below baseline emission levels equal to 449,347 MTCO2e
2050: 80% below baseline emission levels equal to 149,782 MTCO2e

Greenhouse Gas Emissions Discussion

GHG emissions for the Project were estimated using the California Emissions Estimator Model (CalEEMod), which is the MDAQMD's recommended tool for quantifying criteria pollutant and greenhouse gas emissions associated with land use development (Appendix A). 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.

Construction

The greenhouse gas emissions from Project construction and operations were estimated using the CalEEM model as indicated in Appendix A. As indicated in **Table 8: *Construction Greenhouse Emissions***, the total construction and operations emissions amortized over a period of 30 years are estimated at 10.7 metric

tons of CO_2e per year, which is below the MDAQMD threshold of 100,000 metric tons per year and the San Bernardino County GHG Emissions Reduction Plan threshold of 3,000 metric tons per year.

Table 8: Construction Greenhouse Emissions

	Metric Tons Per Year					
Year	**Bio-CO2**	**NBio-CO2**	**Total CO2**	**CH4**	**N20**	**CO2e (MT)**
2026	0.00	220.00	220.00	0.01	0.00	221.00
2027	0.00	99.50	99.50	0.00	0.00	100.00
Total	0.00	319.50	319.50	0.01	0.00	321.00
					Annualized Construction Emissions	10.7

Notes:
1. $MTCO_2e$=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane and nitrous oxide).
2. The emissions are averaged over 30 years.
* CalEEMod output (Appendix A)

Operations

Operational emissions occur over the life of the project. **Table 9: *Opening Year (2025) Project-Related Greenhouse Gas Emissions***, shows that the subtotal for the Proposed Project would result in annual emissions of 411.2 MT CO2e per year or a maximum of 2,454.24 lbs CO2e per day. As shown in Table 9, the Project's total GHG emissions would not exceed the MDAQMD annual threshold of 100,000 MTCO2e or the MDAQMD daily threshold of 548,000 pounds of CO2e.

Table 9: Opening Year Project-Related Greenhouse Gas Emissions

	Greenhouse Gas Emissions (Metric Tons/Year)[1]						(lbs/day)
Category	**Bio-CO2**	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**CO_2e**	**CO2e**
Area Sources[2]	0.00	0.38	0.38	0.00	0.00	0.38	4.67
Energy Usage[3]	0.00	155.00	155.00	0.01	0.00	155.00	939.00
Mobile Sources[4]	0.00	209.00	209.00	0.00	0.02	217.00	1,340.00
Solid Waste[5]	2.97	0.00	2.97	0.30	0.00	10.40	62.80
Water[6]	1.92	8.39	10.31	0.20	0.00	16.60	101.00
Refrigerants	0.00	0.00	0.00	0.00	0.00	1.12	6.77
Total Emissions	4.89	372.77	377.66	0.51	0.02	400.50	**2,454.24**
Construction[8]	0.00	10.65	10.65	0.00	0.00	10.70	**2,453.00**
Combined Emissions	4.89	383.42	388.31	0.51	0.02	**411.20**	-
MDAQMD GHG Thresholds						**100,000**	**548,000**
County of San Bernardino GHG Emissions Reduction Plan Threshold						**3,000**	**-**
Exceeds Threshold?						**No**	**No**

Notes:
[1] Source: CalEEMod Version 2022.1.1.30
[2] Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
[3] Energy usage consist of GHG emissions from electricity and natural gas usage.
[4] Mobile sources consist of GHG emissions from vehicles.
[5] Solid waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
[6] Water includes GHG emissions from electricity used for transport of water and processing of wastewater.

[7] Stationary sources consist of emissions from onsite generator.
[8] Construction GHG emissions based on a 30-year amortization rate.

Therefore, potential impacts associated the generation of greenhouse gas emissions would be less than significant, and no mitigation would be required.

Finding

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

b) Would the project 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 Measures

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

Proposed Project Impact Analysis: Less Than Significant

Town of Apple Valley Climate Action Plan (CAP)

The Town of Apple Valley 2019 CAP Update contains measures for new developments to 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). Measures are divided into categories for general measures, transportation, energy efficiency, renewable energy, and solid waste management. The complete list of applicable measures is included in Appendix A, Section 2.2.5.

The Project will comply with all applicable measures and will comply with the Title 24 standards (currently 2022) for energy efficient development including solar photovoltaic installation onsite. The project also meets the County's emission goal which is based on the reduction levels set forth in SB 32 as well. Therefore, the project would not conflict with the goals of the CAP.

Therefore, the Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, impacts are considered to be less than significant, and no mitigation is required.

County of San Bernardino Greenhouse Gas Emissions Reduction Plan

According to the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*, "all development projects, including those otherwise determined to be exempt from CEQA will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small projects that do not exceed 3,000 MTCO2e per year will be considered to be consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions." The Reduction Plan also states that "the 3,000 MTCO2e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards (refer to Attachment B of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*), but do not need to use the Screening Tables or alternative GHG mitigation analysis (refer to Attachment D of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*)."

The Project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO2e per year as identified on Table 8 and Table 9 of this document. Therefore, the Project does not need to accrue points using the screening tables and is consistent with the GHG Plan, pursuant to Section 15183.5 of the State CEQA Guidelines. As mentioned above, the Project is expected to comply with the performance standards for residential uses as detailed in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

Finding

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

4.9 HAZARDS AND HAZARDOUS MATERIALS

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:					
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			X	
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			X	
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				X
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 or excessive noise to the public or the environment?	Less Than Significant With Mitigation Incorporated				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Less Than Significant				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant With Mitigation Incorporated			X	
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				X

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Phase I Site Assessment (ESA), San Bernardino County APN 0463-441-07-0000, Apple Valley, California,* prepared by Weis Environmental, LLC, April 24, 2025 (included as Appendix E to this SIS).

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 – Significant and Unavoidable
Source: 2009 GP EIR Findings, p. 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 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

Construction of the Proposed Project would involve the use of construction-related chemicals. These include but are not limited to hydraulic fluids, motor oil, grease, runoff, and other related fluids and lubricants. The construction activities would involve the disposal and recycling of materials, trash, and debris. These materials would be disposed of via the Town' waste provider, which operates in compliance with local, state and federal regulations, as applicable.

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.

With mandatory regulatory compliance with federal, State, and local laws, potential hazardous materials impacts associated with construction of the Project would be less than significant, and no mitigation is required.

Operation

The Project consists of an equipment yard that includes the use of a 12,000 gallon above ground diesel fuel storage tank that would be used for general operations of trucks and fueling of equipment on site prior to transport to the various work locations, as well as fueling of the low-boy transport trailers that transport the equipment to the various work locations. Equipment that is located off-site would be routinely fueled by a third party vendor, not by the fuel tank on site.

Above-ground fuel storage tank

The above-ground tank is designed to be compliant with applicable sections of State law (Title 8, Section 532) in that it is installed on a concrete foundation and would be and protected from impact by the curb and railings.

The County of San Bernardino Fire Department is the Certified Unified Program Agency (CUPA) for hazardous materials and fuel storage tanks in the Town of Apple Valley. The Town would require the CUPA authorization of the tank prior to issuance of permits. The CUPA may require the Project to prepare and submit a Hazardous Materials Business Plan (HMBP) and a Spill Prevention, Control, and Countermeasure (SPCC) Plan to prevent the release of fuel onto the site and into the community.

The Aboveground Petroleum Storage Act (APSA) regulates aboveground fuel tanks that are more than 1,320 gallons. As the proposed tank is 12,000 gallons, the tank would also be subject to APSA. The purpose of the APSA program is to protect public health and the environment from potential contamination or adverse effects associated with unintentional releases from the aboveground storage of petroleum-based hazardous materials and wastes. As such, the CUPA would require the applicant to submit an SPCCC for review and approval as well as the facility would be subject to routine safety inspections.

