

**INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

---

**TAYLOR APARTMENT COMPLEX (70 UNITS)  
APN 0410-242-02 & 041-242-03  
HESPERIA, CALIFORNIA 92345**



**LEAD AGENCY:**

**CITY OF HESPERIA  
PLANNING DIVISION  
9700 SEVENTH AVENUE  
HESPERIA, CALIFORNIA 92345**

**REPORT PREPARED BY:**

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**MAY 2025**  
(REVISED JUNE 2025)

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## MITIGATED NEGATIVE DECLARATION

**PROJECT NAME:** Taylor Apartment Complex (70 Apartment Unit Development)

**PROJECT APPLICANT:** Andrew Taylor.

**PROJECT LOCATION:** The site would consist of two parcels with Assessor Parcel Numbers (APNs) 0410-242-03 and 0410-242-04.

**CITY AND County:** City of Hesperia, San Bernardino County.

**Project:** The proposed project would involve the development of the 4.71-acre site with a new multiple-family residential development that would consist of 70-rental units. The proposed project would involve the development of a 70 unit apartment complex which would include 14 buildings consisting of the following: 8 eightplex buildings with 8 units each, 3 duplex buildings with 2 units each, 2 garage buildings with (22) non-livable garage units total, and 1 recreational building. The 14 new buildings would have a total floor area of approximately 92,984 square feet. The building footprint area would total approximately 54,802 square feet. The total site area would be 4.71 acres or 205,380 square feet. Vehicular access to the project site would be provided by two new driveway connections with the east side of "C" Avenue. A total of 160 parking spaces would be provided. Landscaping would total 48,120 square feet.

**EVALUATION FORMAT:** The attached initial study is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of the attached Initial Study was guided by Section 15063 of the State CEQA Guidelines. The project was evaluated based on its effect on 21 categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist includes a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations.

| Potentially Significant Impact | Less than Significant With Mitigation Incorporated | Less than Significant | No Impact |
|--------------------------------|----------------------------------------------------|-----------------------|-----------|
|--------------------------------|----------------------------------------------------|-----------------------|-----------|

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

**No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.

**Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Less than Significant Impact with Mitigation:** Possible significant adverse impacts have been identified or anticipated and mitigation measures are required as a condition of the project's approval to reduce these impacts to a level below significance.

**Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts.

**CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**  
**APN 0410-242-03 & 0410-242-04 • TAYLOR APARTMENT COMPLEX (70-UNITS)**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact where mitigation is required" as indicated by the checklist in the attached Initial Study.

- |                                                          |                                                           |                                                               |
|----------------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality               |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy                               |
| <input type="checkbox"/> Geology & Soils                 | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards & Hazardous Materials        |
| <input type="checkbox"/> Hydrology & Water Quality       | <input type="checkbox"/> Land Use & Planning              | <input type="checkbox"/> Mineral Resources                    |
| <input checked="" type="checkbox"/> Noise                | <input type="checkbox"/> Population & Housing             | <input type="checkbox"/> Public Services                      |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation & Traffic         | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities & Service Systems     | <input type="checkbox"/> Wildfire                         | <input type="checkbox"/> Mandatory Findings of Significance   |

**DETERMINATION:** (To be completed by the Lead Agency) On the basis of this initial evaluation, the following finding is made:

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | The proposed project <i>COULD NOT</i> have a significant effect on the environment, and a <i>NEGATIVE DECLARATION</i> should be prepared.                                                                                                                                                                                                                                                                                                                                                                    |
| <input checked="" type="checkbox"/> | Although the proposed project could have a significant effect on the environment, there shall 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 <i>MITIGATED NEGATIVE DECLARATION</i> shall be prepared.                                                                                                                                                                                                                  |
| <input type="checkbox"/>            | The proposed project <i>MAY</i> have a significant effect on the environment, and an <i>ENVIRONMENTAL IMPACT REPORT</i> is required.                                                                                                                                                                                                                                                                                                                                                                         |
| <input type="checkbox"/>            | The proposed project <i>MAY</i> 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 <i>ENVIRONMENTAL IMPACT REPORT</i> is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/>            | Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an <i>earlier EIR or NEGATIVE DECLARATION</i> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that <i>earlier EIR or NEGATIVE DECLARATION</i> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.                                  |

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

The project and the attendant impacts are described in greater detail in the attached Initial Study.



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APPENDIX D – GEOTECHNICAL REPORT

APPENDIX E – HYDROLOGY AND DRAINAGE REPORT

## 1. INTRODUCTION

### 1.1 OVERVIEW OF THE PROPOSED PROJECT

The proposed project would involve the development of the 4.71-acre site with a new multiple-family residential development that would consist of 70-rental units. The proposed 70 unit apartment complex would include 14 buildings consisting of the following: 8 eightplex buildings with 8 units each, 3 duplex buildings with 2 units each, 2 garage buildings with (8) non-livable (garage) units, and 1 recreational building. The 14 buildings would have a total floor area of approximately 92,984 square feet. The building footprint area would total approximately 54,802 square feet. The total site area is 4.71 acres or 205,380 square feet. Vehicular access to the project site would be provided by two new driveway connections with the east side of “C” Avenue. A total of 160 parking spaces would be provided. Landscaping would total 48,120 square feet.<sup>1</sup>

### 1.2 PURPOSE OF THIS STUDY

The City of Hesperia is the designated *Lead Agency*, and as such, the City will be responsible for the project’s environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.<sup>2</sup> As part of the proposed project’s environmental review, the City of Hesperia has authorized the preparation of this Initial Study.<sup>3</sup> The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Hesperia with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project’s environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Hesperia, in its capacity as the Lead Agency. The City determined, as part of this Initial Study’s preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project’s CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and 15386 of the State CEQA Guidelines.<sup>4</sup> This Initial Study and the *Notice of Intent to (NOI)*

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<sup>1</sup> Steeno Design, Inc. Andrew Taylor (70 Unit) Apartment Development. *Site Plan, Sheet A-O*. June 2024.

<sup>2</sup> California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions*. as Amended 2001. §21067.

<sup>3</sup> Ibid. (CEQA Guidelines) §15050.

<sup>4</sup> California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069*. 2000.

*Adopt a Mitigated Negative Declaration* will be forwarded to responsible agencies, trustee agencies, and the public for review and comment. This Initial Study and Mitigated Negative Declaration will be forwarded to the State of California Office of Planning Research (the State Clearinghouse). A 30-day public review period would be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study.<sup>5</sup> Questions and/or comments should be submitted to the following:

City of Hesperia, Planning Division  
9700 Seventh Avenue  
Hesperia, California 92345

### 1.3 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 Conclusions* summarizes the findings of the analysis.
- *Section 5 References* identifies the sources used in the preparation of this Initial Study.

### 1.4 INITIAL STUDY'S REVISIONS FOLLOWING CIRCULATION

A 30-day public review period was provided to allow these entities and other interested parties to comment on the proposed project and the findings of the Initial Study. Comment letters were received from the following entities:

- State of California – Natural Resources Agency Department of Fish and Wildlife. 3602 Inland Deserts Region. 3602 Inland Empire Blvd. C-220, Ontario, California 91764.

Following their review of the IS/MND, the California Department of Fish and Wildlife (CDFW) had suggested changes regarding mitigation measures. These recommended changes are outlined this section. These revisions are minor and would not require recirculation of the IS/MND. The deleted text is noted using ~~strikeout~~ while the new text is noted using **bold** lettering.



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<sup>5</sup> California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109(b).* 2000.

## 2. PROJECT DESCRIPTION

### 2.1 PROJECT LOCATION

The proposed project site is located in the central portion of the City of Hesperia. The City of Hesperia is located in southwestern portion of San Bernardino County in the southwestern Mojave Desert physiographic subregion. This physiographic subregion is more commonly referred to as either the "Victor Valley" or the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from the more populated areas of coastal Southern California by the Cajon Pass which serves to separate the San Bernardino and San Gabriel mountains. The City of Hesperia is bounded on the north by Victorville and Apple Valley, unincorporated San Bernardino County (Oro Grande); on the east by Apple Valley and unincorporated San Bernardino County (Bell Mountain); on the south by the unincorporated San Bernardino County (Oak Hills); and on the west by unincorporated San Bernardino County (Baldy Mesa). Regional access to the City of Hesperia is provided by three area highways: the Mojave Freeway (Interstate 15), extending in a southwest to northeast orientation through the center of the City; U.S. Highway 395, traversing the western portion of the City in a northwest to southeast orientation; and Palmdale Road (State Route 18), which traverses the southern portion of the City in an east to west orientation.<sup>6</sup> The location of Hesperia, in a regional context, is shown in Exhibit 1. A citywide map is provided in Exhibit 2.

The 4.71-acre project site is located in the central portion of the City of Hesperia. The site address is 8561 "C" Avenue. The site would consist of two parcels with Assessor Parcel Numbers (APNs) 0410-242-03 and 0410-242-04. The proposed project site is located to the east of "C" Avenue, 350 feet north of north of Lime Street and 740 feet south of Muscatel Street. The project site's latitude and longitude are 34°24'23.29" N - 117°17'55.5"W. The project site is located within the United States Geological Survey (USGS) 7 ½ Minute, Hesperia, California Quadrangle (1956), Section 28, Township 4 North, Range 4 West. A local vicinity map is provided in Exhibit 3.

### 2.2 ENVIRONMENTAL SETTING

Land uses and development located in the vicinity of the proposed project site are outlined below:

- *Project Site:* The project site is currently occupied by two single-family units that would be demolished to accommodate the proposed project. This site's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.
- *North of the project site:* A total of three residential structures are located on the property to the north of the site (a total of five mailboxes are located on the "C" Street frontage). This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.
- *West of the project site:* C Avenue extends along the project site's west side. The Grandview Mobile Home Park, a single-family residence, and the Hesperia Regency Apartments are located to the west of the aforementioned roadway. This area is designated as *Medium Density Residential (MDR)* in the General Plan and Zoning Map.
- *South of the project site:* There are four residential properties located to the south of the project site. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.

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<sup>6</sup> Google Earth. Website accessed June 14, 2024.

- *East of the project site:* Undeveloped though disturbed land is located to the east of the site. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.

The site and the surrounding uses are summarized in Table 1. An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The land use designations applicable to the project site and the surrounding area are shown in Exhibit 5.

**Table 1 Summary of Environmental Setting**

| Project Element       | Existing Use                                                                      | General Plan and Zoning          |
|-----------------------|-----------------------------------------------------------------------------------|----------------------------------|
| Project Site          | 2 single-family units                                                             | Medium Density Residential (MDR) |
| North of Project Site | Residential (3 units)                                                             | Medium Density Residential (MDR) |
| West of Project Site  | C Street (mobile home park, a single family residences, and an apartment complex) | Medium Density Residential (MDR) |
| South of Project Site | Residential (4 units)                                                             | Medium Density Residential (MDR) |
| East of Project Site  | Vacant Land                                                                       | Medium Density Residential (MDR) |

Source: Blodgett Baylosis Environmental Planning

## 2.3 PROJECT DESCRIPTION

### PHYSICAL CHARACTERISTICS

The proposed project would involve the development of the 4.71-acre site with a new multiple-family residential development that would consist of 70-units. Of the total number of units, 64 units would be two bedroom units and 6 units would be three bedroom units.<sup>7</sup> The key physical elements of the proposed project are outlined below.

- *Site Plan.* The proposed project involves the development of a 4.71-acre, 205,380 square foot site with a new multiple-family residential development. The proposed 70 unit apartment complex would include 14 buildings consisting of the following: 8 eightplex buildings with 8 units each, 3 duplex buildings with 2 units each, 2 garage buildings with (8) non-livable units, and 1 recreational building. The project's floor area would total approximately 92,984 square feet. The building footprint area would total 54,802 square feet or 26.7% of the total site area. The A/C (Asphalt concrete paving) would total 66,743 square feet or 32.5% of the total site area.
- *Apartment Building A.* This new building would be located in the northwestern corner of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building B.* This new building would be located in the northern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.

<sup>7</sup> Steeno Design, Inc. Andrew Taylor (70 Unit) Apartment Development. *Site Plan, Sheet A-0*. June 2024.

- *Apartment Building C.* This new building would be located in the northern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building D.* This new building would be located in the northwestern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building E.* This new building would be located in the southeastern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building F.* This new building would be located in the southern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building G.* This new building would be located in the southern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Apartment Building H.* This new building would be located in the southeastern portion of the site and would consist of two levels. A total of 8 units would be located in this building. The residential units in this building would consist of two bedroom and each unit would have total floor area of 1,111 square feet. The building would have a total floor area of 8,890 square feet.
- *Recreation Building I.* This new building would be located in the west central portion of the site and would consist of a single level. This building would be a community recreation center and would have a total floor area of 3,030 square feet.
- *Apartment Building J.* This new building would be located in the central portion of the site and would consist of a single level. The building would be a duplex building and would contain two units. Each unit would have total floor area of 1,294 square feet and would contain 3 bedrooms. The total floor area of the building would total 2,588 square feet.
- *Apartment Building K.* This new building would be located in the central portion of the site and would consist of a single level. The building would be a duplex building and would contain two units. Each unit would have total floor area of 1,294 square feet and would contain 3 bedrooms. The total floor area of the building would total 2,588 square feet.
- *Apartment Building L.* This new building would be located in the central portion of the site and would consist of a single level. The building would be a duplex building and would contain two units. Each unit would have total floor area of 1,294 square feet and would contain 3 bedrooms. The total floor area of the building would total 2,588 square feet.
- *Landscaping.* Landscaping would total 48,120 square feet (or 23.4% of the total site area). The landscaping would be installed along the site's C Street frontage, the site's perimeter, and within the site's interior. Retention basins would be provided along the site's east site.

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- *Access, Circulation, and Parking.* A total of 160 parking spaces would be provided. Vehicular access to the project site would be provided by two new driveway connections with the east side of C Street. Internal drive aisles, with a width of 27-feet, would provide a connection with the internal parking areas.
- *Utilities.* The proposed project would connect to existing water lines (Hesperia Water District) located in C Avenue. The proposed project would connect to a proposed sanitary sewer system extension located in C Avenue (Hesperia Water District).
- *Amenities.* Amenities for the proposed project would include a swimming pool area (4,300 square feet) located adjacent to the recreation building. A Zen area (2,491 square feet) would be centrally located within the project site. A tot lot (1,778 square feet) would be located in the southerly portion of the site. A pickle ball court (1,792 square feet) would be located in the northern portion of the site. A dog park (2,647 square feet) would be located in the southeastern portion of the site next to the southern retention basin. Finally, a second Zen area (1,991 square feet) would be located in the northeastern portion of the site. The shared outdoor space for the amenities would total 14,999 square feet.

