

Appendix B
Mitigated Negative Declaration

**SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT DESCRIPTION:

APN:	0438-012-59*
APPLICANT:	LEWIS OPERATING COMPANY
PROPOSAL:	GENERAL PLAN AMENDMENT FROM AG-SCP TO RS 32M AND IMPROVEMENT LEVEL OVERLAY CHANG FROM IL-4 TO IL-2; B) TENTATIVE TRACT 16569 TO CREATE 202 RESIDENTIAL LOTS AND 6 LETTERED LOTS IN FOUR (4) PHASES ON 249 ACRES
COMMUNITY:	APPLE VALLEY/1ST SUPERVISORIAL DISTRICT
LOCATION:	EXTENDING BETWEEN DEEP CREEK RD. & MOCKINGBIRD RD., DIVIDED BY OCOTILLO WAY
JCS/INDEX:	11801CF1/DN200-98N/2003/GPA01/TT16569/TT01
STAFF:	John Schatz
REP('S):	JAMES TATUM

USGS Quad:	Apple Valley South
T,R, Section:	Section 20, T4N,R3W SBBM
Thomas Guide:	4477, Grid E5, San Bernardino County
Planning Area:	Town of Apple Valley Sphere
OLUD:	AG-SCp
Improvement Level:	4

PROJECT DESCRIPTION

1. Project Title: Lewis Operating Company; General Plan Amendment and Tentative Tract 16569
2. Lead Agency, Name and Address: San Bernardino County Planning Division, 15505 Civic Drive, Victorville, CA 92392
3. Contact Person and Phone Number: John Schatz, Planner (760) 843-4340
4. Project Location: The project site is located north of Rock Springs Road, east of Deep Creek Road, and west of the Cushenbury Branch of the Burlington-Northern/Santa Fe (BNSF) rail line.
5. Project Sponsor's Name and Address: Mr. James Tatum, 14298 Saint Andrews Drive, Unit 5, Victorville, California 92392, (760)245-1933; Mr. Ray Allard, Allard Engineering, 8253 Sierra Avenue; Fontana, California 92335, (909) 356-1815
6. Description of Project:

The proposed project is a request for a General Plan Amendment to change the official land use district from AG-SCp (Agricultural with a primary sign control overlay) to RS-32m (Single Family Residential with a 32,000-square foot minimum parcel size) and an Improvement Level Overlay change from IL-4 to IL-2 and Tentative Tract 16569 for 202 single-family residential lots and 6 lettered lots to be developed in four (4) phases on approximately 249 acres in an unincorporated area of San Bernardino County. Wastewater services will be provided by individual septic systems on each residential lot. The size of lots will average approximately 43,051 square feet, with the median lots size being 43,948 square feet. Of the proposed 202 lots, 68 lots located on the upper terrace of the project site will measure less than an acre in size (0.74 acre minimum).

Based on the revised proposed site plan (July 2004), other components of the project include:

- Construction of a drainage corridor trending in a north-south direction through the western half of the site;
- Construction of approximately 25,300 linear feet of new streets; and
- Construction of a perimeter wall.

The proposed project will be developed in four phases (Phase I, 54 lots; Phase II, 60 lots; Phase III, 46 lots; and Phase IV, 42 lots). The project site is located in an unincorporated area of the County, within the Sphere of Influence (SOI) of the Town of Apple Valley. Jess Ranch, a residential development, is located north of the project site. The Cushenbury branch of the BNSF rail line abuts the southeastern corner of the site. This rail line is elevated approximately 5-10 feet above the adjacent project site. Roadways in the vicinity of the project site include Deep Creek Road, Rock Springs Road, and Mockingbird Avenue.

ENVIRONMENTAL/EXISTING SITE CONDITIONS

The project site is located in western San Bernardino County, east of the City of Hesperia, and south of the Town of Apple Valley. The parcel is located approximately 10 miles east-northeast of the interchange of Interstate 15 (I-15) and State Route 395. Access to the site from I-15 is east on Main Street, east on Rock Spring Road, then north on Deep Creek Road. The site is bounded on its west side by Deep Creek Road and on its east side by Mockingbird Avenue and train tracks.

The project site is located in the southwestern Mojave Desert and north of the San Bernardino Mountains. The project sits on alluvium that has been terraced by mass grading and agricultural activities, altering the natural character of the project area. The project area is located approximately one mile east of the Mojave River. The project site drains to the northeast.