With mandatory regulatory compliance with Federal, State, and local laws, potential impacts associated with hazardous materials would be less than significant, and no mitigation would be required.

Finding

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

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

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 Measure

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

Proposed Project Impact Analysis: No Impact

Vacant lands predominantly exist in the vicinity of the Project Site, except for a single residence that lies approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans

Parkway) and two residences that lie approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There is no impact, and no mitigation is required.

Finding

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

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR, p. 116, and 122

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP are 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: No Impact

Government Code Section 65962.5(a)(1) requires that Department of Toxic Substance Control (DTSC) "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")." The hazardous waste facilities identified in HSC § 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under HSC § 25187, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. This is known as the "Cortese List." This is a very small and specific subgroup of facilities and they are not separately posted on the DTSC or Cal/EPA's website. The following databases that meet the "Cortese List" requirements were reviewed for this Project.

- Envirostore Database. There are no sites listed in the Envirostore Database within 1,000 feet of the Project site.

- Geotracker Database. Geotracker is the SWRCB's database that manages potential hazardous sites to groundwater. There are no sites listed in the Geotracker Database within 1,000 feet of the Project site.

Based on the result of the database review the Project site is not located on any site that has been identified in accordance with Section 65962.5 of the Government Code.

A Phase 1 Environmental Site Assessment was also completed for the Project to determine if hazardous conditions existed previously or if there was evidence on the ground of any hazardous conditions (Appendix E). The report indicates that there are no features, activities, uses and/or conditions that may indicate presence or likely presence of hazardous substances or petroleum products at the Site.

Therefore, there are no impacts because the Project Site is not located on any site that has been identified in accordance with Section 65962.5 of the Government Code. No mitigation would be required.

Finding

The Proposed Project has no new or 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 had not been adopted, within 2 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: No Impact

The Project site is located approximately 2.3 miles north of the Apple Valley Airport, a public use and privately owned airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area because the Project Site is not located within the influence of an airport land use plan or, or within 2 miles of a public airport or public use airport. There would be no impacts, and no mitigation would be required.

Finding

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

f) Would the project 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 Measure

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

Proposed Project Impact Analysis: Less Than Significant

Development of the Project site would not interfere with any of the daily operations of the Town of Apple Valley Emergency Operation Center. Access to the Proposed Project is via two driveways, both along Tecaya Road. The Project would not interfere with the Town's emergency operations plan or impede roadway access through removal or closure of any streets. All construction activities would be required to be performed according to the standards and regulations of the Town, Town Fire Dept and police departments. For example, the Project applicant and construction contractor would be required to provide on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases.

The Proposed Project would also be required to undergo the Town's development review and permitting process and would be required to incorporate all applicable design and safety standards and regulations of the Apple Valley Fire Protection District (AVFPD) to ensure that the Project does not interfere with the provision of local emergency services (e.g., provision of adequate access roads to accommodate emergency response vehicles, adequate numbers/locations of fire hydrants).

Overall, the Proposed Project would not impair implementation of or physically interfere with the Town of Apple Valley's emergency operations plan or evacuation plan. Project-related impacts would be less than significant, and no mitigation is required.

Finding

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

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 of this SIS/MND for a discussion of this topic.

4.10 HYDROLOGY AND WATER QUALITY

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY: Would the project:					
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			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less Than Significant With Mitigation Incorporated			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:	Less Than Significant With Mitigation Incorporated				
• result in substantial erosion or siltation onsite or offsite;	Less Than Significant With Mitigation Incorporated			X	
• substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;	Less Than Significant With Mitigation Incorporated			X	
• create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant With Mitigation Incorporated			X	
• impede or redirect flood flows?	Less Than Significant With Mitigation Incorporated				X

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less Than Significant With Mitigation Incorporated				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant With Mitigation Incorporated			X	

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Town of Apple Valley, Water Quality Management Plan For A.P.N. : 0463-441-07,* prepared by Allard Engineering, March 5, 2026 (included as Appendix F-1 to this SIS).
- *APN 0463-441-07, Apple Valley, CA 92307, Final Drainage Report,* prepared by Allard Engineering, March 10, 2025, Revised: February 9, 2026 (included as Appendix F-2 to this SIS).

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 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

Construction

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 under the Construction Stormwater General Permit Order 2022-0057-DWQ - Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (CGP) issued by the State Water Resources Board (SWRCB). Projects obtain coverage under the CGP by developing and implementing a SWPPP, estimating sediment risk from construction activities to receiving waters, and specifying best management practices that would be implemented as a part of the Project's construction phase to minimize pollution of stormwater prior to and during grading and construction.

Adherence to the BMPs in the SWPPP would reduce, prevent, minimize, and/or treat pollutants and prevent degradation of downstream receiving waters; reduce or avoid contamination of urban runoff with sediment; and reduce or avoid contamination with other pollutants such as trash and debris, oil, grease, fuels, and other toxic chemicals.

Therefore, with implementation of the BMPs in the required SWPPP, water quality or waste-discharge impacts from Project-related grading and construction activities would be less than significant, and no mitigation is required.

Operations

The Project applicant has prepared a Water Quality Management Plan (WQMP, Appendix F-1) that identifies stormwater management for the building operations/post construction, which the Town would review and approve.

The site area (10.37 acres) consists of 3.38 acres of open brush area (will not be developed) from northwest which continue to drain west to the existing drainage course un-mitigated along the westerly property line and finally drain into Tecaya Road. The remaining 6.99 acres are divided into three sub-areas (DA-1,2,3).

DA-1 (2.55 acres): Consists of 90 precent of impervious area (Buildings/paved area and parking lot) whereas 10 percent of pervious area (Landscaping, planters). This sub-area drain to retention/infiltration basin-1,2 (connected basin) for a portion of water quality volume mitigation and riser outflow into the Contech retention/infiltration chamber system for water quality volume. Runoff from this area conveys to the retention/infiltration Basin-1,2 via the onsite storm drain conveyance system and riser outflow into the retention/infiltration chamber system. Runoff will be pre-treated in grated inlets using the filter inserts prior to drain to the Basin-1,2, Inf/Ret Chamber System. For high flows up to 100-yr storm event, the flows will overflow in chamber system and drain out to street gutter in Tecaya Road via stormdrain/parkway drain.

DA-2 (2.45 acres): Consists of 90 percent of impervious area (Buildings/paved &parking area and street improvement in Tecaya Road) where as 10 percent of pervious area (Landscaping, planters). The street improvement area (0.68 ac) in Tecaya Road also included in this sub-area. This sub-area drain to retention/infiltration chamber system for water quality volume mitigation and outflow into the Tecaya Road curb and gutter in a mitigated flow rate via the stormdrain/parkway drain after retaining the water volume form larger storm. Runoff from this area conveys to the Ret/Inf Chamber System via the onsite storm drain conveyance system. Runoff will be pre-treated in grated inlets using the filter inserts prior to drain to the retention/infiltration chamber system. For high flows up to 100-yr storm event, the flows will be overflow the chamber and outlet via the storm drain/parkway drain into the street gutter in Tecaya Road.

DA-3 (1.99 acres): Consists of 30 percent of impervious area (buildings/paved area and street improvement in Dachshund Avenue) where as 70% of pervious area (open brush, Landscaping, planters). The street improvement area (0.48 ac) in Dachshund Ave also included in this sub-area. This sub-area drain to retention/infiltration basin-3 for water quality volume mitigation and riser outflow into the Contech retention/infiltration chamber system for high flow retention. Runoff from this area conveys to the retention/infiltration basin-3 via the onsite storm drain conveyance system and riser outflow into the retention/infiltration chamber system. Runoff will be pre-treated in grated inlets using the filter inserts prior to drain to the Basin-3. For high flows up to the 100-yr storm event, the flows will overflow in chamber system and drain out to street gutter in Tecaya Road via stormdrain/parkway drain.