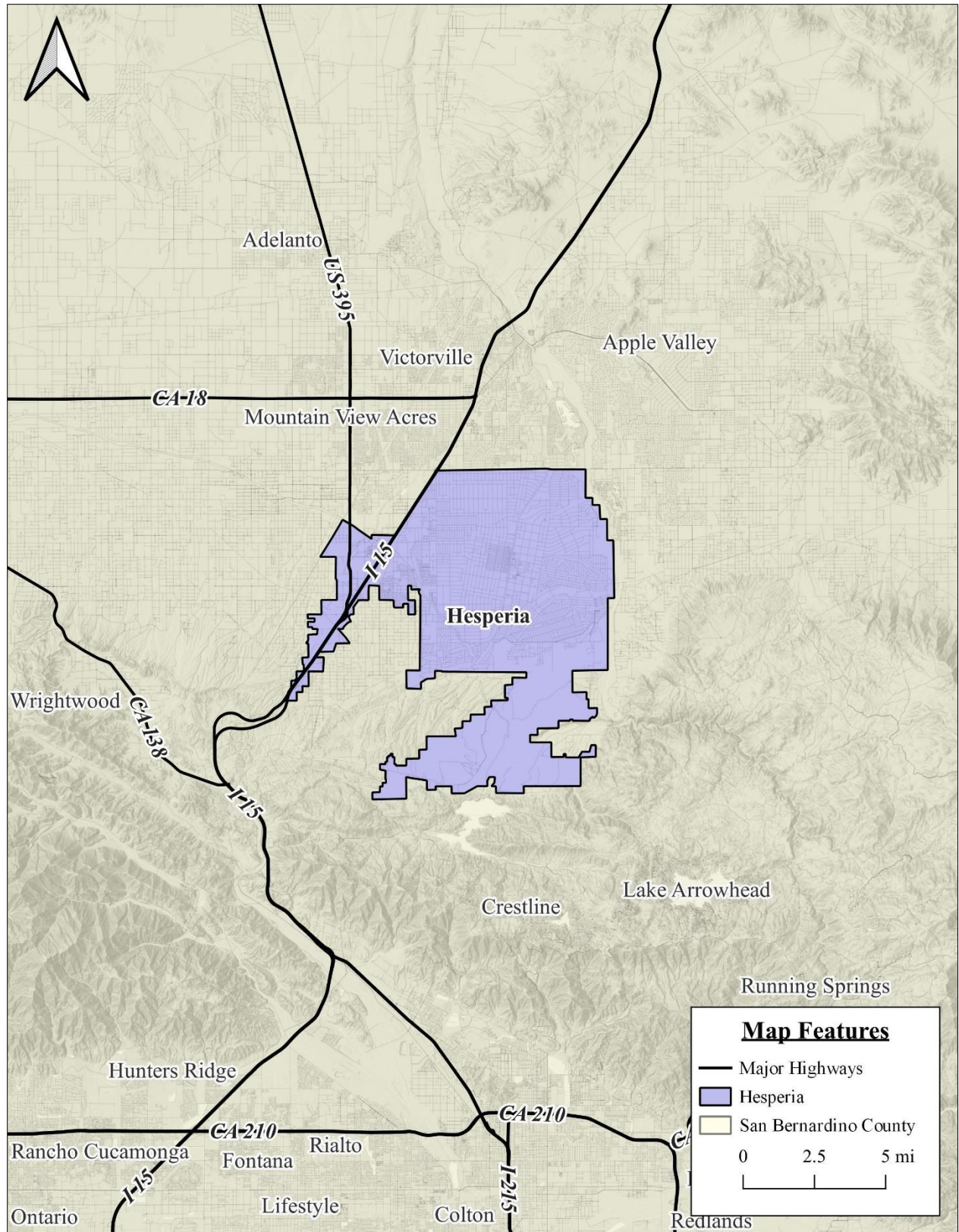
The key physical elements are summarized in Table 2. The proposed site plan is illustrated in Exhibit 6.

**Table 2 Summary of Proposed Project**

| <b>Project Element</b> | <b>Description</b>                         |
|------------------------|--------------------------------------------|
| Site Plan              | 4.71 -acres (205,380 sq. ft.)              |
| New Apt. Building A    | 8 units (two levels with 2 bedroom units)  |
| New Apt. Building B    | 8 units (two levels with 2 bedroom units)  |
| New Apt. Building C    | 8 units (two levels with 2 bedroom units)) |
| New Apt. Building D    | 8 units (two levels with 2 bedroom units)  |
| New Apt. Building E    | 8 units (two levels with 2 bedroom units)) |
| New Apt. Building F    | 8 units (two levels with 2 bedroom units)  |
| New Apt. Building G    | 8 units (two levels with 2 bedroom units)  |
| New Apt. Building H    | 8 units (two levels with 2 bedroom units)) |
| New Rec. Building I    | 3,030 sq. ft. bldg. next to pool.          |
| New Apt. Building J    | 2 unit duplex (two, 3-bedroom units)       |
| New Apt. Building K    | 2 unit duplex (two, 3-bedroom units)       |
| New Apt. Building L    | 2 unit duplex (two, 3-bedroom units)       |
| Parking                | 160 parking spaces                         |
| Landscaping            | 48,120 sq. ft.                             |
| Amenities              | 14,999 sq. ft.                             |

Source: Steeno Design Group, Inc.

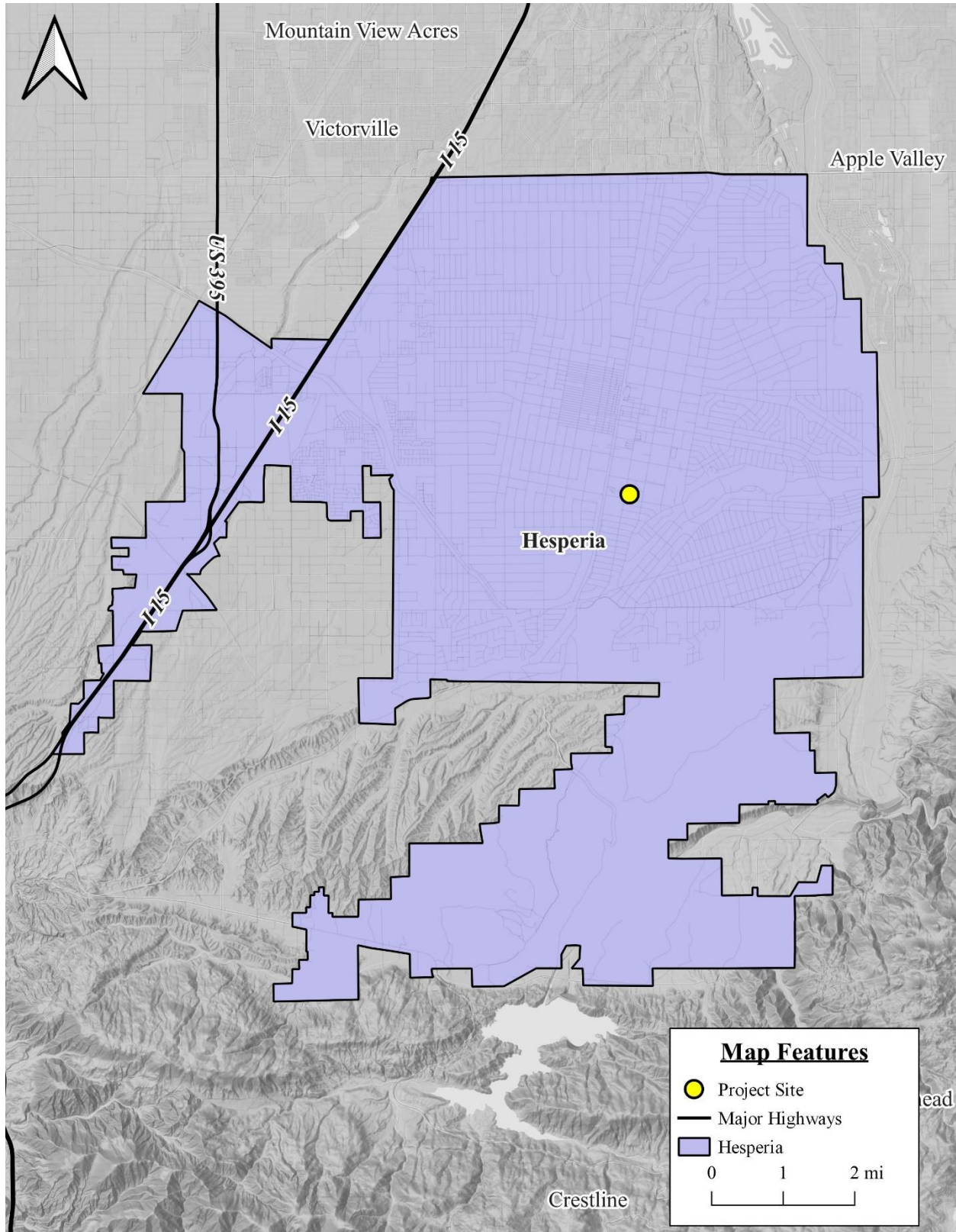
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**EXHIBIT 1 REGIONAL MAP**

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

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**EXHIBIT 2 CITYWIDE MAP**  
**SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING**



### EXHIBIT 3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

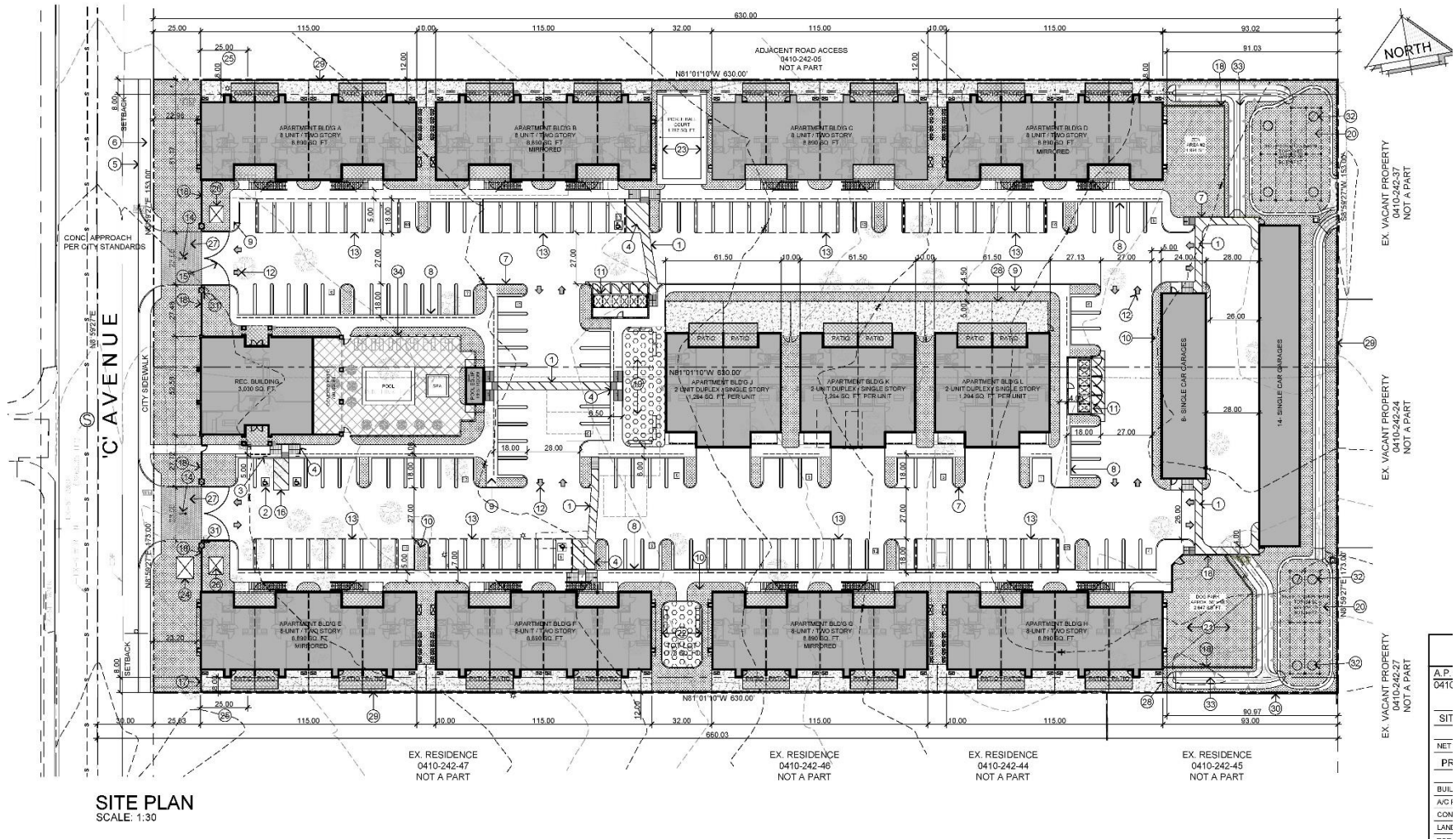


**EXHIBIT 4 AERIAL MAP**  
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



**EXHIBIT 5 LAND USE DESIGNATIONS**  
 SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

**CITY OF HESPERIA • INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**  
**APN 0410-242-03 & 0410-242-04 • TAYLOR APARTMENT COMPLEX (70-UNITS)**



**EXHIBIT 6 SITE PLAN OF PROJECT SITE**  
**SOURCE: OMEGA DESIGN GROUP, INC.**

## OCCUPANCY CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project would involve the construction of 70 single-family units. The units would be “rental” units. Assuming an average household size of 3.0 persons per unit, this average household size would translate into a total of 210 residents that would occupy the proposed 70 unit development.<sup>8</sup>

## CONSTRUCTION CHARACTERISTICS

The construction for the proposed project is assumed to commence in August 2025 and would take approximately thirteen months to complete. The key construction tasks that would occur are outlined in the paragraphs below.

- *Task 1 Grading.* The project site would be graded and ready for construction. The site would be graded to a depth of approximately 6 inches. The typical heavy equipment used during this construction phase would include graders, bulldozers, offroad trucks, back-hoes, and trenching equipment.
- *Task 2 Site Preparation.* During this phase, the building footings, utility lines, and other underground infrastructure would be installed. The typical heavy equipment used during this construction phase would include bulldozers, offroad trucks, back-hoes, and trenching equipment.
- *Task 3 Building Construction.* The new buildings would be constructed during this phase. The typical heavy equipment used during this construction phase would include offroad trucks, cranes, and fork-lifts
- *Task 4 Paving and Finishing.* This concluding task would involve the paving and finishing. The typical heavy equipment used during this construction phase would include trucks, backhoes, rollers, pavers, and trenching equipment.

## DISCRETIONARY ACTIONS

The following discretionary approvals would be required as part of the proposed project’s implementation:

- The approval of the Mitigated Negative Declaration (MND); and,
- The adoption of the Mitigation Monitoring and Reporting Program.



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<sup>8</sup> Steeno Design, Inc. Andrew Taylor (70 Unit) Apartment Development. *Site Plan, Sheet A-o*. June 2024.

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### **3. ENVIRONMENTAL ANALYSIS**

This section of the Initial Study analyzes the potential environmental impacts that may result from the proposed project's implementation. The issue areas evaluated in this Initial Study include the following:

- Aesthetics (Section 3.1);
- Agricultural/Forestry Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Energy (Section 3.6);
- Geology & Soils (Section 3.7);
- Greenhouse Gas Emissions; (Section 3.8);
- Hazards & Hazardous Materials (Section 3.9);
- Hydrology & Water Quality (Section 3.10);
- Land Use & Planning (Section 3.11);
- Mineral Resources (Section 3.12);
- Noise (Section 3.13);
- Population & Housing (Section 3.14).
- Public Services (Section 3.15);
- Recreation (Section 3.16);
- Transportation (Section 3.17);
- Tribal Cultural Resources (Section 3.18);
- Utilities (Section 3.19);
- Wildfire (Section 3.20); and
- Mandatory Findings (Section 3.21).