Elevations on-site range from approximately 2,930 feet above mean sea level (amsl) on the east to approximately 2,885 amsl on the west. The western two-thirds of the site are relatively flat with a very gentle fall toward the north-northwest. The eastern third of the site lies along the western edge of the alluvial fan of the desert region. The intersection of the alluvial fan and the Mojave River floodplain has created a north-south trending moderately steep bluff within the southern two-thirds of site.

The project site is mostly covered by grasslands with scattered Joshua trees (*Yucca brevifolia*). The only natural community on-site is Joshua tree woodland, located at the southeast corner of the site. This natural community is moderately disturbed by grazing livestock. The remainder of the site has been highly disturbed by intensive grazing, grading, and possibly also by weed abatement efforts. A dirt road runs east to west across the northern half of the project site.

The project site is situated within an area of rural residential use, agricultural operations, and disturbed land. A single metal building is located on-site and the site is partially fenced. Cattle-related operations are located directly south of the project site.

Table 1 – Existing Land Uses, Land Use Districts, and Improvement Levels

	EXISTING LAND USE	EXISTING LAND USE DISTRICT	IL
On-site	Metal structure, well	AG-SCp (Agricultural-Primary Sign Control)	4
North	Scattered single-family residential dwellings	AG-SCp (Agricultural-Primary Sign Control)	4
South	Horse ranch	AG-SCp (Agricultural-Primary Sign Control)	4
East	BNSF railroad, large single-family residential lots	RL-SCp (Rural Living-Primary Sign Control)	3
West	Large single-family lots and vacant parcels	AG-SCp (Agricultural-Primary Sign Control)	4

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing, approval or participation agreement)

- **State of California:** Department of Fish and Game; Regional Water Quality Control Board, Public Utilities Commission
- **County of San Bernardino:** Land Use Services; Building and Safety and Code Enforcement; Environmental Health Services, Division of Public Health
- **Local:** Apple Valley Ranchos Water Company; Apple Valley Fire Protection District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Land Use/ Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <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:

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

SIGNATURES ON FILE COPY

Signature (prepared by John Schatz)

Date

Signature (Julie Rynerson, AICP,
Current Planning Division Chief, For Land Use Services Director)

Date

ENVIRONMENTAL EVALUATION

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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I. AESTHETICS — Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION (check ___ if project is located within the viewshed of any Scenic Route listed in the General Plan):

- a) The project site is not designated as a scenic resource as defined by the County’s General Plan. The proposed project site is not located within a designated Scenic Corridor. As no scenic vistas to or from the project site have been identified, the development of the proposed on-site uses will have no substantial adverse effect on such resources.
- b) Because the site is not located within or adjacent to a designated state scenic highway, development of the proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and/or historic buildings.
- c) The project will not substantially degrade the visual character or quality of the site. Although the visual character of the area will be changed from open fields to residential development, the project site will eventually be landscaped and paved and developed with single-family residences so no visual degradation will occur.
- d) Development of the proposed residential uses will necessitate the installation of outdoor lighting necessary for the maintenance of public safety and security. Additional lighting sources associated with residential uses include vehicle lights from project-related traffic. The following mitigation has been identified to reduce the significance of potential impacts resulting from the installation and operation of on-site lighting sources.

Mitigation:

I-1 All lighting on-site shall adhere to the Glare and Outdoor Lighting - Mountain and Desert Areas Performance Standards contained in the County's Development Code, Section 87-0921. In accordance with the ordinance, the lighting shall be positioned and shielded to prevent any light pollution or light trespass.

II. AGRICULTURE RESOURCES — In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (check X if project is located in the Important Farmlands Overlay): Important Farmland Map, California Department of Conservation, Farmland Mapping and Monitoring Program, 2002. The following analysis is based upon the California Department of Conservation’s Land Evaluation and Site Assessment Model and associated work/score sheets, which are available for review at the San Bernardino County Planning Counter in Victorville.

- a) Prime Farmland is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yield crops when treated and managed, including water management, according to current farming methods. Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Prime and Statewide Importance Farmland must have been used for production of irrigated crops at some time during the two update cycles prior to the mapping date. Unique Farmland is land of lesser quality soils currently and specifically used for the production of the State’s leading agricultural crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. Unique Farmland is usually irrigated, but may include nonirrigated orchards or vineyards found in some climatic zones in California. Land must have been cropped at some time during the two cycles prior to the mapping date. Unique Farmland does not include publicly owned lands for which there is an adopted policy preventing agricultural use.