Also, the proposed chamber system at the southcenter (in DA-2) of the site would retain high flows from the drainage subareas and route the high flows through it and releases the flow in less than existing flow rates to mitigate Hydrologic Condition of Concern resulting from high flows up to 100-yr storm event.

Overall, implementation of the BMPs in the final WQMP and compliance with NPDES MS4 permit requirements would reduce water quality and waste-discharge impacts from construction and operational activities to less than significant, and no mitigation is required.

Finding

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

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

2009 GP EIR Impact Analysis – Less Than Significant with Mitigation Incorporated
Source: 2009 GP EIR, p. III-164 to III-166

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP 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

Groundwater Recharge

The Project site is underlain by the Upper Mojave River Valley Groundwater Basin. Currently, the Project site is undeveloped and pervious, which allows for groundwater recharge. While the development of the Project Site would result in an increase in impermeable surfaces, which could impede groundwater recharge, approximately 44 percent of the Project Site will remain in its natural state. However, the Project would incorporate LID features, including infiltration/retention systems designed to retain the required design capture volume. Detained stormwater would infiltrate through the bottom of the infiltration basins and into the underlying soils. Because the Project would meet and exceed infiltration requirements, stormwater would continue to be able to infiltrate soils and recharge the underlying Upper Mojave River Valley Groundwater Basin. Therefore, impacts associated with groundwater recharge attributed to development of the site would be less than significant.

Groundwater Supplies

AVRWVCs potable water system supplies water solely from its 23 wells that pump groundwater from the Mojave River. The Mojave River Basin is adjudicated, and Mojave Water Agency (MWA) serves as the Watermaster. Per the Mojave Basin Area Judgment, producers in the Mojave Basin Area are allocated a Free Production Allowance (FPA). Producers may pump more than their FPA, provided they purchase replacement water. Funds collected for replacement water are then used by MWA to purchase imported water supplies in wet years and recharge them into the Basin for use in dry years.

Natural groundwater supply estimates are based on the long-term averages, which account for inconsistency in natural supplies (i.e., historic periods of drought are included in the long-term average). Therefore, AVRWVC does not have any inconsistent water sources that result in reduced supplies in dry or multiple-dry years.

Water usage is for an office of 10-12 people and for mechanic's use to repair vehicles. Therefore, the usage is anticipated to be minimal compared to the supply available to the AVRWVC.

Therefore, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The impacts are less than significant, and no mitigation is required.

Sustainable Groundwater Management

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

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

a. Result in substantial erosion or siltation on- or off-site?
b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
c. 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?
d. 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 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 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 Impact Analysis: Less Than Significant

Per the biological report in Appendix B, there are no streams or rivers that exist on site. The onsite terrain drains to the southwest at a slope of 1 to 2 percent.

In the post-Project condition, of the 8.57 net acre site, the Project would create approximately 4.56 acres of impervious surface consisting of pavement and buildings. The Project Site includes both an underground chamber and an earthen infiltration basin with rock slopes that are designed to intercept flows, and will reduce the combined peak runoff from the site. Overflows from the chamber and the basin will be directed via a parkway drain to discharge to Tecaya Road where it will continue to flow down its natural path.

The WQMP prepared for the Project (Appendix F-1) identifies that runoff produced from the Project site will be captured with the curb and gutters into catch basins that would be equipped

with trash capture devices. Runoff will then be routed toward an underground infiltration chamber that is designed to be corrugated metal pipe with perforations to allow infiltration with 2 feet of rock underneath for additional storage.

The chamber system is designed in accordance with the Town of Apple Valley's stormwater standards that reduce the surface water runoff (Appendix F-1).

The Project Site is depicted on FEMA FIRM Panel 06071C5830H as "Zone D" or an area with an undetermined flood hazard. Therefore, the Project would not impede or redirect flood flows. There would be no impact, and no mitigation is required.

Finding

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

d) Would the project 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: No Impact

The Project site does not contain any natural drainages or waterways, according to the biological resources report in Appendix B. The Project site also does not occur within areas where a tsunami or seiche could occur. Therefore, there would be no impact with respect to the risk of release of pollutants due to project inundation, and no mitigation is required.

Finding

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

e) Would the project 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 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 are directly applicable to the Project.

III.H. Hydrology

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

The Proposed Project would comply with the Town and County's MS4 permit, as noted above. Implementation of Project's WQMP during proposed operational activities would reduce any impacts associated with water quality to less than significant. In addition, the Proposed Project does not include any activities that will interfere with any groundwater management plan as all construction would occur entirely within the Proposed Project site. Impacts would be less than significant. Therefore, overall, impacts are less than significant, and no mitigation is required.

Finding

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

4.11 LAND USE PLANNING

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING: Would the project:					
a) Physically divide an established community?	No Impact				X
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)			X	

Discussion

a) Would the project 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 Measure

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

Proposed Project Impact Analysis: No Impact

The Project Site is vacant, and the immediate Project vicinity is vacant. The Project proposes improvements to Tecaya Road, which is an existing dirt road that services the Project Site to Dale Evans Parkway. There are no linear features proposed that would divide these communities. Therefore, the Proposed Project is consistent with the surrounding land uses, and there are no impacts with regard to the division of an established community.

Finding

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

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

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 Measures from the 2009 GP are directly applicable to the 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

The Project site and its vicinity are situated within the NAVISP of the Town of Apple Valley's General Plan. Within the Specific Plan, the Project Site's land use is Specific Plan Industrial (SP-I) (Exhibit 4). This designation allows for a broad range of clean manufacturing and warehousing uses, ranging from furniture manufacture to warehouse distribution facilities. Key features of this designation include:

1. Outdoor storage must be completely screened from view.
2. All uses must be conducted within enclosed buildings.
3. Perimeter landscaping must be complementary with that of surrounding projects to provide a unified, cohesive streetscape.

Appropriate land uses in this designation include manufacturing facilities with showrooms and offices, regional warehousing facilities, and support services for manufacturing and warehousing. The Project proposes an equipment operations yard, which is consistent with the uses allowed under the NAVISP.

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.

The Town has determined through reviews that 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.

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.

As demonstrated throughout this Subsequent 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 has no new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.12 MINERAL RESOURCES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES: Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Less Than Significant With Mitigation Incorporated			X	
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Less Than Significant With Mitigation Incorporated			X	

Discussion

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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: Less Than Significant

The California Department of Conservation (DOC) and the Town of Apple Valley's General Plan Environmental Impact Report (GP EIR, August 2009) identifies that the Proposed Project is within the MRZ 3a, which is generally defined as areas containing known mineral occurrences of undetermined mineral resource significance. Further exploration work within these areas could result in the reclassification of specific localities into MRZ-2a or MRZ-2b categories. MRZ-3 is divided on the basis of knowledge of economic characteristics of the resources. The Project would develop 5.74 acres on a 10-acre parcel into an equipment maintenance yard, which is consistent with the NAVISP. According to NAVISP Table III-1, Allowable Uses, Mining is not identified as an allowable use. Additionally, the site is flat and designed to balance grading, so there would be no significant export of material off site. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans. Therefore, there would be a less than significant impact.

Finding

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

4.13 NOISE

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE: Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant With Mitigation Incorporated			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant With Mitigation Incorporated				X
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				X

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Truck Repair Facility, Noise Impact Study, Town of Apple Valley, CA,* prepared by MD Acoustics, October 19, 2025 (included as Appendix G to this SIS).

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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 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

The potential noise from the Project site was evaluated in the Noise Impact Study in Appendix G.