### 3.1 AESTHETICS

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                               |                                |                                              | ✗                            |           |
| B. Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?                                                                                                                                                                                               |                                |                                              |                              | ✗         |
| C. Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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? |                                |                                              |                              | ✗         |
| D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                                                                                                                                                                                                                 |                                |                                              |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on aesthetics if it results in any of the following:

- The proposed project would have an adverse effect on a scenic vista, except as provided in PRC Sec. 21099.
- The proposed project would have an adverse effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- The proposed project would 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. or,
- The proposed project would, except as provided in Public Resources Code Section 21099, create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The evaluation of aesthetic impacts is generally subjective, and it typically requires the identification of key visual features in the area and their importance. The characterization of aesthetic impacts involves establishing the existing visual characteristics including visual resources and scenic vistas that are unique to the area. Visual resources are determined by identifying existing landforms (e.g., topography and grading), views (e.g., scenic resources such as natural features or urban characteristics), and existing light and glare characteristics (e.g., nighttime illumination). Changes to the existing aesthetic environment associated with the proposed project's implementation are identified and *qualitatively* evaluated based on the proposed modifications to the existing setting and the viewers' sensitivity. The project-related impacts are then compared to the context of the existing setting, using the threshold criteria discussed above.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

### **A. Would the project have a substantial adverse effect on a scenic vista? • Less Than Significant Impact.**

The dominant scenic views from the project site and the surrounding area include distant views of the San Bernardino and San Gabriel Mountains, located south, southwest, and southeast of the site and the City. In addition, local views are already dominated by neighboring development. The proposed project involves the development of a 4.71-acre, 205,380 square foot site with a new multiple-family residential development. The proposed 70 unit apartment complex would include 14 buildings consisting of the following: 8 eightplex buildings with 8 units each, 3 duplex buildings with 2 units each, 2 garage buildings with (8) non-livable units, and 1 recreational building. The project's floor area would total approximately 92,984 square feet. The building footprint area would total 54,802 square feet or 26.7% of the total site area. The A/C (Asphalt concrete paving) would total 66,743 square feet or 32.5% of the total site area.

The proposed project shall be designed, constructed, and operated in accordance with General Plan Policy LU-8.5 of the Land Use Element, which requires all development within the City to "Adopt design standards that will ensure land use compatibility and enhance the visual environment by providing attractive, aesthetically pleasing development which is sensitive to the unique local characteristics of the Hesperia community." In accordance with City policy, the Applicant shall provide replacement landscaping or vegetation to disturbed areas consistent with the natural surroundings, and in accordance with City Municipal Code Section 16.24.150 (Subject Desert Native Plants) and County Codes 88.01.050 (Tree or Plant Removal Permits) and 88.01.060 (Desert Native Plant Protection). Pursuant to these codes, landscaping shall be selected and incorporated to be drought-tolerant and shall complement existing natural and manmade features, including the dominant landscaping of surrounding areas. Through compliance with the City General Plan and Municipal Code, the proposed project would minimize the contrast between project features and the surrounding Mojave Desert landscape and ensure adverse effects on scenic vistas remain less than significant. No mitigation is required. In addition, views from the mountains will not be obstructed. Once occupied, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, the impacts would be less than significant.*

### **B. Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? • No Impact.**

The project site consists of two parcels that are developed and occupied with a residential unit and out buildings on each lot. The surrounding property has been heavily disturbed due to past activity. The site's General Plan and zoning designation is *Medium Density Residential (MDR)*. The proposed project would involve the removal of the existing structural improvements that are in varying states of maintenance. During construction, the site would be maintained pursuant to the City's property maintenance requirements.

According to the California Department of Transportation, none of the streets located adjacent or near to the proposed project site (C Avenue, Lime Street, or Muscatel Street) are not designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.<sup>9</sup> The City of Hesperia General Plan identifies prominent view sheds within the City. These view sheds are comprised

<sup>9</sup> California Department of Transportation. *Official Designated Scenic Highways.*

primarily of undeveloped desert land, the Mojave River, and distant views of the San Bernardino Mountains.<sup>10</sup> Lastly, the project site is undeveloped and does not contain any buildings listed in the State or National register. *As a result, no impacts would occur.*

**C. Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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? • No Impact.**

There are no protected views in the vicinity of the project site and the City does not contain any scenic vistas in the vicinity of the project site. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other than the development standards for which the proposed project would be required to conform to. *As a result, no impacts would occur.*

**D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? • No Impact.**

Project-related sources of nighttime light would include parking area exterior lights, security lighting, and vehicular headlights. The site's development would involve the installation of outdoor lighting necessary for safety and security as well as to accommodate night-time residential occupancy. All lighting would comply with the development standards contained in the City's Zoning Code. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding nuisance (e.g., blinking/flashing lights, unusually high intensity or needlessly bright lighting). It is important to note that the surrounding residential properties are considered to be "light sensitive" land uses. The City of Hesperia Municipal Code Section 16.16. Article VII Multiple-Family Design Guidelines includes design standards for outdoor lighting that apply to new development in the City. The site is located in the *Medium Density Residential (MDR)* zone district. These lighting requirements are summarized below:

1. Every multi-family project should have adequate lighting to provide for security and visibility. Site lighting should not be pervasive or impact surrounding or neighboring properties. The type and location of site and building lighting should preclude direct glare onto adjoining property, public rights-of-way, or skyward. All lighting fixtures must be shielded to confine light spread on-site and to prevent nighttime light pollution.
2. The design of all exterior light fixtures shall be compatible with the building's architecture.
3. Pedestrian scale/decorative lighting along walkways and driveways is strongly encouraged. "High mast" poles are discouraged. The maximum height of walkway lighting shall be fifteen (15) feet.
4. Main entrances to parking areas or buildings should have strong architectural lighting, particularly for project name or addresses.
5. Open spaces should be adequately lit with durable low maintenance fixtures.

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<sup>10</sup> City of Hesperia General Plan. Website accessed on May 31, 2024.

6. The location of light fixtures should correspond to anticipated use. Lighting of pedestrian movement paths should illuminate changes in grade, path intersections, seating areas and any other uses along the movement path that, if left unlighted, would create an unsafe situation.
7. Night lighting of buildings is encouraged, but should be accomplished in a selective manner, avoiding overall building illumination that produces an undesirable look. Night lighting of buildings may be used to highlight special building features, emphasize repeated or decorative features, and use the juxtaposition of light and shadow to articulate the building facade.

Adherence the aforementioned lighting requirements would address any potential lighting trespass or spill over impacts. *As a result, no impacts would occur.*

### **MITIGATION MEASURES**

The analysis of aesthetics indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

### **3.2 AGRICULTURE & FORESTRY RESOURCES**

| <b>Environmental Issue Areas Examined</b>                                                                                                                                                                                                                                                                           | <b>Potentially Significant Impact</b> | <b>Less Than Significant Impact with Mitigation</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------|-------------------------------------|------------------|
| <b>A.</b> Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?                                            |                                       |                                                     |                                     | <b>×</b>         |
| <b>B.</b> Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?                                                                                                                                                                                                      |                                       |                                                     |                                     | <b>×</b>         |
| <b>C.</b> Would the project 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))? |                                       |                                                     |                                     | <b>×</b>         |
| <b>D.</b> Would the project result in the loss of forest land or conversion of forest land to a non-forest use?                                                                                                                                                                                                     |                                       |                                                     |                                     | <b>×</b>         |
| <b>E.</b> Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?                                                                              |                                       |                                                     |                                     | <b>×</b>         |

### **THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY**

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on agriculture and forestry resources if it results in any of the following:

- The proposed project would 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.

- The proposed project would conflict with existing zoning for agricultural use, or a Williamson Act contract.
- The proposed project would 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)).
- The proposed project would result in the loss of forest land or conversion of forest land to non-forest use.
- The proposed project would 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.

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to track changes in agricultural land use and to help preserve areas of Important Farmland. It divides the state's land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. These maps and data are used to help preserve productive farmland and to analyze impacts on farmland. *Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance* are collectively referred to as Important Farmland in this analysis. The highest rated Important Farmland is Prime Farmland. The California Land Conservation Act of 1965, or the Williamson Act, allows a city or county government to preserve agricultural land or open space through contracts with landowners. The County has areas that are currently agriculture preserves under contract with San Bernardino County through the Williamson Act of 1965. Contracts last 10 years and are automatically renewed unless a notice of nonrenewal is issued.

## **ANALYSIS OF ENVIRONMENTAL IMPACTS**

**A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses? ● No Impact.**

The project site consists of two parcels that are developed and occupied with residential units and out buildings on each lot. The surrounding properties have been heavily disturbed due to past activity. The site's General Plan and zoning designation is *Medium Density Residential (MDR)*. According to the California Department of Conservation, neither the project site nor the surrounding properties contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. <sup>11</sup> *As a result, no impacts would occur.*

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<sup>11</sup> California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.

**B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? • No Impact.**

There are no commercial agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.<sup>12</sup> *As a result, no impacts would occur.*

**C. Would the project 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))? • No Impact.**

There are no forest lands or timber lands located within or adjacent to the project site. Furthermore, the site's existing zoning designation does not contemplate forest land or timber land uses. *As a result, no impacts would occur.*

**D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use? • No Impact.**

No forest lands are located within or adjacent to the project site. The proposed project would be restricted to the site and would not affect any forest land or farmland. No loss or conversion of forest lands to urban uses would result from the proposed project's implementation. *As a result, no impacts would occur.*

**E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use? • No Impact.**

The project would not involve the disruption or damage of the existing environment resulting in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use. The site does not contain any agricultural or forestry vegetation. No farmland conversion impacts would occur with the implementation of the proposed project. *As a result, no impacts would occur.*

## MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

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<sup>12</sup> California Department of Conservation. *State of California Williamson Act Contract Land*.  
<https://maps.conservation.ca.gov/dlrp/WilliamsonAct/>

### 3.3 AIR QUALITY

| Environmental Issue Areas Examined                                                                                                                                                                                  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                   |                                |                                              |                              | ✗         |
| B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? |                                | ✗                                            |                              |           |
| C. Would the project expose sensitive receptors to substantial pollutant concentrations?                                                                                                                            |                                |                                              | ✗                            |           |
| D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?                                                                                 |                                |                                              | ✗                            |           |

The air quality (CalEEMod) worksheets are included in Appendix A.

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on air quality if it results in any of the following:

- The proposed project would conflict with or obstruct implementation of the applicable air quality plan.
- The proposed project would 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.
- The proposed project would expose sensitive receptors to substantial pollutant concentrations.
- The proposed project would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O<sub>3</sub>)* is a nearly colorless gas that irritates the lungs, and damages materials and vegetation. Ozone is formed by a photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).

- *Nitrogen Oxide (NO<sub>x</sub>)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO<sub>x</sub> is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO<sub>x</sub>).
- *Sulfur Dioxide (SO<sub>2</sub>)* is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO<sub>x</sub>).
- *PM<sub>10</sub> and PM<sub>2.5</sub>* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of PM<sub>10</sub> and 65 pounds per day of PM<sub>2.5</sub>.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of “smog.” The daily threshold is 137 pounds per day of ROG.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

### A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? • No Impact.*

Air quality impacts may occur during the construction or operation of a project, and may come from stationary sources (e.g., industrial processes, generators), mobile sources (e.g., automobiles, trucks), or area (e.g., residential water heaters) sources. Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by Southern California Association of Governments (SCAG) are considered consistent with the MDAQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2020-2045 RTP/SCS, the City of Hesperia is projected to increase to 10,200 jobs in 2040 from 7,200 jobs in 2020.<sup>13</sup> The proposed project would involve 70 residential units. Assuming an average household size of 3.0 persons per household, the projected population would be 210 persons. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project's construction emissions would be below the thresholds of significance established by the MDAQMD (the project's daily construction emissions are summarized in Table 3). In addition, the proposed project's long-term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (refer to Table 4). *As a result, no impacts would occur.*

<sup>13</sup> Southern California Association of Governments. 2020-2045 *Regional Transportation Plan/Sustainable Communities Strategy. Demographics & Growth Forecast*. November 2021.

**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? • Less than Significant Impact with Mitigation.**

According to the MDAQMD, any project is significant if it triggers or exceeds the MDAQMD daily emissions threshold identified previously and noted at the bottom of Tables 3 and 4. In general, a project will have the potential for a significant air quality impact if any of the following are met:

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3 and 4);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1 (the proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2022.1.1.24). As shown in Table 3, relevant daily construction emissions will not exceed the MDAQMD significance thresholds.

**Table 3 Estimated Daily Construction Emissions in lbs./day**

| Construction Phase      | ROG  | NOx  | CO   | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|-------------------------|------|------|------|-----------------|------------------|-------------------|
| Maximum Daily Emissions | 33.5 | 31.7 | 31.2 | 0.05            | 9.26             | 5.25              |
| Daily Thresholds        | 137  | 137  | 548  | 137             | 82               | 65                |
| Significant Impact?     | No   | No   | No   | No              | No               | No                |

Source: CalEEMod V.2022.1.1.24

While the construction-related emissions will be below thresholds, *Air Quality Mitigation Measure No. 1 through 5* listed below will be required to further reduce potential construction-related emissions.

Long-term emissions refer to those air quality impacts that would occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 4 also used the CalEEMod V.2022.1.1.24 computer model. The analysis summarized in Table 4 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

**Table 4 Estimated Operational Emissions in lbs./day**

| Emission Source                | ROG  | NOx  | CO   | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|--------------------------------|------|------|------|-----------------|------------------|-------------------|
| Total Maximum Daily (lbs./day) | 5.12 | 2.25 | 20.4 | 0.04            | 2.97             | 0.79              |
| Daily Thresholds               | 137  | 137  | 548  | 137             | 82               | 65                |
| Significant Impact?            | No   | No   | No   | No              | No               | No                |

Source: CalEEMod V.2022.1.1.24

The analysis presented in Tables 3 and 4 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3 and 4, the impacts are considered to be less than significant. Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will reduce potential impacts. *As a result, the impacts would be less than significant with mitigation.*

**C. Would the project expose sensitive receptors to substantial pollutant concentrations? • Less than Significant Impact**

The project area's General Plan land use designation is *Medium Density Residential (MDR)*.<sup>14</sup> The nearest sensitive receptors to the project site include the homes located to the north, west, and south. According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. The proposed multiple-family residential project does not meet this criteria. *As a result, the impacts would be less than significant.*

**D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? • Less than Significant Impact.**

The proposed project would be required to adhere to the rules governing nuisance odors. All truck drivers visiting the site must adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes. Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. Furthermore, adherence to MDAQMD Rule 402 Nuisance Odors will minimize odors generated during daily activities. Adherence to the existing regulations governing "nuisance odors" will reduce potential impacts. *As a result, the impacts would be less than significant.*

## MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

*Air Quality Mitigation Measure No. 1.* The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;

*Air Quality Mitigation Measure No. 2.* The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

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<sup>14</sup> City of Hesperia. *General Plan Land Use*. Website Accessed May 31, 2024.

*Air Quality Mitigation Measure No. 3.* The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

*Air Quality Mitigation Measure No. 4.* All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

*Air Quality Mitigation Measure No. 5.* All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

### 3.4 BIOLOGICAL RESOURCES

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? |                                | ✗                                            |                              |           |
| <b>B.</b> Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?                                                              |                                |                                              |                              | ✗         |
| <b>C.</b> Would the project 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?                                                                                         |                                |                                              |                              | ✗         |
| <b>D.</b> Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?                                                                                       |                                |                                              |                              | ✗         |
| <b>E.</b> Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                                  |                                | ✗                                            |                              |           |
| <b>F.</b> Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?                                                                                                                                 |                                |                                              |                              | ✗         |

The Biological Resources Assessment is included in Appendix B.

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- The proposed project would 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.
- The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The proposed project would 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.
- The proposed project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- The proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Sensitive biological resources include a variety of plant and animal species that are specialized and endemic to a particular habitat type. Due to loss of habitat, some of these species have been designated by either, or both, the federal and state government resource agencies as threatened or endangered. Endangered species are those with such limited numbers or subject to such extreme circumstances that they are considered in imminent danger of extinction.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • Less than Significant Impact with Mitigation.*

The site is relatively flat and is approximately 961 meters above sea level. The vegetation community present on site supports a heavily disturbed desert scrub habitat that has been previously graded and developed which encompasses few native plants and some non-native grasses. The site is dominated by Asian mustard (*Brassica tournefortii*), Menzies fiddleneck (*Amsinckia menziesii*), London rocket (*isymbrium irio*), Tree of heaven (*Ailanthus altissima*), Nevada jointfir (*Ephedra nevadensis*), kelch grass (*Schismus barbatus*), Waterjacket (*Lycium andersonii*), California buckwheat (*Eriogonum fasciculatum*), and flatspine bur ragweed (*Ambrosia acanthicarpa*).

Birds observed included common ravens (*Corvus corax*), house finch (*Carpodacus mexicanus*), Eurasian collared dove (*Streptopelia decaocto*), white crowned sparrow (*Zonotrichia leucophrys*), California scrub jay (*Aphelocoma californica*), northern mockingbird (*Mimus polyglottos*), and Anna's hummingbird (*Calypte anna*). Only the desert cotton tail (*Sylvilagus audubonii*) was observed on site during the October 2024 field investigations. Some mammal signs were observed such as burrows for species like the California ground squirrel (*Otospermophilus beecheyi*) and antelope ground squirrel (*Ammospermophilus leucurus*). No reptiles were observed on site. Other reptilian species that may occur include the common side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentalis*).

No distinct wildlife corridors were identified on the site or in the immediate area. In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2024) and none were observed during the field investigations. The following are the listed and special status species that have the ability to occur on the project site. It is not a comprehensive list of all the species in the quad. This information has been taken from the California Natural Diversity Database and is using the most current version.<sup>15</sup>

- *Mohave Ground Squirrel*: The Mohave ground squirrel is a California state threatened species that has a short, flat, furred, white, underside tail, uniformly brown (with no spots or stripes). They inhabit open desert scrub, alkali desert scrub, and annual grasslands on sandy to gravelly surfaces in the Mojave Desert. Occupiable burrows were found on the site, but no Mohave ground squirrels were detected. It is the opinion of RCA Associates, Inc. that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on the following criteria, that there have been two recent sightings within 20 years of the species in the Hesperia quadrangle and because the site has been developed in the past.
- *Booth's Evening-Primrose*: The Booth's evening primrose is a California threatened annual plant species that thrives in arid areas, and has hairy reddish-green stems, mottled foliage, with smaller flowers which have either white, red, or yellowish petals. The flower's optimal preferred habitat includes Joshua tree and pinyon/juniper woodland including sandy flats and steep loose slopes. It is the opinion of RCA Associates, Inc. that the habitat is not prime habitat for the Booth's evening primrose given the lack of recent sightings, and few sandy areas occurring on the site along with few remaining undeveloped areas on site.
- *Sensitive Plants*: There are two plant species of special concern that have been documented in the Hesperia quad, the short-joint beavertail cactus and white-pygmy-poppy. In recent years, only the short-joint beavertail has been seen within the Hesperia quad, while the white pygmy-poppy has not been observed for over 20 years. The site currently does not support suitable habitat for the two species, and none were observed on site during the October 15, 2024, field investigations. These species are not expected to occur on the site in the foreseeable future based on the length of time they have not been observed in the area and lack of suitable habitat due to human disturbance, and therefore the project is not expected to impact any sensitive species.
- *Sensitive Wildlife*: Within the Hesperia Quad, seven species are listed as Species of Special Concern. These are the yellow warbler, burrowing owl, pallid bat, long-eared owl, coast horned lizard, Le Conte's thrasher, and gray vireo. The property does not contain suitable prime habitat

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<sup>15</sup> RCA Associates, Inc. *General Biological Resources Assessment, APN 0410-242-03 & -04, Andrew Taylor*. November 12, 2024 (Updated January 20, 2024).

for any of the species listed. The site does not contain suitable sized burrows for burrowing owls and no owl signs (i.e. scat, whitewash, castings, feathers) was observed during the field surveys. Burrowing owls are not expected to inhabit the site at the time of the October 2024 survey.

- *Western Joshua Tree*: As of July 10, 2023, California legislature passed and signed the Western Joshua Tree Conservation Act (WJTCA, Senate Bill 122) into effect listing the western Joshua tree (*Yucca brevifolia*) as an endangered species. The WJTCA authorizes CDFW to oversee the various permitting processes dealing with mitigation and/or removal of western Joshua trees. Dead Western Joshua trees were observed on the property during the October 2024 field investigations. The dead tree matter was removed from the project site after the applicant gained approval from CDFW. CDFW staff informed the applicant after he submitted a western Joshua tree hazardous management permit application, that the tree matter found on the project site could be removed without the need for a permit since the debris was less than one foot by one foot. As of January 2025, there were no Western Joshua Trees found on site.

Future development of the site will have minimal impact on the general biological resources present on site. The site is expected to support a variety of wildlife species which will be impacted by development activities. Those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 4.71-acres of heavily disturbed desert scrub habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No federal or State-listed species were observed on site during the field investigations including the Mohave ground squirrel and desert tortoise. In addition, there are no documented observations of these species either on the site or in the immediate area. The site is not expected to support populations of the desert tortoise based on the absence of habitat, suitable burrows, or signs.

The mitigation measures are listed as *Biological Resources Mitigation Measure No. 1 through 3. The mitigations listed under mitigation measures will reduce the impacts to levels that are less than significant.*

**B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • No Impact.***

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates discharge of dredge or fill materials into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFW regulates alterations to streambed and bank under Fish and Wildlife Code Sections 1600 et seq., and the Regional Board regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act. The project site does not support any discernible drainage courses, inundated areas, wetland features, or hydric soils that would be considered jurisdictional by the Corps, Regional Board, or CDFW. A query of the NWI database determined that no potential blue-line streams, riverine, or other aquatic resources occur within or adjacent to the project site. Therefore, project activities will not result in impacts to Corps, Regional Board, or CDFW jurisdictional areas and regulatory approvals will not be required. No riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site nor do any channels or depressions that may indicate

jurisdictional areas. It is the opinion of RCA Associates, Inc., that a comprehensive jurisdictional delineation will not be required at a future date. *As a result, no impacts would occur.*

**C.** *Would the project 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? • No Impact.*

No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed during the field investigations conducted by RCA Associates, Inc.<sup>16</sup> *As a result, no impacts would occur.*

**D.** *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? • No Impact.*

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet still inadequate for others. Wildlife corridors are features that allow for the dispersal, seasonal migration, breeding, and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both anthropogenic disturbance and natural fluctuations in resources. No distinct wildlife corridors were identified on the site or in the immediate area.<sup>17</sup> Further, the project site does not support any features, e.g., a drainage corridor, which would facilitate wildlife movement through the area. Implementation of the proposed project is not expected to impact wildlife movement opportunities. As such, 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 since there is ample habitat adjacent to the project site to support wildlife movement opportunities. *As a result, no impacts would occur.*

**E.** *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? • No Impact.*

Dead Western Joshua trees were observed on the property during the October 2024 field investigations. The dead tree matter was removed from the project site after the applicant gained approval from CDFW. CDFW staff informed the applicant after he submitted a western Joshua tree hazardous management permit application, that the tree matter found on the project site could be removed without the need for a permit since the debris was less than one foot by one foot. As of January 2025, there were no Western Joshua Trees found on site. Pedestrian surveys were walked throughout the site and biologists from RCA Associates, Inc. evaluated the site for the presence of any western Joshua trees on April 17, 2025, from 1130 to 1230. Temperatures during the survey were in the mid 60's to high 60's (°F), wind speeds of about 0-5 mph, 5% (percent) cloud cover. Survey transects were walked throughout the property at a distance ranging

<sup>16</sup> RCA Associates, Inc. *General Biological Resources Assessment, APN 0410-242-03 & -04, Andrew Taylor*. November 12, 2024.

<sup>17</sup> Ibid.

from about 20-30 meters. Based on the results of the April 17, 2025, field investigations, there were no western Joshua trees located within the project's footprint, also no dead Joshua trees or parts and pieces of western Joshua trees. It is the professional opinion of RCA Associates Inc. that there is no need for a Western Joshua Tree Conservation Act Census to be performed on site. Due to the absence of western Joshua trees on site there is no need to apply for a Hazardous Removal Permit, California Endangered Species Act Incidental Take Permit, or a Western Joshua Tree Conservation Act Incidental Take Permit. The project proponent should be able to move forward with their build and not pay any mitigations for western Joshua trees. *As a result, no impacts would occur.*

**F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**  
• *No Impact.*

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 project site is not located within federally designated Critical Habitat. The nearest Critical Habitat occurs approximately 3.7 miles to the northeast for southwestern willow flycatcher (*Empidonax traillii extimus*). Therefore, no impacts to federally designated Critical Habitat will occur from implementation of the proposed project. The proposed project's implementation would not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

## MITIGATION MEASURES

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

*Biological Resources Mitigation Measure No. 1.* Regardless of the time of year, a pre-construction clearance survey for nesting birds should be conducted no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The qualified biologist conducting the clearance survey shall conduct the survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas. Pre-construction surveys should focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If an active avian nest is discovered during the pre-construction clearance survey, within the work area or the Project's zone of influence (generally 100-300 feet), construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by the qualified wildlife biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Limits

of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. The qualified biologist should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. If an active nest is encountered during the Project construction, construction shall stop immediately until a qualified biologist can determine (1) the status of the nest, and (2) when work can proceed without risking violation to state or federal laws.

*Biological Resources Mitigation Measure No. 2:* Prior to the start of Project activities, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If burrowing owls are detected during the focused surveys, ~~the qualified biologist and Project proponent shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts to burrowing owl are unavoidable prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Permittee shall implement the Burrowing Owl Plan following CDFW review and approval.~~ **In addition, take avoidance surveys shall be conducted no less than 14 days prior to the start of Project-related activities to confirm presence/absence of burrowing owl following previous surveys.** Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If ~~the~~ **any** surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and **the Project proponent shall fully avoid impacts to burrowing owl or should obtain an ITP from CDFW if impacts are unavoidable** ~~prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities.~~

*Biological Resources Mitigation Measure No. 3.* Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until

the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Hesperia for review and approval and should be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following: 1. Discussion on temporary construction fencing (if any), 2. Description of clearance surveys of permanent exclusion areas, 3. Transportation and release procedures, 4. Construction schedule, 5. Translocation/relocation areas, and 6. Monitoring and reporting.

**Biological Resources Mitigation Measure No. 4 (New): Prior to start of construction activities, a WJT census of the property shall be conducted as per CDFW's WJT Census Instructions (<https://wildlife.ca.gov/Conservation/EnvironmentalReview/WJT/Permitting/Census-Instructions>). If WJT individuals are identified in the census and the trees are to be relocated, encroached upon, removed, or otherwise taken, the Project proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under Section 2081b of the California Endangered Species Act (CESA), or any other appropriate take authorization under CESA or under the WJT Conservation Act (Fish & G. Code, §§ 1927-1927.12), prior to the relocation, encroachment, removal, or take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of WJT, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085 and §§ 1927-1927.12). Mitigation for CESA will occur at a minimum 1:1 or per the stem count per the WJTCA census in lieu fee. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a WJT if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height, b. One meter or greater but less than five meters in height, and c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees.**

### 3.5 CULTURAL RESOURCES

| Environmental Issue Areas Examined                                                                                              | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?      |                                |                                              | ✗                            |           |
| B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? |                                | ✗                                            |                              |           |
| C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?                       |                                |                                              | ✗                            |           |

The cultural resources report is included in Appendix C.

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- The proposed project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- The proposed project would disturb any human remains, including those interred outside of formal cemeteries.

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in or past;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,

- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.<sup>18</sup>

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? • Less than Significant Impact.**

DUKE CRM conducted online research which included the California Built Environment Resources Directory (BERD) that includes the National Register of Historic Place, the California Register of Historical Resources (CRHR), California Historical Landmarks, and California Points of Historical Interest. The BERD did not reference any cultural resources within the Project area. DUKE CRM also consulted the Cultural Resources Technical Report appendix to the 2010 Environmental Impact Report for the City of Hesperia General Plan. Review of this report did not identify any cultural resources within the Project. Research indicates a 2019 General Plan Update has been produced but was not available online. Based on a map depicting ethnographically known Native American villages according to accounts of Franciscan

<sup>18</sup> U. S. Department of the Interior, National Park Service. National Register of Historic Places. <http://nrhp.focus.nps.gov>. 2010.

missionary explorer Francisco Garcés (Earle 2005), the nearest village to the project site was Atongaibit, thought to be located near the Mojave River approximately four miles northeast of the project

The project has been subject to severe artificial disturbances associated with mechanical disturbances from grading and excavation and erosional forces. DUKE CRM conducted a records search at the South Central Coastal Information Center (SCCIC). The SCCIC is part of the California Historical Resources Information System (CHRIS) and is located at California State University, Fullerton. The records search included a review of all recorded cultural resources and reports within a ½ mile radius of the project site. One prehistoric and no historic era cultural resources have been recorded within a ½ mile radius of the project site. Resource P-36-001645 consists of a light scatter of cores and flakes with a possible hearth located 2,000 ft east of the project site. Additionally, SCCIC records indicate that a total of 14 cultural resource reports cover areas within the ½ mile of the project site. None of these investigations cover the project area or record resources in proximity. Reports include archaeological and paleontological surveys, assessments, and inventories for various projects within the area. The records search and field survey did not identify any cultural resources (including historic period or prehistoric archaeological resources, or historic-period architectural resources) within the project site boundaries. Therefore, no significant impact related to historical resources is anticipated and no further investigations are recommended unless the proposed project is changed to include areas that have not been subject to this cultural resource assessment or cultural materials are encountered during project activities.<sup>19</sup> *As a result, the impacts would be less than significant.*

**B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? • Less than Significant Impact Mitigation.**

Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation, as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register of Historic Places (National Register), plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- Historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- Historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- Groundstone artifacts, including mortars, pestles, and grinding slabs; • dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks; and,

<sup>19</sup> Duke Cultural Resources Management. Cultural/Paleontological Resources Assessment for the Taylor Apartments Project, City of Hesperia, County of San Bernardino, California. February 29, 2024.

- Human remains.

No cultural resources have been identified within the project site's boundaries. As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the Cultural Resources Mitigation Measure No. 1 through 3 listed below to be included.<sup>20</sup>

*The impacts would be less than significant with the aforementioned mitigation.*

**C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries? • Less than Significant Impact.**

There are no dedicated cemeteries located in the vicinity of the project site. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

“A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.”

Additionally, Section 5097.98 of the Public Resources Code states:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

*Adherence to the aforementioned standard condition will ensure potential impacts remain at levels that are less than significant.*

## **MITIGATION MEASURES**

As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the following mitigation measures be included:

*Cultural Resources Mitigation Measure No. 1.* In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

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<sup>20</sup> Ibid.

*Cultural Resources Mitigation Measure No. 2.* If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

*Cultural Resources Mitigation Measure No. 3.* If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

### 3.6 ENERGY

| Environmental Issue Areas Examined                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? |                                |                                              | ✗                            |           |
| B. Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?                                                                                      |                                |                                              | ✗                            |           |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on energy resources if it results in any of the following:

- The proposed project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the proposed project's construction or operation.
- The proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod input. This analysis utilizes the different fuel types for each vehicle class from the annual EMFAC2017 emission inventory in order to derive the average vehicle fuel economy which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of this analysis, the 2021 analysis year was utilized to determine the average vehicle fuel economy used throughout the duration of the project. A typical multiple family units consumes 5,625 KWH of electricity on an annual basis. These rates were derived from SCAQMD's Air Quality Handbook. A typical multiple family unit consumes 4,011.5 cubic feet of natural gas on a monthly basis.

### ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project 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 Impact.*

The Southern California Edison (SCE) company provides electricity to the project area. Natural gas to the project would be supplied by the Southwest Gas Corporation and electricity would be supplied by Southern California Edison. Table 5 provided below includes an estimate of electrical and natural gas consumption for the proposed project. As indicated in the table, the project is estimated to consume approximately 1,078.8 kilowatt (kWh) per year of electricity and 769.3 cubic feet of natural gas.

**Table 5 Estimated Annual Energy Consumption**

| Project                 | Consumption Rate             | Total Project Consumption |
|-------------------------|------------------------------|---------------------------|
| Electrical Consumption  | 5,625 kWh/unit/year          | 1,078.8 kWh/day           |
| Natural Gas Consumption | 4,011.5 Cubic feet/unit/year | 769.3 Cu. Ft./day         |

Source: Southern California Edison and Southern California Gas Company.