To document background measurements, one short-term 15-minute noise measurement was conducted at the Project site. The measurements include the 15-minute Leq, Lmin, Lmax, and other statistical data. Noise measurement field sheets are provided in Appendix G and are summarized in **Table 10: *Ambient Noise Measurements***.

Table 10: Ambient Noise Measurements

Location	Start Time	Stop Time	L_{EQ}	L_{MAX}	L_{MIN}	L_2	L_8	L_{25}	L_{50}	L_{90}
NM1	1:20 PM	1:34 PM	66.6	83.8	41.9	71.8	71.1	69	62.8	51.1
NM2	1:53 PM	2:07 PM	69.6	86.3	48.0	73.6	72.3	70.8	68.8	61.6

Notes:
1. Short-term noise monitoring locations are illustrated in Exhibit E.

Noise data indicates the ambient noise level in the Project vicinity range from 67 to 70 dBA Leq. However, the measurements were performed during high winds which inflated the measurement levels due to the sound of the wind moving the windscreen on the sound level meter. The actual existing noise levels along Quarry Road will be closer to the L90 level measured at NM1. The observations indicate that traffic on Quarry Road is the dominant non-wind source of noise. Rail noise was also noted as a less consistent noise source, but was not captured in the measurement.

Construction

The Project Site is surrounded by vacant land. A single residence exists approximately 1,600 feet to the west of the site (at the southeast corner of Quarry Road and Dale Evans Parkway) and two residences exist approximately 2,000 feet to the southwest of the Project Site (along Cardova Road).

Construction noise is considered a short-term impact and would be considered significant if construction activities are taken outside the allowable times as described in the Town's Municipal Code (Section 9.73.060(F)). Construction is anticipated to occur during the permissible hours of 7 a.m. to 7 p.m. on weekdays and Saturdays. Per Section 9.73.060(F) of the Town's Municipal Code, construction noise from stationary construction equipment must not exceed 60 dBA at single-family residential areas.

Construction equipment was taken from the Project's CalEEMod (Appendix A). Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. A likely worst-case construction noise scenario assumes equipment operating as close as 1,350 feet and an average of 1,650 feet from the property line of the nearest sensitive receptor, the residence to the west. The Lmax levels represent maximum levels when construction occurs adjacent to the residential receptors. Leq levels represent the average construction noise level during each phase.

Noise levels are in **Table 11: *Construction Noise Levels Construction Noise Level by Phase (dBA, Leq)***.

Table 11: Construction Noise Levels Construction Noise Level by Phase (dBA, Leq)

Activity	Noise Levels at Nearest Sensitive Receptor	
	Leq	Lmax
Site Preparation	47	47
Grading	47	47
Building Construction	46	46
Paving	47	52
Architectural Coating	34	40

Notes:
Construction Modeling Worksheets are provided in Appendix G.

As shown in Table 11, Project construction noise is expected to range between 34 to 47 dBA Leq and 40 to 52 dBA Lmax at the nearest sensitive receptor. The Project will adhere to the allowed times for construction and 60 dBA stationary equipment noise limit outlined in the Municipal Code in Section 9.73.060(F). The impact is less than significant, and no mitigation is required.

Operations

The noise study in Appendix G modeled noise impacts for five receptor areas (R1 – R5) to evaluate the Proposed Project's operational impact. This study analyzes the Project-only operational noise level projections and the project plus ambient noise level projections. The receptors studied are identified in **Table 12: *Noise Receptors Near Proposed Project.***

Table 12: Noise Receptors Near Proposed Project

Receptor	Location
R-1	North side of Quarry Road (vacant land)
R-2	East side of Daschund Ave (vacant land)
R-3	South side of Tecaya Road (vacant land)
R-4	West property boundary (vacant land)
R-4	Eastern property boundary of residence at Tecaya Ave and Dale Evans Parkway

Figure 8: *Operational Noise Contours*, located at the end of this section, shows the "project-only" operational noise levels at the property lines and/or sensitive receptor area and how the noise will propagate at the site. **Table 13: *Operational Noise Levels (dBA Lmax)*** identifies the maximum noise expected at each of the receptor locations.

Table 13: Operational Noise Levels (dBA Lmax)

Receptor[1]	Existing Ambient Noise Level (dBA, Leq)[2]	Project Noise Level (dBA, Lmax)[3]	Total Combined Noise Level (dBA, Lmax)	Stationary Noise Limit (dBA, Lmax)	Potential Significant Impact?
R1	35	56	56	**90**	No
R2	32	59	59	**90**	No
R3	32	43	43	**90**	No
R4	29	58	58	**90**	No
R5	32	42	42	**60**	No

Notes:
[1.] Receptors 1 through 4 are adjacent industrial, receptor 5 is residential.
[2.] Nighttime ambient noise levels were calculated through FHWA TNM methodology.
[3.] See Exhibit F for the operational noise level projections at said receptors.

As shown in Table 13 and Figure 8, the Project plus existing noise levels are expected to be 43 to 59 dBA Lmax at adjacent industrially zoned receptors and will meet the Town's 90 dBA Lmax noise limit for industrial uses. The Project plus existing noise level at the residential receptors is expected to be up to 42 dBA Lmax and meets the Town's 60 and 70 dBA Lmax nighttime and daytime noise limit for single-family residential uses. Thus, the impact is less than significant.

The noise due to the project will not exceed the Town's noise standards at the surrounding receptors. Thus, the impact is less than significant, and no mitigation is required.

Roadway Noise

The assessment in Appendix G also analyzes future noise impacts to surrounding receptors and compares the results to the Town's Noise Standards. The analysis details the estimated exterior noise levels associated with stationary noise sources and traffic from adjacent roadway sources. The potential off-site noise impacts caused by the increase in vehicular traffic as a result of the Project were calculated at a distance of 263 feet from Quarry Road and 180 feet from Dale Evans Parkway. These distances are representative of approximate distances to the existing single-family home closest to the subject roadways impacted by the Project. The distance to the 55, 60, 65, and 70 dBA CNEL noise contours are also provided for reference.

Table 14: ***Existing/Existing + Project Scenario – Noise Levels Along Roadways (dBA CNEL)*** represents the change in the noise levels at the affected roadways as a result of the Project and represents a summary of noise modeling provided in Appendix G.

Table 14: Existing/Existing + Project Scenario – Noise Levels Along Roadways (dBA CNEL)

Roadway[1]	Segment	CNEL at Nearest Home dBA[2]			
		Existing Without Project	Existing With Project	Change in Noise Level	Potential Significant Impact
Quarry Road	West of Dale Evans Pkwy	37.8	38.8	1.1	No
Dale Evans Pkwy	South of Quarry Road	51.9	52.1	0.2	No

Notes:
[1] Exterior noise levels calculated at 5 feet above ground level.
[2] Noise levels calculated from centerline of subject roadway.

Table 14 provides the Existing and Existing + Project noise conditions and shows the change in traffic noise level because of the Proposed Project. The addition of the Project will cause a small increase in traffic noise of 1.1 dBA and 0.2 dBA at the nearest residence from the centerlines of Quarry Road and Dale Evans Parkway, respectively. It takes a change in noise level of 3 dB for the human ear to perceive a difference (refer to Section 2.5 of Appendix G), and therefore, the impact is less than significant, and no mitigation is required.

b) Would the project result in the generation of excessive groundborne 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 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: No Impact

Construction activities can produce vibration that may be felt by adjacent land uses. The construction of the Proposed Project would not require the use of equipment such as pile drivers, which are known to

generate substantial construction vibration levels. The primary vibration source during construction may be from a vibratory roller. A vibratory has a vibration impact of 0.210 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

Table 15: *Vibration Source Levels for Construction Equipment* gives approximate vibration levels for particular construction activities at 25 feet. This data provides a reasonable estimate for a wide range of soil conditions.