It is important to note that the new residential units will include energy efficient fixtures. In addition, the energy consumption rates do not reflect the more stringent 2020 California Building and Green Building Code requirements. The proposed project will be constructed in accordance with the City's Building Code and with Part 6 and Part 11 of Title 24 of the California Code of Regulations. *As a result, the impacts would be less than significant.*

**B.** *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? • Less Than Significant Impact.*

The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires 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 will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. *As a result, the potential impacts would be less than significant.*

## MITIGATION MEASURES

The analysis determined that the impacts would be less than significant. As a result, no mitigation measures would be required.

### 3.7 GEOLOGY & SOILS

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving.                                                                                                                                                                                |                                |                                              | ✗                            |           |
| <b>i).</b> Would the project, directly or indirectly, cause 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 Pub. 42. |                                |                                              | ✗                            |           |
| <b>ii).</b> Would the project, directly or indirectly, cause Strong seismic ground shaking?                                                                                                                                                                                                                                              |                                |                                              | ✗                            |           |
| <b>iii).</b> Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction;                                                                                                                                                                                                                    |                                |                                              |                              | ✗         |
| <b>iv).</b> Would the project, directly or indirectly, cause landslides?                                                                                                                                                                                                                                                                 |                                |                                              |                              | ✗         |
| <b>B.</b> Would the project result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                                                                   |                                |                                              | ✗                            |           |
| <b>C.</b> Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?                                                                              |                                |                                              | ✗                            |           |
| <b>D.</b> Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?                                                                                                                                             |                                |                                              | ✗                            |           |
| <b>E.</b> Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?                                                                                                                             |                                |                                              |                              | ✗         |
| <b>F.</b> Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                         |                                |                                              |                              | ✗         |

The geotechnical report is included in Appendix D.

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on geology and soils if it results in any of the following:

- The proposed project would, 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); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides?
- The proposed project would result in substantial soil erosion or the loss of topsoil.

- The proposed project would 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.
- The proposed project would 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.
- The proposed project would 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.
- The proposed project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The proposed project's potential seismic and soils risk was evaluated in terms of the site's proximity to earthquake faults and unstable soils.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A.** *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death? • Less than Significant Impact.*

No active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, established by the State of California to restrict the construction of new habitable structures across identifiable traces of known active faults. An active fault is defined by the State of California as having surface displacement within the past 11,000 years or during the Holocene geologic time period. Based on the site's topography, and the lack of lineaments indicative of active faulting, the potential for surface rupture is very low to remote. *As a result, the potential impacts would be less than significant.*

**i).** *Would the project, directly or indirectly, cause 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 Impact.*

The City of Hesperia is located in a seismically active region. Earthquakes from several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. The City of Hesperia is not on the list.<sup>21</sup> The nearest significant active fault zones are Cleghorn fault zone and the North Frontal thrust system, which are approximately 6 miles southeast of the project City.<sup>22</sup> Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of

<sup>21</sup> California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.*

<sup>22</sup> California Department of Conservation. *Fault Activity Map of California.* <https://maps.conservation.ca.gov/cgs/fam/>

shaking, soil conditions, type of building, and distance from epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. Other potential seismic issues include ground failure and liquefaction. Ground failure is the loss in stability of the ground and includes landslides, liquefaction, and lateral spreading. The project site is not located within a liquefaction zone.<sup>23</sup> *As a result, the potential impacts would be less than significant.*

**ii).** *Would the project, directly or indirectly, cause strong seismic ground shaking. • Less than Significant Impact.*

Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from the epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. *As a result, the potential impacts are less than significant.*

**iii).** *Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction. • No Impact.*

The Mojave Desert province is bounded on the southwest by the San Andreas fault zone and on the north by the Garlock fault zone. The eastern boundary of the Mojave Desert geomorphic province is not distinct, but gradually converges with the Basin and Range geomorphic province east of Death Valley and into Arizona and Nevada. The province is broken by many internal, major but discontinuous faults, predominately trending to the northwest showing rough parallelism with the trend of the San Andreas. Most of these faults have been active within the last 1.6 million years and many are still considered to be active or potentially active. The closest known active fault to the subject site noted in the documents reviewed during our study is the North Frontal fault located approximately 7.7 kilometers (4.8 miles) southeast of the site. A complete listing of the distances to known active faults in relation to the site is given in the Faulting section of this report. According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. The risk for liquefaction is no greater on-site than it is for the region. The project site and the City of Hesperia is located outside of a liquefaction zone.<sup>24</sup> *As a result, no impacts would occur.*

**iv).** *Would the project, directly or indirectly, cause landslides? • No Impact.*

According to the United States Geological Survey, a landslide is defined as the movement of a mass of rock, debris, or earth down a slope. The project site is level with little to no slopes in the surrounding area. *As a result, no impacts would occur.*

**B.** *Would the project result in substantial soil erosion or the loss of topsoil? • Less than Significant Impact.*

<sup>23</sup> California State Geoportal. *CGS Seismic Hazards Program: Liquefaction Zones*. Website accessed June 5, 2024.

<sup>24</sup> Ibid.

Although fill materials were not encountered within any of our exploratory borings, minor amounts of fill soils were noted locally. These materials were generally on the order of less than one foot in thickness and consisted of locally derived silty sand soils. The fill materials are considered to be non-engineered fill. The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of the Cajon Sand, Helendale, and Kimberlina.<sup>25</sup> The proposed project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, a large portion of the project site would be paved over or landscaped. The project's construction will not result in soil erosion with adherence to those development requirements that restrict storm water runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. In order to obtain an NPDES permit, the project The use of these construction BMPs identified in the mandatory SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a result, the impacts would be less than significant.*

**C.** *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? • Less than Significant Impact.*

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.<sup>26</sup> The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. Future grading and excavation would not extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts would be less than significant.*

**D.** *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? • Less than Significant Impact.*

The geotechnical report prepared for the project indicated that the “the upper materials encountered during this investigation were tested and found to have a very low expansion potential. Therefore, specialized construction procedures to specifically resist expansive soil activity for this type of soil are not anticipated at this time.” *As a result, the impacts would be less than significant.*

<sup>25</sup> UC Davis. *SoilWeb*. Website accessed May 17, 2024.

<sup>26</sup> California State Geoportal. *CGS Seismic Hazards Program: Liquefaction Zones*. Website accessed June 5, 2024.

**E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? • No Impact.**

The proposed project would not use a septic system to treat wastewater. The proposed project would connect to a sanitary sewer system. *As a result, no impacts would occur.*

**F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? • No Impact**

According to CEQA Guidelines, projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource”. The Paleontological Overview provided in Appendix B has recommended that:

“The geologic units underlying the project area are mapped primarily as “lower remnants of older alluvium, gray to brown, of locally derived detritus” from the Pleistocene epoch. (Dibblee and Minch, 2008). Pleistocene alluvial units are considered to be highly paleontologically sensitive. The Western Science Center does not have localities within the project area or within a 1 mile radius; however, it does have localities in similarly mapped units across Southern California. Any fossil specimen from the 3rd Ave and Willow Street Project would be scientifically significant. Excavation activity associated with the development of the project area would impact the paleontologically sensitive Pleistocene alluvial units, and it is the recommendation of the Western Science Center that a paleontologically resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils associated with the study area. If human remains are encountered during any project activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.”

The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest fossil vertebrate locality is LACM 7786, between Hesperia and the former George Air Force Base. This locality produced a fossil specimen of meadow vole, *Microtus*. The next closest vertebrate fossil locality from these deposits is LACM 1224, west of Spring Valley Lake, which produced a specimen of fossil camel, *Camelops*. Additionally, on the western side of the Mojave River below the bluffs, an otherwise unrecorded specimen of mammoth was collected in 1961 from older Quaternary Alluvium deposits. The geology within the project site has been mapped by Dibblee and Minch (2008). This geologic mapping indicates that the project site is underlain by Pleistocene-age older alluvial deposits (Qoa) composed of medium- to coarse-grained gray to brown sands. These units are considered to have moderate paleontological sensitivity as terrestrial macro- and microfossils have been found in Pleistoceneage alluvium throughout the southwest and specifically in the Mojave Desert, with several hundred fossil localities having been found in Qoa within 10 miles of the project boundary. *As a result, no impacts would occur.*

## MITIGATION MEASURES

The analysis determined that the proposed project will not result in significant impacts related to geological or paleontological resources and no mitigation measures are required.

## 3.8 GREENHOUSE GAS EMISSIONS

| Environmental Issue Areas Examined                                                                                                                  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?       |                                |                                              | ✗                            |           |
| B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |                                |                                              | ✗                            |           |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler. However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. These man-made GHG will have the effect of warming atmospheric temperatures with the attendant impacts of changes in the global climate, increased sea levels, and changes to the worldwide biome. The major GHG that influence global warming are described below.

- *Water Vapor.* Water vapor is the most abundant GHG present in the atmosphere. Changes in the atmospheric concentration of water vapor is directly related to the warming of the atmosphere rather than a direct result of industrialization. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. When water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation. This will allow less energy to reach the Earth's surface thereby affecting surface temperatures.
- *Carbon Dioxide (CO<sub>2</sub>).* The natural production and absorption of CO<sub>2</sub> is achieved through the terrestrial biosphere and the ocean. Manmade sources of CO<sub>2</sub> include the burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700's, these activities have increased the atmospheric concentrations of CO<sub>2</sub>. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm).

- *Methane (CH<sub>4</sub>)*. CH<sub>4</sub> is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO<sub>2</sub>. Methane's lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO<sub>2</sub>, N<sub>2</sub>O, and Chlorofluorocarbons (CFCs)). CH<sub>4</sub> has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants).
- *Nitrous Oxide (N<sub>2</sub>O)*. Concentrations of N<sub>2</sub>O also began to increase at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N<sub>2</sub>O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.
- *Chlorofluorocarbons (CFC)*. CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C<sub>2</sub>H<sub>6</sub>) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents.
- *Hydrofluorocarbons (HFC)*. HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF<sub>3</sub>), HFC-134a (CF<sub>3</sub>CH<sub>2</sub>F), and HFC-152a (CH<sub>3</sub>CHF<sub>2</sub>). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.
- *Perfluorocarbons (PFC)*. PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF<sub>4</sub>) and hexafluoroethane (C<sub>2</sub>F<sub>6</sub>).
- *Sulfur Hexafluoride (SF<sub>6</sub>)*. SF<sub>6</sub> is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF<sub>6</sub> has the highest global warming potential of any gas evaluated; 23,900 times that of CO<sub>2</sub>. Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? • Less than Significant Impact.**

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG emissions are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Carbon dioxide equivalent, or CO<sub>2</sub>E, is a term that is used for describing different greenhouse gases in a common and collective unit. The MDAQMD established the 3,500 MTCO<sub>2</sub> threshold for residential land uses. As indicated in Table 6, the operational CO<sub>2</sub>E is 398 metric tons per year which is well below the threshold of 3,500 metric tons per year.

**Table 6 Greenhouse Gas Emissions Inventory**

| Source                       | GHG Emissions (Metric tons/year) |                 |                  |                   |
|------------------------------|----------------------------------|-----------------|------------------|-------------------|
|                              | CO <sub>2</sub>                  | CH <sub>4</sub> | N <sub>2</sub> O | CO <sub>2</sub> E |
| Total Operational Emissions  | 659                              | 0.59            | 0.03             | 683               |
| Total Construction Emissions | 395                              | 0.02            | 0.01             | 398               |
| Significance Threshold       |                                  |                 |                  | <b>3,500</b>      |

Source: CalEEMod V.2022.1.1.24

Furthermore, as mentioned in Section 3.17 Transportation, the projected vehicle trips to and from the site will not be significant given the proposed use. *As a result, the impacts would be less than significant.*

**B.** *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? • Less than Significant Impact.*

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was adopted in March 2021. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within the City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. The City of Hesperia, in partnership with neighboring jurisdictions, completed and adopted local Climate Action Plans (CAPs).

In 2010, the City of Hesperia completed a CAP. The City participated in this regional effort as a study to inform their decision to update or revise their existing CAP. As part of this effort, the City of Hesperia has selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 level of GHG emissions by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (~70%) and local (~30%) efforts. The Pavley vehicle standards, the State's low carbon fuel standard, the RPS, and other state measures will reduce GHG emissions in Hesperia's on-road, off-road, and building energy sectors in 2030. The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation would occur. *As a result, the impacts would be less than significant.*

## **MITIGATION MEASURES**

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

### 3.9 HAZARDS & HAZARDOUS MATERIALS

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                    | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                                                                             |                                |                                              | ✗                            |           |
| B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                                     |                                |                                              | ✗                            |           |
| 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?                                                                                                                     |                                |                                              | ✗                            |           |
| 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?                                                      |                                |                                              |                              | ✗         |
| E. Would the project for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? |                                |                                              | ✗                            |           |
| F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                           |                                |                                              |                              | ✗         |
| G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?                                                                                                                                            |                                |                                              |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hazards and hazardous materials if it results in any of the following:

- The proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project would 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.
- The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project would 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.
- The proposed project would result in a safety hazard or excessive noise for people residing or working in the project area 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.

- The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- The proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in a wide variety of products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products).

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? • Less than Significant Impact.**

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. Once occupied, the proposed project's use of hazardous chemicals would be limited to those commonly used in a household setting since the proposed project would be a residential development. *As a result, the impacts would be less than significant.*

**B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? • Less than Significant Impact.**

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. As a result, the likelihood of encountering contamination or other environmental concerns is remote. *The impacts would be less than significant.*

**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? • Less than Significant Impact.**

The nearest school to the project site is the Lime Street Elementary School located approximately 700 feet to the east of the project site. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. Once occupied, the proposed project's use of hazardous chemicals would be limited to those commonly used in a household setting. *The impacts would be less than significant.*

**D.** *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? • No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control EnviroSource website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.<sup>27</sup> *Therefore, no impacts would occur.*

**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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? • Less than Significant Impact.*

The project site is located within two miles of a public airport or public use airport but is not within an airport land use plan.<sup>28</sup> The nearest airport to the site is the Hesperia Airport that is located approximately 1.9 miles to the southwest. The Southern California Logistics Airport is located approximately 13 miles to the northwest of the project site.<sup>29</sup> *As a result, less than significant impacts would occur.*

**F.** *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? • No Impact.*

At no time will C Avenue be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts would occur.*

**G.** *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? • No Impact.*

The project site, along with the entire City, is located within a "moderate fire hazard severity zone" and Local Responsibility Area (LRA).<sup>30</sup> The site is currently undeveloped. The minimal amount of vegetation on the project site will not expose people or structures to a risk of loss involving wildfires. *As a result, no impacts would occur.*

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<sup>27</sup> CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*.

[http://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm).

<sup>28</sup> Toll-Free Airline. *San Bernardino County Public and Private Airports, California*.

<http://www.tollfreeairline.com/california/sanbernardino.htm>.

<sup>29</sup> Google Maps. Website accessed May 31, 2024.

<sup>30</sup> CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County*.

[http://frap.fire.ca.gov/webdata/maps/san\\_bernardino\\_sw/](http://frap.fire.ca.gov/webdata/maps/san_bernardino_sw/)

## MITIGATION MEASURES

The analysis of potential impacts related to Hazards and Hazardous Materials indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

### 3.10 HYDROLOGY & WATER QUALITY

| Environmental Issue Areas Examined                                                                                                                                                                                                              | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?                                                                              |                                |                                              | ✗                            |           |
| <b>B.</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?                                  |                                |                                              | ✗                            |           |
| <b>C.</b> Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: |                                |                                              | ✗                            |           |
| <b>i).</b> Would the project result in substantial erosion or siltation on- or off-site;                                                                                                                                                        |                                |                                              | ✗                            |           |
| <b>ii).</b> Would the project result substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site.                                                                                 |                                |                                              | ✗                            |           |
| <b>iii).</b> Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                            |                                |                                              | ✗                            |           |
| <b>iv).</b> Would the project impede or redirect flood flows?                                                                                                                                                                                   |                                |                                              | ✗                            |           |
| <b>D.</b> In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?                                                                                                                    |                                |                                              |                              | ✗         |
| <b>E.</b> Would the project conflict with or obstruct implementation a water quality control plan or sustainable groundwater management plan?                                                                                                   |                                |                                              |                              | ✗         |

The hydrology and drainage report is included in Appendix E.

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hydrology and water quality if it results in any of the following:

- The proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

- The proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- The proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows.
- The proposed project would risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- The proposed project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? • Less than Significant Impact.***

The pre-developed land cover is partially developed with single family residences on each lot. The easterly half of the property undeveloped and classified as “Barren (rock land, eroded and graded land)”. The proposed demolition to this parcel includes the removal of the existing residences and some fencing. The proposed improvements include 11 apartment buildings with a total of 70 units, a recreation building, 2 garage buildings, parking and drive aisles, 2 trash enclosures, street improvements, a variety of stormwater feature structures including curbs, gutters, Infiltration Basins, and rip rap. The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the westerly property line and will be conveyed to concrete curb & gutters and v-gutters which will convey the runoff easterly to 2 infiltration basins. The Infiltration Basin will treat the runoff and outlet at the east property line like the existing drainage pattern. Existing impervious area (all being removed) = 5,613 square-feet while the proposed impervious would equal 156,775 square-feet. On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. Stormwater runoff from the southerly portion begins at a high point in the driveway at the west property line and will be conveyed to a series of curb & gutter and v-gutters. These gutters will convey the runoff east to a parkway drain which will convey the runoff into the infiltration basin located at the southeast corner of the lot. Basin overflow will be conveyed to a drainage channel which will outlet the runoff at the existing low point along the east property line. Stormwater runoff from the northerly portion begins at a high point in the driveway at the west property line and will be conveyed to a series of curb & gutter and v-gutters. These gutters will convey the runoff east to a parkway drain which will convey the runoff into the infiltration basin located at the northeast corner of the lot. Basin overflow will outlet at the existing low point along the east property line. *As a result, the impacts would be less than significant.*

**B.** *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? • Less than Significant Impact.*

No new direct construction related impacts to groundwater supplies, or groundwater recharge activities would occur as part of the proposed project's implementation. Water used to control fugitive dust will be transported to the site via truck. No direct ground water extraction would occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. As a result, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts would be less than significant.*

**C.** *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces? • Less than Significant Impact.*

The post-developed condition will mimic the same flow pattern as the pre-developed condition. Stormwater will begin to be generated at the westerly property line and will be conveyed to concrete curb & gutters and v-gutters which will convey the runoff easterly to 2 infiltration basins. The Infiltration Basin will treat the runoff and outlet at the east property line like the existing drainage pattern. Existing impervious area (all being removed) is currently 5,613 square-feet while the proposed impervious would equal 156,775 square-feet. On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

**i).** *Would the project result in a substantial erosion or siltation on- or off-site; • Less than Significant Impact.*

The Applicant will be required to abide by Hesperia's City Ordinance Chapter 8.30.210 that requires all applicants for projects involving construction activities, regardless of size, to submit an Erosion and Sediment Control Plan ("ESCP") to the City for review and approval as mentioned in subsection A. *With conformance to the ordinance, the impacts would be less than significant.*

**ii).** *Would the project result substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; • Less than Significant Impact.*

On-site runoff will flow to the onsite retention basins located along the easterly boundary of the property. The retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

**iii).** *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;*  
• *Less than Significant Impact.*

The proposed project's location will be restricted to the proposed project site and would not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. Under the post development condition, runoff will be conveyed to a series of v-gutters and curb and gutters within through the site. *As a result, the impacts would be less than significant.*

**iv).** *Would the project impede or redirect flood flows?* • *Less than Significant Impact.*

The proposed project's location will be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. Increased on-site runoff flow due to development of the site will be approximately 4,093 cubic feet (CF). On-site runoff will flow to underground retention along the easterly boundary of the property. The underground retention will treat the runoff for pollutants of concern per the project WQMP and allow infiltration of the runoff flows. Excess runoff from larger storm events will leave the site along the eastern project boundary following its historical flow path. *As a result, the potential impacts would be less than significant.*

**D.** *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?* • *No Impact.*

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Hesperia, the proposed project site is not located in a Flood Hazard zone.<sup>31</sup> The proposed project site is also not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland more than 65 miles from the Pacific Ocean and the project site would not be exposed to the effects of a tsunami.<sup>32</sup> *As a result, no impacts would occur.*

**E.** *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?* • *No Impact.*

The project Applicant will be required to adhere to Section 8.30 Surface and Groundwater Protection of the Municipal Code which regulates erosion and sediment control. This Section of the City of Hesperia Municipal Code is responsible for implementing the NPDES and MS4 stormwater runoff requirements. In addition, the project's operation *will not interfere* with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts would occur.*

## MITIGATION MEASURES

As indicated previously, hydrological characteristics will not substantially change as a result of the proposed project. As a result, no mitigation is required.

<sup>31</sup> Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2021.

<sup>32</sup> Google Earth. Website accessed May 31, 2024.

### 3.11 LAND USE & PLANNING

| Environmental Issue Areas Examined                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project physically divide an established community?                                                                                                                                         |                                |                                              |                              | ✗         |
| 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? |                                |                                              |                              | ✗         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would 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.

### ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project physically divide an established community? • No Impact.**

Land uses and development located in the vicinity of the proposed project site are outlined below:

- *Project Site:* The project site is currently occupied by two single-family units that would be demolished to accommodate the proposed project. This site's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.
- *North of the project site:* A total of three residential structures are located on the property to the north of the site (a total of five mailboxes are located on the "C" Street frontage). This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.
- *West of the project site:* C Avenue extends along the project site's west side. The Grandview Mobile Home Park, a single-family residence, and the Hesperia Regency Apartments are located to the west of the aforementioned roadway. This area is designated as *Medium Density Residential (MDR)* in the General Plan and Zoning Map.
- *South of the project site:* There are four residential properties located to the south of the project site. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.
- *East of the project site:* Undeveloped though disturbed land is located to the east of the site. This area's General Plan and Zoning land use designation *Medium Density Residential (MDR)*.

The site and the surrounding uses are summarized in Table 1. An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The land use designations applicable to the project site and the surrounding area are shown in Exhibit 5. The site and the surrounding uses are summarized in Table 1

herein in Section 2. An aerial photograph of the project site and the surrounding area is provided in Exhibit 4. The land use designations applicable to the project site and the surrounding area are shown in Exhibit 5. The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts would occur.*

**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? • No Impact.*

The project site is undeveloped though it has been disturbed. The site's General Plan and Zoning designation is *Medium Density Residential (MDR)*. The proposed project is consistent with the above General Plan guidelines. *As a result, no impacts would occur.*

### **MITIGATION MEASURES**

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

### **3.12 MINERAL RESOURCES**

| <b>Environmental Issue Areas Examined</b>                                                                                                                                                      | <b>Potentially Significant Impact</b> | <b>Less Than Significant Impact with Mitigation</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------|-------------------------------------|------------------|
| <b>A.</b> 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>×</b>         |
| <b>B.</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? |                                       |                                                     |                                     | <b>×</b>         |

### **THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY**

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1):* This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2):* This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- *Mineral Resource Zone 3 (MRZ-3):* This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4):* This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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? • No Impact.*

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.<sup>33</sup> The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities.<sup>34</sup> As indicated previously, the site is developed and there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts would occur.*

**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? • No Impact.*

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. *Therefore, no impacts would occur.*

## MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result from the approval of the proposed project and its subsequent implementation. As a result, no mitigation measures are required.

<sup>33</sup> California, State of. Department of Conservation. *California Oil, Gas, and Geothermal Resources Well Finder*. <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14>.

<sup>34</sup> California Department of Conservation. *Mineral Land Classification Map for the Hesperia Quadrangle*. Website accessed May 31, 2024.

### 3.13 NOISE

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| 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?                              |                                | ✗                                            |                              |           |
| B. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?                                                                                                                                                                                                  |                                |                                              | ✗                            |           |
| C. For a project located within the vicinity of a private airstrip or- an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? |                                |                                              |                              | ✗         |

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on noise if it results in any of the following:

- The proposed project would 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.
- The proposed project would result in the generation of excessive ground borne vibration or ground borne noise levels.
- For a proposed 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?

Noise levels may be described using a number of methods designed to evaluate the “loudness” of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise level increases of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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? • Less than Significant Impact with Mitigation.*

The maximum noise level allowed by Hesperia's code of ordinances is 65 dB during any time period. The major source of noise in the City of Hesperia and the project area is vehicular traffic. The level of vehicular traffic noise varies with many factors, including traffic volume, vehicle mix (truck percentage), traffic speed, and distance from the roadway. Other sources of noise include railroad, aircraft, industrial and commercial activity, and construction. The following noise standards are located within the City of Hesperia Municipal Code, Section 16.20.125: A. Noise Measurement. For the *Medium Density Residential (MDR)* zone, the 55 dB for the night time and 60 dBA for the daytime period represents the noise standard for the zone. In addition, as stated within the City of Hesperia Municipal Code Section 16.20.125, no person shall operate or cause to be operated any source of sound at any location or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

- The noise standard for that receiving land use (as specified in subsection (B)(1) of this section) for a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB(A) for any period of time.

The project site is located in the midst of a residential neighborhood. The predominant noise source in the area is traffic traveling on local streets (C Avenue and Lemon Street). The surrounding residential uses are not significant sources of noise beyond that which commonly occurs in a residential setting. To ensure the project's potential noise impacts are mitigated, the *Noise Mitigation Measure No. 1* listed below must be implemented.

*Adherence to the aforementioned mitigation measures will reduce the potential noise impacts to levels that are less than significant.*

**B.** *Would the project result in generation of excessive ground-borne vibration or ground-borne noise levels? • Less than Significant Impact.*

The nearest sensitive receptor to the project site include the homes that surround the property and the Lime Street Elementary School located approximately 700 feet to the east of the project site. The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact the nearby sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB).

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site.

The project's implementation will not require a deep foundation since the underlying fill soils will be removed and the height of the proposed buildings will be limited. The new building would be constructed over a shallow foundation that will extend no more than three to four feet below ground surface (bgs). The use of shallow foundations precludes the use of pile drivers or any auger type equipment. However, other vibration generating equipment may be used on-site during construction. As stated above, the project will require the use of excavators, loaders, bulldozers, and haul trucks. Once operational, the proposed residential project would not generate excessive ground-borne noise because the project will not involve the use of machinery and heavy equipment capable of creating ground-borne noise. Furthermore, the new 70 unit apartment project will be required to adhere to all pertinent City noise control regulations. In addition, the cumulative traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise on local streets (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). *As a result, the impacts would be less than significant.*

**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? • No Impact.*

The project site is located within two miles of a public airport or public use airport but is not within an airport land use plan. The nearest airport to the site is the Hesperia Airport that is located approximately 1.9 miles to the southwest. The Southern California Logistics Airport is located approximately 13 miles to the northwest of the project site.<sup>35</sup> The proposed use is not considered to be a sensitive receptor. As a result, the proposed project will not expose people residing or working in the project area to excessive noise levels related to airport uses. *As a result, no impacts would occur.*

## MITIGATION MEASURES

The following mitigation will be required in order to further reduce construction noise:

*Noise Mitigation Measure No. 1.* The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

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<sup>35</sup> Google Maps. Website accessed May 31, 2024.

### 3.14 POPULATION & HOUSING

| Environmental Issue Areas Examined                                                                                                                                                                                                    | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? |                                |                                              |                              | ×         |
| B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?                                                                                     |                                |                                              |                              | ×         |

### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on population and housing if it results in any of the following:

- The proposed project would induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- The proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? • No Impact.**

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently developed as are the neighboring parcels. The proposed development would conform to the site's MDR zoning.
- *Extension of roadways and other transportation facilities.* Future roadway and infrastructure improvements would serve the proposed project site only.
- *Extension of infrastructure and other improvements.* The installation of any new utility lines would not lead to subsequent offsite development since these utility connections will serve the site only.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.
- *The removal of housing requiring replacement housing elsewhere.* The existing units would be replaced by 70 rental units. As a result, no replacement of subsidized housing would be required.
- *Additional population growth leading to increased demand for goods and services.* The project

will result in an increase in employment. The proposed project would involve 70 residential units. Assuming an average household size of 3.0 persons per household, the projected population would be 210 persons. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG.

- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed project will utilize existing roadways and infrastructure. The proposed project will not result in any unplanned growth. *As a result, no impacts would occur.*

**B.** *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?* • *No Impact.*

The project site is undeveloped though it has been disturbed. The site's General Plan designation is *Medium Density Residential (MDR)*. The corresponding zoning designation is *Medium Density Residential (MDR)*. *As a result, no impacts would occur.*

## MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

## 3.15 PUBLIC SERVICES

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                                                                                                                  | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> 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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: |                                |                                              | ✗                            |           |
| <b>i).</b> Would the project result in substantial adverse physical impacts associated with Fire protection?                                                                                                                                                                                                                                                                                                                        |                                |                                              | ✗                            |           |
| <b>ii).</b> Would the project result in substantial adverse physical impacts associated with Police protection?                                                                                                                                                                                                                                                                                                                     |                                |                                              | ✗                            |           |
| <b>iii).</b> Would the project result in substantial adverse physical impacts associated with Schools?                                                                                                                                                                                                                                                                                                                              |                                |                                              | ✗                            |           |
| <b>iv).</b> Would the project result in substantial adverse physical impacts associated with Parks?                                                                                                                                                                                                                                                                                                                                 |                                |                                              | ✗                            |           |
| <b>v).</b> Would the project result in substantial adverse physical impacts associated with Other public facilities?                                                                                                                                                                                                                                                                                                                |                                |                                              | ✗                            |           |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- The proposed project would 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, parks or other public facilities.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

**i).** *Would the project result in substantial adverse physical impacts associated with fire protection? • Less than Significant Impact.*

The City of Hesperia and the sphere of influence are served by the San Bernardino County Fire Department. Currently there are five fire stations within the City of Hesperia, Stations 302, 303, 304, and 305. In addition, there are two stations outside of the City, which include Stations 22 and 23. The nearest station to the project site is Hesperia Station #302, located at 17288 Olive Street, located approximately 5,000 feet northeast of the project site. The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards. Furthermore, the project will be reviewed by City and County building and fire officials to ensure adequate fire service and safety. The proposed project would also be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire. On a permanent basis, property taxes and incremental increase in retail sales tax revenues provide permanent funding for public services, *As a result, the impacts would be less than significant.*

**ii).** *Would the project result in substantial adverse physical impacts associated with police protection? • Less than Significant Impact.*

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one police station. The San Bernardino County Sheriff's Department provides police protection and crime prevention services for the City of Hesperia and its sphere of influence on a contractual basis. The Hesperia Police Department is located at 15840 Smoke Tree Street, approximately 1.8 miles northwest from the project site. The primary potential security issues will be related to vandalism and potential burglaries during off-business hours. The project Applicant must install security lighting and other safety equipment throughout the project site. The

Project will be reviewed by City and Police officials to ensure adequate emergency services for project completion. The proposed project will be required to comply with the City's Development Impact Fees (DIF) to assist with the funding of police facilities and services. *As a result, the impacts would be less than significant.*

**iii).** *Would the project result in substantial adverse physical impacts associated with schools? • Less than Significant Impact.*

The Hesperia Unified School District (HUSD) is the largest school district in the high desert, covering nearly 160 square miles, serving approximately 21,000 students (K–12) on 26 separate campuses. The nearest school to the project site is the Lime Street Elementary School located approximately 700 feet to the east of the project site. Due to the nature of the proposed project (a residential development), direct enrollment impacts regarding school services would occur. The proposed project would involve 70 residential units. Assuming an average household size of 3.0 persons per household, the projected population would be 210 persons. The proposed project would be required to pay all pertinent development fees. The HUSD would require a fee of \$6.43 per square foot for the proposed residential development. *As a result, the impacts on school-related services would be less than significant.*

**iv).** *Would the project result in substantial adverse physical impacts associated with parks? • Less than Significant Impact.*

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. The proposed 70 unit residential development would include a swimming pool area (4,300 square feet) located adjacent to the recreation building. A Zen area (2,491 square feet) would be centrally located within the project site. A tot lot (1,778 square feet) would be located in the southerly portion of the site. A pickle ball court (1,792 square feet) would be located in the northern portion of the site. A dog park (2,647 square feet) would be located in the southeastern portion of the site next to the southern retention basin. Finally, a second Zen area (1,991 square feet) would be located in the northeastern portion of the site. The shared outdoor space for the amenities would total 14,999 square feet. The proposed project will be required to comply with the City's Development Impact Fees (DIF) to assist in the funding of public facilities and services, including applicable Park Fees. *As a result, the impacts would be less than significant.*

**v).** *Would the project result in substantial adverse physical impacts associated with other public facilities? • Less than Significant Impact.*

The proposed project would not create direct local population growth which could potentially create demand for other governmental services. *As a result, the impacts would be less than significant impact.*

## MITIGATION MEASURES

The analysis of public service impacts indicated that no significant adverse impacts are anticipated, and no mitigation is required with the implementation of the proposed project.