Table 15: Vibration Source Levels for Construction Equipment

Equipment	Peak Particle VeloCity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006

All proposed construction is at least 80 feet from any existing structures. At a distance of 80 feet, a vibratory roller would yield a worst-case 0.058 PPV (in/sec) which may be perceptible but below any risk of damage per Table 15. However, since all of the adjacent land is vacant, there would be no impact from construction, and no mitigation is required.

During operations, there would be no equipment used that would produce vibration that may be felt by adjacent land uses, such as pile drivers. And, because the adjacent land is vacant, there would be no impact from operations, and no mitigation would be required.

Finding

The Proposed Project has no new or 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 are applicable to the Project for this issue.

Proposed Project Impact Analysis: No Impact

The Project site is not located within two miles of an airport. The nearest major airport is the Apple Valley Airport, which is a small general aviation airport and is located approximately 2.5 miles to the southeast of the Project site. As such, the Project site is also located well outside the existing and projected 65-dBA CNEL noise contour of any airport. Therefore, there would be no impact related to aircraft noise

Finding

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

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Not to Scale

Figure 8: Operational Noise Contours
Source: *Noise Analysis*

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4.14 POPULATION AND HOUSING

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING: Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant (Town limits) Less Than Significant (Annexation 2008-002), Significant and Unavoidable (2008-001)			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less Than Significant				X

Discussion

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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

The Proposed Project may create jobs both during construction and operation, potentially contributing to population growth within the Town. However, it is anticipated that most new jobs will be filled by current residents, meaning the Project is unlikely to attract a significant number of new residents. As Joshua Grading and Excavation has several other existing similar facilities, its intent is to serve the northern desert region with this facility. Some staff may move to the Apple Valley facility, but the few employees that may relocate is minimal and does not constitute substantial population growth. Other than the few employees that may relocate from other facilities, new employees are anticipated to come from the local area. Job creation and the necessary infrastructure to support the proposed land uses have already been addressed in the Town's General Plan EIR.

The subject property is currently vacant and undeveloped, as is the Project vicinity. The Project will expand water infrastructure to only serve the Project's needs and will not cause additional unplanned growth. Road improvements that include sidewalks and pavement along Project frontage of Tecaya Road and improve the existing Tecaya Road with pavement from Dale Evans Parkway to the Project site. The roadway improvements are consistent with the General Plan's Circulation Element.

Therefore, the Project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). The impact would be less than significant, and no mitigation would be required.

Finding

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

b) Displace substantial numbers of existing 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 Measures

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

Proposed Project Impact Analysis: No Impact

The Project Site is currently vacant, lacking any structures, meaning the Proposed Project will not displace any existing housing or necessitate the construction of replacement housing. Neither the construction nor the operation of the Proposed Project will displace existing homes or a substantial number of people, thus avoiding the need for replacement housing. Consequently, there are no potential impacts associated with the displacement of existing people or housing, and no mitigation would be required.

Finding

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

4.15 PUBLIC SERVICES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES: 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				
Fire protection?				X	
Police protection?				X	
Schools?					X
Recreation/Parks?				X	
Other public facilities?				X	

Discussion

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:

Fire Protection
Police Protection
Schools
Recreation/Parks
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 are directly applicable to the Project.

III.C. Air Quality

3. Mitigation Measures – Fire Protection

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.

3. Mitigation Measures – Law Enforcement

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.

3. Mitigation Measures – Schools

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.

The closest fire station to the Project Site is Station 332, located at 18857 Outer Hwy 18, Apple Valley, approximately 7 miles south of the Project site. This station would be the first to respond to calls for service from the site. This station would also be the first to respond in the event of fuel spills and/or other hazardous conditions that may occur on site.

The Project Site and vicinity are currently vacant. Overall, the Project would establish an office and repair shops and equipment yard for temporary storage on approximately 5.74 net acres of a 10 acre parcel located south of Quarry Road and north of Tecaya Road, approximately 0.4 mile east of Dale Evans Parkway (APN 0463-441-07) and will generally consist of three metal buildings that consist of one building (Building A) that will contain 6,501 SF for truck/equipment service and a 7,046 SF administrative office, one 10,000 SF repair shop that services its heavy duty equipment (Building B), one 6,000 SF future warehouse (Building C), and two diesel fueling islands with one pump each served by one above ground diesel storage tank. All development occurs primarily within the southern portion of the parcel.

The new 12,000-gallon above ground diesel fuel storage tank would be installed in accordance with the Town standards. Additionally, the diesel fuel storage tank would be regulated through the APSA, as overseen by San Bernardino County, which requires that a Hazardous Materials Business Plan (HMBP) and a Spill Prevention, Control, and Countermeasure (SPCC) Plan to prevent the release of fuel onto the site and into the community.

Additionally, the Proposed Project is required to comply with the most current adopted fire, building, and electrical codes and nationally recognized fire and life safety standards. Compliance with these codes and standards would be enforced through the Town's building plan check process.

As required by Fire Protection General Plan 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.

Therefore, potential impacts associated with fire protection and the need for new facilities would be less than significant, and no mitigation would be required.

Police Protection

The San Bernardino Sheriff's Department/Apple Valley Police Station at 14931 Dale Evans Parkway, approximately 7 miles south of the Project Site is the closest police station to the Project Site. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. The Project is a commercial/industrial land use and would not increase residents. Additionally, the Project Site would be surrounded by a combination of a masonry wall and chain link fence, with ingress/egress controlled by a gate. These barriers would provide an additional level of security for the site.

The Proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances, however, development of the Project would not result in the need for new or physically altered police protection facilities. As required by Law Enforcement General Plan 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. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

The Proposed Project is located within Apple Valley Unified School District (AVUSD) service boundaries. The Proposed Project is a commercial/industrial land use which would not generate additional residents or students. The Project may indirectly affect schools by providing a source of employment that may draw new residents into the area. However, as required by General Plan 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. Therefore, potential impacts associated with schools would be less than significant, and no mitigation would be required.

Recreational/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 Town Ordinance No. 294, the Project is required to pay DIF. With the payment of these fees, the impacts to parks and other public recreational facilities are considered mitigated to a less than significant level.

Finding

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

4.16 RECREATION

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION:					
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			X	
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				X

Discussion

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 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:
Threshold (a): Less Than Significant
Threshold (b): No Impact

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

4.17 TRANSPORTATION

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII . TRANSPORTATION: Would the project:					
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	Not Analyzed			X	
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			X	
d) Result in inadequate emergency access?	Less Than Significant With Mitigation Incorporated			X	

Discussion

The Proposed Project impact analysis in this section is based in part on the following technical information:

- *Trip Generation Assessment for Joshua Truck Warehouse Project,* prepared by Integrated Engineering Group, September 9, 2025 (included as Appendix H-1 to this SIS).

- *Joshua Truck Warehouse Vehicle Miles Traveled Screening Assessment,* prepared by Integrated Engineering Group, March 2026 (included as Appendix H-2 to this SIS).

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, 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.[9]

- *Network Connectivity:* where possible, more than one route between land uses is provided
- *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[10]

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.

[9] 2009 GP EIR, p. III-288
[10] 2009 GP EIR, p. III-307

Applicable 2009 GP EIR Mitigation Measures

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

III.O. Transportation

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. 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.

19. 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.

20. 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.

Proposed Project Impact Analysis: Less Than Significant

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

Roadway Facilities

The Town of Apple Valley's Circulation Element for its General Plan was designed to accommodate the anticipated transportation needs based on the estimated intensities of various land uses within the region. Policy 1.A.4 requires the Town to achieve and maintain a Level of Service "D" or better on all roadways and intersections. However, 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. Therefore, refer to Threshold VII.(b) for the discussion of the Project's impact on roadway facilities.