### 3.16 RECREATION

| Environmental Issue Areas Examined                                                                                                                                                                             | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? |                                |                                              |                              | ✗         |
| B. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                       |                                |                                              |                              | ✗         |

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on recreation if it results in any of the following:

- The proposed project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- The proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

#### ANALYSIS OF ENVIRONMENTAL IMPACTS

**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?* • *No Impact.*

The Hesperia Recreation and Park District (HRPD) is an independent special district within the County of San Bernardino. HRPD was created in 1957 to meet the recreational needs of the community and encompasses approximately 100 square miles, including the 75 square miles within the City of Hesperia and much of the Sphere of Influence. There are no parks located adjacent to the site. The nearest park is Lime Street Park located approximately 1,800 feet to the west. The proposed 70 unit residential development would include a swimming pool area (4,300 square feet) located adjacent to the recreation building. A Zen area (2,491 square feet) would be centrally located within the project site. A tot lot (1,778 square feet) would be located in the southerly portion of the site. A pickle ball court (1,792 square feet) would be located in the northern portion of the site. A dog park (2,647 square feet) would be located in the southeastern portion of the site next to the southern retention basin. Finally, a second Zen area (1,991 square feet) would be located in the northeastern portion of the site. The shared outdoor space for the amenities would total 14,999 square feet. The District standard for park facilities acreage to population is 5 acres for every 1,000 people. Based on this standard, the District is deficient 76.65 acres of parks. The addition of 210 residents may cause a minor increase in the need for recreational facilities and with a separate Property Tax Park Fee will provide additional park and recreational funding. *As a result, no impacts would occur.*

**B. Would 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.**

The proposed 70 unit residential development would include various recreational amenities that would be made available to the proposed project's future tenants (refer to subsection A above). The District standard for park facilities acreage to population is 5 acres for every 1,000 people. Based on this standard, the District is deficient 76.65 acres of parks. The addition of 210 residents may cause a minor increase in the need for recreational facilities and with a separate Property Tax Park Fee will provide additional park and recreational funding. *As a result, no impacts would occur.*

### **MITIGATION MEASURES**

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

### **3.17 TRANSPORTATION**

| <b>Environmental Issue Areas Examined</b>                                                                                                                                                 | <b>Potentially Significant Impact</b> | <b>Less Than Significant Impact with Mitigation</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------|-------------------------------------|------------------|
| <b>A.</b> Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?                  |                                       |                                                     | <b>×</b>                            |                  |
| <b>B.</b> Conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?                                                                                                      |                                       |                                                     | <b>×</b>                            |                  |
| <b>C.</b> 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)? |                                       |                                                     | <b>×</b>                            |                  |
| <b>D.</b> Would the project result in inadequate emergency access?                                                                                                                        |                                       |                                                     | <b>×</b>                            |                  |

### **THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY**

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on transportation and circulation if it results in any of the following:

- The proposed project would conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- The proposed project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- The proposed project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- The proposed project would result in inadequate emergency access.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? • Less than Significant Impact.**

The proposed project would involve the development of the 4.71-acre site with a new multiple-family residential development that would consist of 70-rental units. The proposed 70 unit apartment complex would include 14 buildings consisting of the following: 8 eightplex buildings with 8 units each, 3 duplex buildings with 2 units each, 2 garage buildings with (8) non-livable (garage) units, and 1 recreational building. The 14 buildings would have a total floor area of approximately 92,984 square feet. The building footprint area would total approximately 54,802 square feet. The total site area is 4.71 acres or 205,380 square feet. A total of 160 parking spaces would be provided. Vehicular access to the project site would be provided by two new driveway connections with the east side of C Street. Internal drive aisles, with a width of 27-feet, would provide a connection with the internal parking areas.

Trip generation estimates for the project were developed using the trip rates contained in the Institute of Transportation Engineers' (ITE) Trip Generation, 11<sup>th</sup> Edition based on Multiple-family Low Rise Residential category (ITE Code 220). This ITE information was used to estimate the future traffic generated and this information is summarized in Table 7.

**Table 7 Trip Generation**

| Low Rise Residential (ITE Land Use Category 220) | 70 units | Daily           | AM Peak Hour |     |           | PM Peak Hour |     |           |
|--------------------------------------------------|----------|-----------------|--------------|-----|-----------|--------------|-----|-----------|
|                                                  |          |                 | In           | out | Total     | In           | Out | Total     |
|                                                  |          | 6.41 trips/unit | 24%          | 76% | 0.31/unit | 63%          | 37% | 0.43/unit |
|                                                  |          | 449             | 5            | 17  | 22        | 19           | 11  | 30        |

Source: Institute of Transportation Engineers, *Trip Generation Manual 11<sup>th</sup> Edition*.

As indicated in Table 7, the future project is anticipated to generate approximately 449 daily trips, with approximately 22 trips occurring during the AM peak hour, and 30 trips occurring during the PM peak hour. The project is expected to have less than significant traffic impact. *Therefore, the potential impacts are anticipated to be less than significant.*

**B. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? • Less than Significant Impact.**

CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. The City of Hesperia has developed guidelines for analyzing a development project's VMT in conformance with SB 743. This statewide mandate took effect July 1, 2020. The San Bernardino County Transportation Authority (SBCTA) completed a multi-jurisdictional study to develop a set of procedures and provide local jurisdictions with sufficient information to adopt VMT baselines and thresholds of significance. In February 2020, the San Bernardino County Transportation Authority released the SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (SBCTA Guidelines) that address both traditional automobile delay-based level of service (LOS)

and new VMT analysis requirements. The City of Hesperia has adopted the following which establish uniform analysis methodology and thresholds of significance for determining VMT impacts under the California Environmental Quality Act (CEQA). The City's Guidelines designate residential projects located within a low VMT generating area are generally accepted to have a less than significant impact. It is noted, the project does not indicate potential existence of substantial evidence to indicate the project would amend or alter existing anthropogenic environmental conditions that would cause an increase in the rate of length of vehicle trips. To identify if a project is in a low VMT-generating area, the San Bernardino County Transit Authority (SBCTA) Screening Tool is used to compare the relevant baseline project TAZ VMT to the City's adopted threshold of significance of 25.7 VMT/Service Population. Project Type Screening; Map Based Screening based on Low VMT Area; and Transit Priority Area (TPA) Screening. According to the project's VMT screening analysis, the project site is located within a low VMT generating TAZ. *As a result, the potential impacts would be less than significant.*

**C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? • Less than Significant Impact.**

Vehicular access to the project site would be provided by new driveway connections with the east side of C Avenue. Internal drive aisles would provide a connection with the internal parking areas. The proposed roadway improvements would be designed in accordance with the City of Hesperia's Street design standards. In addition, the proposed project is an area developed with a variety of residential and compatible uses. The proposed project will not substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). *As a result, the potential impacts will be less than significant.*

**D. Would the project result in inadequate emergency access? • Less than Significant Impact.**

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction will any adjacent street be completely closed to traffic. All construction staging must occur on-site. All off-street improvements (on C Avenue) will be public streets and designed to city standards. Emergency access would be from two-points of access from C Avenue and incorporated into the city circulation system. During the preliminary review of the proposed project, the circulation and site transportation design was reviewed by the City of Hesperia Planning Department, Engineering Department, Fire Department and Sheriff's Department to verify adequate vehicular access to and from the project site would be provided for all types of residential vehicles, service trucks and emergency vehicles. It is noted the City of Hesperia has contracted with both the San Bernardino County Fire and Sheriff Departments for fire and safety services. *As a result, the impacts would be less than significant.*

## **MITIGATION MEASURES**

The analysis determined that the impacts would be less than significant. As a result, no mitigation is required.

### 3.18 TRIBAL CULTURAL RESOURCES

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</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:                                         |                                | ✗                                            |                              |           |
| <b>i)</b> Would the project have 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                                                                                                                                                                                                                  |                                |                                              |                              | ✗         |
| <b>ii).</b> Would the project have 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 Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American. |                                | ✗                                            |                              |           |

#### THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

- The proposed project would 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).
- The proposed project would 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.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**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. • Less than Significant Impact with Mitigation.***

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- 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.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant. The proposed project site is located on recognized Yuhaaviatam/Maarenga'yam land. The word Maara'yam, the People of Maara', is used to describe all peoples known today as Serrano. The name Yuhaaviatam, or People of the Pines, refers to the Serrano clan of our progenitor, Santos Manuel. The Serrano ancestral territory covers present-day Antelope Valley on the west, southwest Mojave Desert to the north, the Inland Empire north of the city of Riverside to the south, and the city of Twentynine Palms to the east.<sup>36</sup>

The site is also within an area of the City that has been disturbed due to adjacent development and there is a limited likelihood that artifacts would be encountered. The proposed project's construction would involve shallow excavation for the installation of building footings, utility lines, and other underground infrastructure. Ground disturbance would involve grading and earth-clearing activities for the installation of the grass and landscaping and other on-site improvements. In addition, the proposed project area is not located within an area that is typically associated with habitation sites, foraging areas, ceremonial sites, or burials.

<sup>36</sup> San Manuel Band of Mission Indians. History. <https://sanmanuel-nsn.gov/culture/history>. Website Accessed May 31, 2024.

**i). Would the 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). • No Impact**

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

A request for a Sacred Lands File (SLF) search was submitted to the Native American Heritage Commission (NAHC) on December 15, 2023, to ascertain the presence of known sacred sites, Native American cultural resources, and/or human remains within the boundaries of the proposed Project. The NAHC responded on January 5, 2024, and indicated that the results of the SLF search were positive. The NAHC provided a list of 29 individuals representing 16 tribal groups. The NAHC recommended the Chemehuevi Indian Tribe and San Manuel Band of Mission Indians tribes be contacted. DUKE CRM sent both tribes an email requesting any information regarding the sensitivity of the Project. The San Manuel Band of Mission Indians sent a response on February 7, 2024, stating the follow: “Thank you for contacting the San Manuel Band of Mission Indians concerning the proposed project area. San Manuel appreciates the opportunity to review the project documentation received by the Cultural Resources Management Department on February 6, 2024. Based on our current knowledge, the proposed project site is within a culturally sensitive landscape for the Tribe. Upon reviewing the proposed location, the Tribe's concerns regarding its cultural sensitivity have diminished. However, the proposed project is located within Serrano Ancestral Territory and is therefore of interest to the Tribe. As such, San Manuel will still wish to engage in government-to-government consultation pursuant to AB 52, should this project be subject to CEQA review”. On February 9, 2024, the Chemehuevi Indian Tribe stated that the tribe “has no cultural concerns for this project”. As a result, no impacts would occur.

**ii). Would the project have 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 Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe? • Less than Significant Impact with Mitigation.**

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a). *Tribal Cultural Resources Mitigation Measure No. 1 and 2* are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant.

*As a result, the impacts would be less than significant with mitigation.*

## MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

*Tribal Cultural Resources Mitigation Measure No. 1.* The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with 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.

*Tribal Cultural Resources Mitigation Measure No. 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.

## 3.19 UTILITIES AND SERVICE SYSTEMS

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                           | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> 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? |                                |                                              | ✗                            |           |
| <b>B.</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?                                                                                                                          |                                |                                              | ✗                            |           |
| <b>C.</b> 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?                                                   |                                |                                              | ✗                            |           |
| <b>D.</b> Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?                                                                                             |                                |                                              | ✗                            |           |
| <b>E.</b> Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?                                                                                                                                                                  |                                |                                              |                              | ✗         |

## THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The proposed project would 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.
- The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The proposed project would result in a determination by the wastewater treatment provider which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- The proposed project would 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.
- The proposed project would negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.
- The proposed project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

## **ANALYSIS OF ENVIRONMENTAL IMPACTS**

**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? • Less than Significant Impact.*

There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently undeveloped though the site has existing electrical, sewer and water connections adjacent to the project site. The proposed project's connection can be adequately handled by the existing infrastructure. *As a result, the potential impacts will 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? • Less than Significant Impact.*

The Hesperia Water District (HWD) currently maintains 18 storage reservoirs within the distribution system with a total capacity of 49.5 million gallons. The City sits above the Upper Mojave River Basin within the jurisdiction of the Mojave Water Agency, and draws its water from the Alto sub-basin, which has a capacity of 2,086,000 acre-feet. Approximately 960,000 acre-feet of stored groundwater is estimated within the basin with an additional 1,126,000 acre-feet of storage capacity available through recharge efforts. As indicated in Table 8. The proposed project is estimated to consume 21,000 gallons of water on a daily basis. There are existing water line located in Darwin Avenue. *As a result, the impacts will be less than significant.*

**Table 8 Projected Water Consumption**

| Project Element          | Consumption Rate    | Project Consumption |
|--------------------------|---------------------|---------------------|
| 70 multiple family units | 300 gals. /day/unit | 21,000/day          |
| Total                    |                     | 21,000/day          |

Source: Blodgett Baylosis Environmental Planning

**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? • Less than Significant Impact.*

Wastewater services are provided by the Victor Valley Wastewater Reclamation Authority (VWWRA). Currently the City is served by an interceptor system that extends approximately 15 miles from the regional treatment facility (Victorville) south to I Avenue and Hercules in the City of Hesperia. The interceptor system consists of both gravity and force main pipelines, ranging in size from 6-inch to 42-inch diameters. The City's sewer system collects to the VWWRA's 3-mile interceptor that runs along the northeast boundary of the City. Sewer lines range from 3 inches up to 21-inch lines within the City. From Table 9, the proposed project is estimated to generate 14,000 gallons of wastewater on a daily basis. The project's implementation will not create a substantial demand on existing infrastructure. *As a result, the impacts are expected to be less than significant.*

**Table 9 Projected Effluent Generation**

| Project Element          | Generation Rate    | Project Generation |
|--------------------------|--------------------|--------------------|
| 70 multiple family units | 200 gals./day/unit | 14,000 gals. /day  |
| Total                    |                    | 14,000 gals. /day  |

Source: Blodgett Baylosis Environmental Planning

**D.** *Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? • Less than Significant Impact.*

Approximately 63 percent of the solid waste generated in Hesperia is being recycled, exceeding the 50 percent requirement pursuant to the California Integrated Waste Management Act of 1989 (AB939). Currently, about 150 tons of the solid waste generated by the City per day is sent to the landfill. This remaining solid waste is placed in transfer trucks and disposed of at the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville, owned and operated by the County of San Bernardino. From Table 10, the proposed project is estimated to generate 856 pounds of solid waste on a daily basis. *As a result, the potential impacts would be less than significant.*

**Table 10 Projected Solid Waste Generation**

| Project Element          | Generation Rate     | Project Generation |
|--------------------------|---------------------|--------------------|
| 70 multiple family units | 12.23 lbs./day/unit | 856 lbs./day       |
| Total                    |                     | 856 lbs./day       |

Source: Blodgett Baylosis Environmental Planning

**E. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? • No Impact.**

The proposed project, like all other development in Hesperia and San Bernardino County, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. *As a result, no impacts would occur.*

## **MITIGATION MEASURES**

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

## **3.20 WILDFIRE**

| <b>Environmental Issue Areas Examined</b>                                                                                                                                                                                                                                                    | <b>Potentially Significant Impact</b> | <b>Less Than Significant Impact with Mitigation</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------|-------------------------------------|------------------|
| <b>A.</b> Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                            |                                       |                                                     |                                     | <b>×</b>         |
| <b>B.</b> Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                         |                                       |                                                     |                                     | <b>×</b>         |
| <b>C.</b> Would the project 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? |                                       |                                                     |                                     | <b>×</b>         |
| <b>D.</b> Would the project 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?                                                                             |                                       |                                                     |                                     | <b>×</b>         |

## **THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY**

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on wildfire risk and hazards if it results in any of the following:

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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.