Bikeways and Trails

The Town of Apple Valley proposes expanded and updated bike facilities as shown in the 2009 GP EIR as 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.

In the vicinity of the Project, Dale Evans Road, which intersects with Quarry Road in the Proposed Project vicinity, is identified as a planned Class I bike facility. The Project would improve Tecaya Road at the intersection of Dale Evans Road, but the improvements would be constructed in accordance with Town guidelines, which would include preserving the future planned Class I bike facility.

There are no trails within the vicinity of the Project site, and none such improvements are proposed or required for the Project.

Thus, the Project would not interfere with proposed bicycle and pedestrian facilities, planned or existing, elsewhere in the Town of Apple Valley.

Public/Mass Transit

Public transportation services within the Town of Apple Valley and near the Proposed Project are provided by the Victor Valley Transit Authority (VVTA). There are no bus stops/mass transit in the Project vicinity, and none are proposed or required for the Project. Thus, the Project would not interfere with proposed bicycle and pedestrian facilities planned elsewhere in the Town of Apple Valley.

b) Would the project 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 of the adoption of the 2009 GP.

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 VMT analysis in Appendix H-2 evaluated the Project's VMT impact in accordance with Town Resolution 2021. OPR 2018 identifies that agencies can utilize screening criteria, and developed screening criteria that jurisdictions could utilize in their policies. However, Town Resolution 2021 does not provide screening criteria but also does not prohibit the use of screening criteria accepted by OPR or other jurisdictions, provided that the criteria was developed based on "substantial evidence."

The VMT analysis in Appendix H-2 reviewed the screening criteria from OPR 2018, San Bernardino County, the San Bernardino County Transportation Authority (SBCTA), and the City of Victorville. All four agencies identified similar criteria based on three categories:

- **Transit Priority Area (TPA) Screening:** Projects located within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary.

- **Low VMT Area Screening:** Residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area.

- **Project Type:** This identifies various land use and project types that would generally be considered to have less than significant impacts based on CEQA Exemptions.

Because the Town is part of SCAG's 2024 RTP/SCS, the Project was evaluated against the SBCTA Screening Criteria. The result was that the Project screens out of having to conduct a VMT analysis based on Project Type for being under 63,000 SF of warehousing as well as a Project that generates less than 110 daily vehicle trips (Appendix H-2).

In an effort to ensure that substantial evidence is provided to justify the use of a screening method for the Project that is not contained in the Town's ordinance, the analysis in Appendix H-2 also utilized the City of Victorville's guidelines as outlined in Victorville Resolution 20-010. As the City of Victorville (City) is adjacent to the west of the Town of Apple Valley and has similar demographics, the City of Victorville VMT standards could also be considered as guidance for VMT analysis. The City's screening criteria and VMT guidance was based on an independent study, performed exclusively for the City, to ensure that the criteria was locally applicable.

As identified by the Project's Trip Generation (Appendix H-1), the Project is anticipated to generate approximately 75 trips per day, which is much less than the City's screening threshold of 1,285 trips per day. Therefore, the Project qualifies under the City's Daily Vehicle Trip Threshold for screening out of a

VMT analysis. Additionally, the Project's 26,000 SF of building space also qualifies under the screening category of "Land Use Type" as a warehouse with less than 829,000 SF under the City's guidelines.

Therefore, as the Project meets various screening criteria established by two agencies, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts are less than significant, and no mitigation is required.

Finding

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

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

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 Measures

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

Proposed Project Impact Analysis: Less Than Significant

Project improvements include the following, and would be dedicated for public right-of-way following improvements:

The Proposed Project also includes improvements to Tacaya Road,Dale Evans Parkway and Dachshund Avenue as follows:

- Tecaya Road from Dale Evans Parkway to Project Site: Grading approximately 2,653 linear feet of the existing dirt road, approximately 34 feet wide. Paving only of 26 feet wide (two, 12-foot-wide travel lanes), leaving approximately 5 feet of road shoulder on each side. The new road would connect to Dale Evans Parkway, with the intersection to be constructed to Town standards, which may include curb and gutter at the intersection and a new Stop Sign at Tecaya Road for vehicles

to stop before proceeding to Dale Evans Parkway. The pavement thickness would be Town standard.

- Tecaya Road at Project frontage: Approximately 665 feet along the Project frontage, grading and paving of two 12-foot travel lanes, paving of the road shoulder on the north side adjacent to the Project frontage, installation of curb and gutter along the Project frontage.

- Dachshund Avenue: Paving of an approximately 26-foot wide half section from Tecaya Road, north, 545 linear feet, that ends in a half cul de sac, with a sidewalk on the east side of the parcel frontage, where no improvements are intended to connect to Quarry Road north of the improvements.

- Installation of new water main lines in Tecaya Road from Dale Evans Parkway to the Project frontage where new lateral lines would also be installed.

Each of these improvements would be constructed in accordance with Town standards and would not increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). 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. Therefore, the impact is less than significant, and no mitigation is required.

d) Would the project 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 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. 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.

Proposed Project Impact Analysis: Less Than Significant

The Proposed Project is required to comply with the Town's development review process including review by the Town Fire Department for compliance with all applicable fire code requirements for access during construction and access to the site. The access and circulation features within the site would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. Emergency vehicles would enter the Project site using the either of the driveways on Tecaya Road. The internal circulation includes an ample area that can accommodate vehicle delivery trucks as well as fire trucks. The roadway paving and design as well as the final design plans for the Project site's ingress and egress will be reviewed by the Town Engineer for appropriate width and lanes. All access lanes will meet Town requirements pursuant to the Uniform Building and Fire Code to ensure adequate emergency access throughout the Project site.

Therefore, impacts are less than significant, and no mitigation is required.

Finding

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

4.18 TRIBAL CULTURAL RESOURCES

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES: 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:					
a) 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		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant With Mitigation Incorporated		X		

Discussion

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 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.[11]

Applicable 2009 GP EIR Mitigation Measures

The following Mitigation Measures from the 2009 GP 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.

[11] 2009 GP EIR, p. 11-32

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

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

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

California Register of Historic Resources/Local Register of Historic 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, **PS-MM CUL-1** and **PS-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 **PS-MM TCR-1** and **PS-MM TCR-2**, as identified below, 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.

Project-Specific Mitigation Measures

PS-MM TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) 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 for the remainder of the project, should YSMN elect to place a monitor on-site.

PS-MM TCR-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. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

Finding

With the implementation of Project-Specific Mitigation Measures **PS-MM CUL-1**, **PS-MM CUL-2**, and **PS-MM TCR-1** and **PS-MM TCR-2**, impacts would be less than significant. Therefore, 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) 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 a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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.

On July 29, 2025, the Town of Apple Valley notified via email the following tribal entities of the Project and that the 30-day timeframe in which to request consultation would end within 30 days of receipt of the letter, in accordance with AB52. The following summarizes the results of the AB52 consultation.

- Morongo Band of Mission Indians. Result. No comments received. Consultation concluded.
- Cabazon Band of Cahuilla Indians. Result: No comments received. Consultation concluded.
- Twenty-Nine Palms Band of Mission Indians. Result: No comments received. Consultation concluded.
- Yuhaaviatam of San Manuel Nation. Result: Response received and mitigation measures were requested to protect unknown resources. Consultation concluded.

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 Tribe requested that the agency follow specific conditions for all cultural resources on any developmental plans or entitlement applications. Therefore **PS-MM TCR-1** and **PS-MM TCR-2** are required to reduce potential impacts to unanticipated resources.