- The proposed project would, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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.

## ANALYSIS OF ENVIRONMENTAL IMPACTS

**A. *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?***

None of the adjacent roadways (Lime Street or C Avenue) are designated emergency evacuation routes. The proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. At no time during construction will adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts would occur.*

**B. *Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*** • No Impact.

The project site is located in the midst of an urbanized zoned area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 12 miles northeast and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City. *As a result, no impacts would occur.*

**C. *Would the project 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?*** • No Impact.

The project site is located in an area that is classified as a Moderate fire risk severity within a Local Responsibility Area (LRA) and will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts would occur.*

**D. *Would the project 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?*** • No Impact.

While the site is located within a moderate fire risk and local responsibility area, the proposed project site is located within an area classified as urban with relatively flat land. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. *As a result, no impacts would occur.*

## MITIGATION MEASURES

The analysis of wildfires impacts indicated that less than significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

### 3.21 MANDATORY FINDINGS OF SIGNIFICANCE

| Environmental Issue Areas Examined                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------|------------------------------|-----------|
| <b>A.</b> 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? |                                | ✗                                            |                              |           |
| <b>B.</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)?                                                                                                                                       |                                | ✗                                            |                              |           |
| <b>C.</b> Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                          |                                | ✗                                            |                              |           |

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- A.** The proposed project *would* 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. This Initial Study analysis found there would be no impacts, or impacts would be less than significant with the exception of Air Resources, Biological Resources, Cultural Resources, Geology and Soils Resources (as it affects the potential to find cultural resources), and Tribal Cultural Resources. These impacts necessitate the inclusion of mitigation measures to reduce them to a less than significant level as discussed within this document.
- B.** The proposed project *would* have impacts that are individually limited, but cumulatively considerable. The environmental impacts will lead to a cumulatively significant impact on any of the issues analyzed herein. This Initial Study analysis found there would be no impacts, or impacts would be less than significant with the exception of Air Resources, Biological Resources, Cultural Resources, Geology and Soils Resources (as it affects the potential to find cultural resources), and Tribal Cultural Resources. These impacts necessitate the inclusion of mitigation measures to reduce them to a less than significant level as discussed within this document.
- C.** The proposed project *would not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As indicated in Section 3.1 through 3.20, the proposed project will result in any significant unmitigable environmental impacts. This Initial Study analysis found there would be no impacts, or impacts would be less than significant, on human beings with the

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exception of Air Quality, Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. These impacts necessitate the inclusion of mitigation measures to reduce them to a less than significant level as discussed within this document.



## 4. MITIGATION MONITORING AND REPORTING PROGRAM

### 4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* 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 an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

### 4.2 MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

*Air Quality Mitigation Measure No. 1.* The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.

*Air Quality Mitigation Measure No. 2.* The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

*Air Quality Mitigation Measure No. 3.* The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

*Air Quality Mitigation Measure No. 4.* All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

*Air Quality Mitigation Measure No. 5.* All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

*Biological Resources Mitigation Measure No. 1.* Regardless of the time of year, a pre-construction clearance survey for nesting birds should be conducted no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The qualified biologist conducting the clearance survey shall conduct the survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas. Pre-construction surveys should focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If an active avian nest is discovered during the pre-construction clearance survey, within the work area or the Project's zone of influence (generally 100-300 feet), construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by the qualified wildlife biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. The qualified biologist should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. If an active nest is encountered during the Project construction, construction shall stop immediately until a qualified biologist can determine (1) the status of the nest, and (2) when work can proceed without risking violation to state or federal laws.

**Biological Resources Mitigation Measure No. 2 (Revised):** Prior to the start of Project activities, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent **shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts to burrowing owl are unavoidable** prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. ~~The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall~~

~~also describe relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Permittee shall implement the Burrowing Owl Plan following CDFW review and approval.~~  
**In addition, take avoidance surveys shall be conducted no less than 14 days prior to the start of Project-related activities to confirm presence/absence of burrowing owl following previous surveys.** Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If ~~the~~ **any** surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and **the Project proponent shall fully avoid impacts to burrowing owl or should obtain an ITP from CDFW if impacts are unavoidable** ~~prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities.~~

*Biological Resources Mitigation Measure No. 3.* Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Hesperia for review and approval and should be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following: 1. Discussion on temporary construction fencing (if any), 2. Description of clearance surveys of permanent exclusion areas, 3. Transportation and release procedures, 4. Construction schedule, 5. Translocation/relocation areas, and 6. Monitoring and reporting.

**Biological Resources Mitigation Measure No. 4 (New): Prior to start of construction activities, a WJT census of the property shall be conducted as per CDFW's WJT Census Instructions (<https://wildlife.ca.gov/Conservation/EnvironmentalReview/WJT/Permitting/Census-Instructions>). If WJT individuals are identified in the census and the trees are to be relocated, encroached upon, removed, or otherwise taken, the Project proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under Section 2081b of the California Endangered Species Act (CESA), or any other appropriate take authorization under CESA or under the WJT Conservation Act (Fish & G. Code, §§ 1927-1927.12), prior to the relocation, encroachment, removal, or take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture,**

or kill") of WJT, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085 and §§ 1927-1927.12). Mitigation for CESA will occur at a minimum 1:1 or per the stem count per the WJTCA census in lieu fee. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a WJT if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height, b. One meter or greater but less than five meters in height, and c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem or trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees.

As part of the AB-52 consultation, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) requested the following mitigation measures be included:

*Cultural Resources Mitigation Measure No. 1.* In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

*Cultural Resources Mitigation Measure No. 2.* If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

*Cultural Resources Mitigation Measure No. 3.* If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

The following mitigation will be required in order to further reduce construction noise:

*Noise Mitigation Measure No. 1.* The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

*Tribal Cultural Resources Mitigation Measure No. 1.* The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with 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.

*Tribal Cultural Resources Mitigation Measure No. 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.

The mitigation monitoring and reporting program (MMRP) table is provided in Table 11 which is included on the following pages.

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | ENFORCEMENT AGENCY                                                                                   | MONITORING PHASE                                                                                                                      | VERIFICATION               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <i>Air Quality Mitigation Measure No. 1.</i> The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.                                                                                                                                                                                                                                                                                                                                                 | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>Prior to the start of any construction related activities.</i><br><br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <i>Air Quality Mitigation Measure No. 2.</i> The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.                                                                                                                                                                                                                                                                                                                                                                                            | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>Prior to the start of any construction related activities.</i><br><br>Mitigation ends at the completion of the construction phase. | Date:<br><br>Name & Title: |
| <i>Air Quality Mitigation Measure No. 3.</i> The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.                                                                                                   | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>During the project's construction phase.</i><br><br>Mitigation ends when construction is completed.                                | Date:<br><br>Name & Title: |
| <i>Air Quality Mitigation Measure No. 4.</i> All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.                                                                                                                                                                 | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>During the project's construction phase.</i><br><br>Mitigation ends when construction is completed.                                | Date:<br><br>Name & Title: |
| <i>Air Quality Mitigation Measure No. 5.</i> All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion. | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>During the project's construction phase.</i><br><br>Mitigation ends when construction is completed.                                | Date:<br><br>Name & Title: |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | ENFORCEMENT AGENCY                                                                                                                                                          | MONITORING PHASE                                                                                                                                                                                    | VERIFICATION                          |
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| <p><i>Biological Resources Mitigation Measure No. 1.</i> Regardless of the time of year, a pre-construction clearance survey for nesting birds should be conducted no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The qualified biologist conducting the clearance survey shall conduct the survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas. Pre-construction surveys should focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If an active avian nest is discovered during the pre-construction clearance survey, within the work area or the Project's zone of influence (generally 100-300 feet), construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by the qualified wildlife biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. The qualified biologist should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. If an active nest is encountered during the Project construction, construction shall stop immediately until a qualified biologist can determine (1) the status of the nest, and (2) when work can proceed without risking violation to state or federal laws.</p> | <p style="text-align: center;">City of Hesperia Planning<br/>Department</p> <p style="text-align: center;"><i>(The Applicant is responsible<br/>for implementation)</i></p> | <p style="text-align: center;"><i>Prior to the start of any<br/>construction related<br/>activities.</i></p> <p style="text-align: center;">Mitigation ends when<br/>construction is completed.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | ENFORCEMENT AGENCY                                                                                          | MONITORING PHASE                                                                                                                | VERIFICATION                          |
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| <p><b>Biological Resources Mitigation Measure No. 2 (Revised):</b> Prior to the start of Project activities, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent <b>shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts to burrowing owl are unavoidable</b> prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Permittee shall implement the Burrowing Owl Plan following CDFW review and approval. <b>In addition, take avoidance surveys shall be conducted no less than 14 days prior to the start of Project-related activities to confirm presence/absence of burrowing owl following previous surveys.</b> Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If the <b>any</b> surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and <b>the Project proponent shall fully avoid impacts to burrowing owl or should obtain an ITP from CDFW if impacts are unavoidable</b> prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities.</p> | <p>City of Hesperia Planning Department</p> <p><i>(The Applicant is responsible for implementation)</i></p> | <p><i>Prior to the start of any construction related activities.</i></p> <p>Mitigation ends when construction is completed.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ENFORCEMENT AGENCY                                                                                          | MONITORING PHASE                                                                                                                | VERIFICATION                          |
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| <p><i>Biological Resources Mitigation Measure No. 3.</i> Prior to the initiation of construction activities (i.e., grubbing, clearing, staging, digging), a preconstruction survey for desert tortoise is recommended following the USFWS guidelines for Preparing for any Action that may occur Within the Range of the Mojave Desert Tortoise (<i>Gopherus agassizii</i>). This would consist of one complete (100% coverage) survey of the action area prior to the initiation of construction at any time of year. The survey should be conducted within 7 days prior to construction beginning by a City Approved Biologist. If desert tortoise is found on the project site during preconstruction surveys, construction will be halted until the tortoise has left the area on its own and is no longer in danger. If the tortoise does not leave on its own, translocation of desert tortoise should only be conducted with necessary federal ESA and state CESA permitting, and via an approved translocation plan pursuant to the above permits. Prior to the start of construction or any ground disturbance, a qualified biologist should prepare a Desert Tortoise Translocation Plan (DTRP) to be administered during the construction and operation of the project. The DTRP should be submitted to the City of Hesperia for review and approval and should be updated and utilized for translocation and monitoring after construction. The DTRP should include, but not be limited to the following: 1. Discussion on temporary construction fencing (if any), 2. Description of clearance surveys of permanent exclusion areas, 3. Transportation and release procedures, 4. Construction schedule, 5. Translocation/relocation areas, and 6. Monitoring and reporting.</p> | <p>City of Hesperia Planning Department</p> <p><i>(The Applicant is responsible for implementation)</i></p> | <p><i>Prior to the start of any construction related activities.</i></p> <p>Mitigation ends when construction is completed.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ENFORCEMENT AGENCY                                                                                          | MONITORING PHASE                                                                                                                | VERIFICATION                          |
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| <p><b>Biological Resources Mitigation Measure No. 4 (New):</b> Prior to start of construction activities, a WJT census of the property shall be conducted as per CDFW's WJT Census Instructions (<a href="https://wildlife.ca.gov/Conservation/EnvironmentalReview/WJT/Permitting/Census-Instructions">https://wildlife.ca.gov/Conservation/EnvironmentalReview/WJT/Permitting/Census-Instructions</a>). If WJT individuals are identified in the census and the trees are to be relocated, encroached upon, removed, or otherwise taken, the Project proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under Section 2081b of the California Endangered Species Act (CESA), or any other appropriate take authorization under CESA or under the WJT Conservation Act (Fish &amp; G. Code, §§ 1927-1927.12), prior to the relocation, encroachment, removal, or take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of WJT, a Candidate for Threatened CESA-listed species. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 &amp; 2085 and §§ 1927-1927.12). Mitigation for CESA will occur at a minimum 1:1 or per the stem count per the WJTCA census in lieu fee. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a WJT if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height, b. One meter or greater but less than five meters in height, and c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees.</p> | <p>City of Hesperia Planning Department</p> <p><i>(The Applicant is responsible for implementation)</i></p> | <p><i>Prior to the start of any construction related activities.</i></p> <p>Mitigation ends when construction is completed.</p> | <p>Date:</p> <p>Name &amp; Title:</p> |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ENFORCEMENT AGENCY                                                                            | MONITORING PHASE                                                                                | VERIFICATION               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------|
| <i>Cultural Resources Mitigation Measure No. 1.</i> In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.    | City of Hesperia Planning Department<br><br>(The Applicant is responsible for implementation) | During the project's construction phase.<br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |
| <i>Cultural Resources Mitigation Measure No. 2.</i> If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.                                                                                                                                                                                                                                                                                                                                                            | City of Hesperia Planning Department<br><br>(The Applicant is responsible for implementation) | During the project's construction phase.<br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |
| <i>Cultural Resources Mitigation Measure No. 3.</i> If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.                                                                                                                                                                                                                                                                                                                                                                                                                                           | City of Hesperia Planning Department<br><br>(The Applicant is responsible for implementation) | During the project's construction phase.<br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |
| <i>Noise Mitigation Measure No. 1.</i> The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | City of Hesperia Planning Department<br><br>(The Applicant is responsible for implementation) | During the project's construction phase.<br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |
| <i>Tribal Cultural Resources Mitigation Measure No. 1.</i> The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with 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. | City of Hesperia Planning Department<br><br>(The Applicant is responsible for implementation) | During the project's construction phase.<br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |

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**Table 11 Mitigation Monitoring Program**

| MEASURE                                                                                                                                                                                                                                                                                                                                                                                                     | ENFORCEMENT AGENCY                                                                                   | MONITORING PHASE                                                                                       | VERIFICATION               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------|
| <i>Tribal Cultural Resources Mitigation Measure No. 2.</i> 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. | City of Hesperia Planning Department<br><br><i>(The Applicant is responsible for implementation)</i> | <i>During the project's construction phase.</i><br><br>Mitigation ends when construction is completed. | Date:<br><br>Name & Title: |



## 5. REFERENCES

### 5.1 PREPARERS

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Marc Blodgett, Project Principal  
Raymond Wen, Project Planner

### 5.2 REFERENCES

The references that were consulted have been identified using footnotes.



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