Finding

With the implementation of Project-Specific Mitigation Measures **PS-MM TCR-1** and **PS-MM TCR-2,** impacts would be less than significant. Therefore, the Proposed Project does not result in new or have substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

4.19 UTILITIES AND SERVICE SYSTEMS

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:					
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		X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant With Mitigation Incorporated			X	
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				X
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant With Mitigation Incorporated			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant With Mitigation Incorporated			X	

Discussion

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater 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 1 through TCR-2

Proposed Project Impact Analysis: Less Than Significant With Mitigation Incorporated

The Proposed Project site would be serviced by the existing electric and gas supply lines, although extensions to the site may be required. Water is available in the Project vicinity, however, a new water line is required to be installed within Tecaya Road from Dale Evans Parkway to the Project site. Wastewater will be served via an on-site septic system.

Stormwater Drainage Facilities

As detailed in Section 4.10, the Project applicant has prepared a WQMP (Appendix F-1) that identifies stormwater management for the Project's post-project conditions. Overall, the existing drainage patterns were identified, and the design preserves the overall drainage pattern. The Proposed Project is generally the construction of an equipment yard, an office building and, parking areas, landscaping, and utilities on approximately 5.79 net acres of undeveloped land, to be constructed in a single phase. The on site drainage systems consist of graded area, concrete swale/ribbon gutter, grate/drop inlets with filter inserts for pre-treatment, and pipes that will convey the flows to the proposed underground chamber collection system and a basin. The Project also uses devices to re-route water from rooftop and impervious area into the proposed landscape are/planters prior to draining into the proposed structural BMPs. Stormwater

would be retained on site, and flows in excess of the underground chamber would be directed into the street, in accordance with the Town's drainage design requirements.

The Applicant will contract with a third-party maintenance group or be directly responsible for the long-term maintenance of WQMP stormwater facilities for the privately-owned property.

Compliance with relevant laws, ordinances, and regulations, as well as the specified mitigation measures, would ensure the Project's construction-related environmental impacts associated with the proposed storm drain improvements remain less than significant.

Electric Power Facilities

Electrical energy is accessed by transmission and distribution lines from substations owned by Southern California Edison (SCE). At full buildout, the Project's operational phase would require electricity for building operation (welders, various machinery, lighting, etc.). In addition, the Project would be required to comply with the most recent Title 24 standards at the time of building permit issuance. The energy-using fixtures within the Project would likely be newer technologies, using less electrical power. Implementation of the Project would not require new or expanded SCE facilities, however, a line extension from the adjacent Quarry Road may be required.

Natural Gas Facilities

Natural gas is provided to the Town by Southwest Gas. Although the Project would require natural gas for building heating, the Project would comply with the most up to date Title 24 building energy efficiency standards, reducing energy used in the state. Based on compliance with Title 24, the Project would generate a need for natural gas that is consistent with industrial uses. Implementation of the Project would not require new or expanded Southern California Gas Company facilities.

Water Service

The Proposed roject would be required to install a water main line in Tecaya Road from Dale Evans Parkway to the Project Site as no water infrastructure exists in the immediate Proposed Project vicinity.

For all facilities to be installed, project-specific mitigation measures previously identified in this SIS/MND would be required to reduce impacts to less than significant. These project specific mitigation measures include: PS-MM AQ-1, PS-MM BIO-1, PS-MM BIO-2, PS-MM BIO-3, PS-MM CUL-1, PS-MM CUL-2, PS-MM CUL-3, PS-MM TCR-1, and PS-MM TCR-2.

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. With the implementation of **PS-MM AQ-1, PS-MM BIO-1, PS-MM BIO-2, PS-MM BIO-3, PS-MM CUL-1, PS-MM CUL-2, PS-MM CUL-3, PS-MM TCR-1,** and **PS-MM TCR-2** impacts would be less than significant

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

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 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 Liberty Utilities, formerly the Apple Valley Ranchos Water Company (AVRWC), is responsible for providing domestic water service to the Project Site. The demand for potable and non-potable water was

estimated to be 14,979 acre-feet in 2019.[12] Industrial use volume as estimated to be 2 acre feet in 2019. Water use projections are coordinated with the Town of Apple Valley, and other jurisdictions served by Liberty. The estimated use for potable and non-potable water by 2045 is 18,538 acre-feet per year. The Project is consistent with the Town of Apple Valley's General Plan, and as planned by Liberty. Therefore, sufficient water supplies are anticipated to be available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.

The Applicant received a letter from Liberty that stated it would provide water to the Project Site upon compliance with Rule 15 of the California Public Utilities Commission (**Appendix I – *Utility Will Serve Letters***).

The Proposed Project also includes installation of a new water main line within Tecaya Road, with a lateral line to serve the Project Site. Liberty would then serve water to the site via this new water line in accordance with its letter. Therefore, impacts to water supply as a result of the Project would be less than significant.

Finding

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

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

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 are directly applicable to the Project.

[12] Stetson Engineers, *Liberty Utilities – Apple Valley, Final Draft 2020 Urban Water Management Plan,* June 2021 (L-AV, UWMP, 2021).

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: No Impact

The Proposed Project would connect to an on-site wastewater treatment system consisting of septic and seepage pit. Per the plans, the system consists of a 1,500-gallon total tank capacity, which can accommodate a drainage fixture unit (DFU) value up to 33 according to Table H201.1(1) Capacity of Septic Tanks (California Plumbing Code, 2022) (Appendix D-2). According to the percolation report in Appendix D-2, the seepage pits may be placed to a maximum allowable depth of 30 feet below the finish ground surface. The effective wall depth of the seepage pits would extend from the inlet depth of the system or below any fills placed in the area, whichever is greater, to a maximum depth of 30 feet below grade. The system will also require approval by the Town of Apple Valley Building Department as part of the construction drawing approval. Therefore, as the Project would not be connecting to a wastewater treatment provider, the Proposed Project would not 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. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Finding

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

d)	*Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
e)	*Would the project 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 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 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

Waste disposal services are provided in the area by Burrtec. The proposed land use is consistent with the Town of Apple Valley General Plan and therefore considered in Burrtec's long-range planning to meet demands. Waste generated from the Proposed Project is not expected to significantly impact the solid waste collection system. Non-hazardous solid and liquid waste generated in the City is currently deposited in the Victorville Landfill, which is operated by the County of San Bernardino Public Works Department, Solid Waste Management Division. The landfill is located at 18600 Stoddard Wells Road, north of the City of Victorville. The Victorville Landfill has a maximum permitted capacity of 93.4 million cubic yards and a remaining capacity of 79.4 million cubic yards. Overall, the landfill has a maximum permitted throughput of 3,000 tons per day and is expected to remain operational until 2047.[13]

Construction

Project construction is not anticipated to generate significant quantities of solid waste with the potential to affect the capacity of regional landfills. As indicated above, the Victorville Landfill has adequate capacity to accommodate such solid waste disposal needs over the short-term. Further, all construction activities would be subject to conformance with relevant federal, State, and local requirements related to solid waste disposal. Specifically, the project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." The California

[13] https://www2.calrecycle.ca.gov/SolidWaste/Site/Search as accessed 5/10/26.

Integrated Waste Management Act of 1989 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The contractor would be required to comply with all programs regarding recycling construction waste and debris. Compliance with these programs would ensure the project's construction-related solid waste impacts would be less than significant, and no mitigation is required.

Operations

The Project is a heavy equipment yard that repairs heavy equipment. Based on this it is anticipated that much of the material generated could be recycled. Based on CalRecycle's *Estimated Solid Waste Generation Rates*[14], a variety of baseline rates have been used to determine the potential waste stream for a general industrial use such as the Proposed Project. Based one methodology, an industrial use may generate 3 pounds per employee/1,000 SF per day. Assuming a total of 12 on-site employees, and a total Project Site area of approximately 4.79 acres (208,806 SF) where employees would be located in 26,000 SF (office, shop and non-storage portion of the yard), the Project could generate approximately 936 pounds (0.47 tons) of waste per day or approximately 122 tons per year. As described above, the Victor Valley Landfill has ample capacity to service the Project. The impact would be less than significant, and no mitigation is required.

The Town operates a household hazardous waste collection center located at the Public Works Yard. Qualified small-quantity industrial hazardous waste generators are eligible for the County's "Conditionally Exempt Small Quantity Generators" (CESQG) program, which provides for disposal of such wastes through the County Fire Department. County-approved firms collect and dispose of hazardous waste from businesses that do not qualify for the small quantity generator program. Oils, grease and fuel would be disposed of during Project operations in accordance with the Town and County regulations, therefore, the impact would be less than significant, and no mitigation is required.

Finding

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

[14] https://www2.calrecycle.ca.gov/wastecharacterization/general/rates

4.20 WILDFIRE

CEQA THRESHOLDS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, Would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Not Applicable				X
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 wildfire?	Not Applicable				X
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				X
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				X

Discussion

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" section of the 2009 GP EIR under the following criterion as identified in this section.

g) 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

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.

Refer to Section 4.15, Public Serviced (Fire Protection) of this Initial Study document for further analysis.

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

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	2009 GP EIR Impact	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant With Mitigation Incorporated		X		
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		X		
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		X		

Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As outlined in this Subsequent 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 has no new or 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.

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.

Proposed Project Impact Analysis

Air Quality

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, PS-MM AQ-1: Valley Fever, is required which outlines measures to minimize exposure to this condition.

Land Use, Population and Housing

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.

Because the Proposed Project is not located within the boundaries of Annexation 2008-001, there is no impact.

Transportation and Traffic

The 2009 GP 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.

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 has no 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?

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.

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 PS-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 has no new or substantially more severe significant environmental effects than previously identified in the 2009 GP EIR.

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5 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA, Section 21081.6, requires that a mitigation monitoring and reporting program (MMRP) be adopted upon certification of a Mitigated Negative Declaration to ensure that the mitigation measures are implemented. The mitigation monitoring and reporting program identifies the mitigation and when in the process it should be implemented. The **Town of Apple Valley** is the implementing responsible party for all measures. A record of the MMRP will be maintained at the Town of Apple Valley Planning Division, 14955 Dale Evans Parkway, Apple Valley, California 92307.

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
AIR QUALITY							
Expose sensitive receptors to substantial pollutant concentrations?	**PS-MM AQ-1**: 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	Prior to and During Construction	Applicant/ Contractor And Town of Apple Valley Planning Department	Training Record			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
	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 Town of Apple Valley Planning 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 San Bernardino County Department of Public Health (DPH) Environmental Health Services (EHS). 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 National Institute for Occupational Safety and Health (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						

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
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	**PS-MM BIO-1:** Pre-Construction Surveys: Burrowing Owls. A 30-day pre-construction survey for Burrowing Owl in compliance with CDFW's Staff Report on Burrowing Owl Mitigation, dated March 7, 2012, shall be conducted prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to safeguard that no owls have colonized the Project site. If Burrowing Owls have colonized the Project site prior to the initiation of ground-disturbing activities, the Project Applicant shall immediately inform the Town of Apple Valley to determine if "take" would occur and coordinate with CDFW to determine minimization and avoidance measures, as needed. If ground-disturbing activities occur, but the Project site is left undisturbed for more than 30 days, another pre-construction survey shall be conducted no less than fourteen (14) days prior to resuming ground-disturbing activities to safeguard that Burrowing Owl has not colonized the Project since it was last disturbed. If Burrowing Owls are found, the same coordination with CDFW in conjunction with the Town of Apple Valley described above shall be required.	Prior to issuance of a grading permit	Town of Apple Valley Planning Division	Contract or Letter of Intent with Qualified Biologist			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
	PS-MM BIO-2: Pre-Construction Surveys: Desert Kit Fox and American Badger. No more than 14 days prior to the beginning of ground disturbance and/or Project activities, a qualified biologist shall conduct pre-construction surveys to determine if potential desert kit fox and American badger dens are present in the Project area. Pre-construction surveys should include 100-percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupation by desert kit fox or American badger, Project activities shall be immediately halted, and the qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures. **Pre-Construction Surveys: Desert Tortoise.** All pre-construction surveys will be performed by a qualified biologist to the latest standards by the CDFW and USFWS protocols. No more than 14 days prior to the beginning of ground disturbance and/or Project activities, a qualified biologist shall conduct pre-construction surveys to determine if potential badger dens are present in the Project area. Pre-construction surveys should include 100-percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupied desert tortoise, Project activities shall be immediately halted, and the	Prior to grading	Applicant/ Contractor and Town of Apple Valley	Contract or Letter of Intent with Qualified Biologist			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
	qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures.						
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?	**PS-MM BIO-3:** To avoid and/or minimize impacts to nesting birds, to the extent possible, construction activities (i.e., earthwork, clearing, and grubbing) shall occur outside of the general bird nesting season for migratory birds, which is March 15 through August 31 for songbirds and January 15 to August 31 for raptors. If construction activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season for migratory birds (March 15 to August 31) and raptors (January 15 to August 31), a qualified biologist shall be retained to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and CFG Code. The preconstruction survey shall be performed no more than seven days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by a qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist	Prior to grading	Applicant/ Contractor	Monitoring report submitted to Town of Apple Valley Planning Division			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
	determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young have fledged the nest, and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer as applicable for the specific bird species and type of work, or propose other recommendations to avoid indirect impacts to nesting birds.						
CULTURAL RESOURCES							
Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5	**PS-MM CUL-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 an applicant-retained qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within MM 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.	Prior to issuance of a grading permit and during subsurface excavation	Applicant/ Contractor And Town of Apple Valley Planning Department	Confirmation of professional archeologist retention/on-going monitoring/ submittal of Report of Findings and curate discovered resources, if applicable			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
	PS-MM CUL-2: If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the applicant-retained qualified archaeologist meeting Secretary of Interior standards shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The applicant-retained qualified archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	Prior to Construction/ During Construction	Applicant/ Contractor	Contract or Letter of Intent with Qualified Cultural Resource Specialist			
Disturb any human remains, including those interred outside of formal cemeteries?	**PS-MM CUL-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 construction of the project.	Prior to construction/ during grading	Town of Apple Valley Planning Department	Complete (Required by code)			
TRIBAL CULTURAL RESOURCES							
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	**PS-MM TCR-1:** The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) 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	Prior to or during construction	Town of Apple Valley Planning Department	Actions as deemed necessary by the Town of Apple Valley Planning Department			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
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 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)?	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 for the remainder of the project, should YSMN elect to place a monitor on-site.						
	PS-MM TCR-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. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.	Prior to or during construction	Town of Apple Valley Planning Division	Actions as deemed necessary by the Town of Apple Valley Planning Division			
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	**PS-MM TCR-1** and **PS-MM TCR-2**	Prior to or during construction	Town of Apple Valley Planning Division	Actions as deemed necessary by the Town of Apple Valley Planning Division			

Impact/Threshold	Applicable Mitigation Measure / Project Mitigation Measures	Monitoring / Timing Frequency	Monitoring Party	Action Indicating Compliance	Verification		
					Initials	Date	Remarks
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 a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.							

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6 LIST OF PREPARERS

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7 REFERENCES

The following reports and/or studies are applicable to development of the Project site and are hereby incorporated by reference:

State of California, Department of Conservation, Farmland Mapping and Monitoring Program. https://maps.conservation.ca.gov/DLRP/CIFF.

United States Dept of Agriculture, Natural Resources Conservation Service (USDA), Web Soil Survey, https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

APPENDICES