Substantial portions of the project site have been designated either as “Unique” or “Statewide Importance” Farmland by the Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP). The northwest and northeast corners of the project site (approximately 100 acres) are designated as Farmland of Statewide Importance, while the southern half of the project site (approximately 143 acres) is designated as Unique Farmland. A small portion (approximately 6 acres) of the southeast corner of the project site is designated as “Other.”

The conversion of agricultural land to non-agricultural uses is a result of various economic and demographic factors. Increased costs for water and a continuing demand for housing in the County and region have provided the primary impetus for this agricultural land conversion. To assess potential impacts that may result from the conversion of agricultural, the Department of Conservation, Division of Land Resource Protection, has developed the Land Evaluation and Site Assessment (LESA) Model. The LESA Model is a method to rate the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agricultural land conversions. The LESA Model utilizes six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score utilized to identify the significance of potential impacts to agricultural resources. As identified in Table 2, the proposed project's LESA score is 36.41. Where a proposed project possesses a LESA score of less than 39.0, potential impacts related to the conversion of agricultural impacts are considered to be less than significant (Table 3).

Table 2 – Land Evaluation and Site Assessment Scoring

Factor Name	Factor Rating (0-100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	28.16	×	0.25	=	7.04
2. Storie Index Rating	45.47	×	0.25	=	11.37
Land Evaluation (LE) Subscore					18.41
Site Assessment					
1. Project Size	80	×	0.15	=	12.00
2. Water Resource Availability	30	×	0.15	=	4.50
3. Surrounding Agricultural Land	10	×	0.15	=	1.50
4. Protected Resource Lands	0	×	0.05	=	0.00
Site Assessment (SA) Subscore					18.00
TOTAL LESA SCORE (LE + SA)					36.41

Table 3 – LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0 - 39 Points	Not Considered Significant
40 - 59 Points	Considered Significant <u>only</u> if LE and SA subscores are each <u>greater</u> than or equal to 20 points
60 - 79 Points	Considered Significant <u>unless</u> either LE or SA subscore is <u>less</u> than 20 points
80 -100 Points	Considered Significant

- b) Neither the project site nor adjacent properties are located within a Williamson Act contract area. The existing pattern of land use in the project area consists primarily of rural residential uses on lots sized from 2.2 acres. Residential uses, including swimming pools, and outbuildings, have been developed on 50 of the approximately 105 parcels located within the project site's "Zone of Influence," the area located within 0.25 mile of the project site. The size of the lots within the proposed development averages approximately 0.98 acre (with a median lot size of 1.01 acre). Of the 202 proposed lots, 68 lots located on the upper terrace of the project have a minimum lot size of 0.74 acre.

Currently, the project site is designated for agriculture use. The project proposes changing the Agricultural zoning to single-family residential with lot sizes that may support some agricultural uses but may no longer be suitable for large farming or ranching operations. While some agricultural activity takes place on adjacent parcels, properties in the vicinity of the project site are either developed with residential uses or are undeveloped. As stated earlier, the minimum parcel size under consideration is 0.74 acre. The RS land use designation allows agricultural cultivation on lots with a minimal size of 0.23 acre (10,000 square feet). Animal husbandry, limited by the livestock densities cited in Section 84.0560 of the San Bernardino County Development Code, is permitted under the RS land use designation.

While the proposed project will result in a change in the land use designation from an agricultural to a more residential use, the change in land use is consistent with the ongoing pattern of development that is occurring in the project area. In light of the continuing pattern of land use in the project area, and because rural activities such as agriculture activities and the keeping of livestock are permitted within the RS land use designation, no significant conflict with existing agricultural land uses will result from development of the proposed on-site uses.

- c) The LESA model identified that potential impacts associated with the conversion of the project site from agricultural uses would not be significant. In respect to soils types, agricultural productivity, existing use, and water availability, the properties within the project site's "Zone of Influence" have attributes that are generally similar to the project site. While the proposed project includes actions that may result in the future conversion of agricultural areas, because of the similar nature of adjacent properties, it is anticipated the potential impacts to agricultural resources would similarly be less than significant.

III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (discuss conformity with the Air Quality Management Plan, if applicable):

The following analysis is based in part upon *Air Quality Analysis Apple Valley Residential Project* (LSA Associates, Inc., September 28, 2004) which is available at the San Bernardino County Public Planning Counter in Victorville.

- a) The Mojave Desert Air Quality Management District (MDAQMD) and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing the Air Quality Attainment Plan (AQAP) for the Mojave Desert Air Basin (MDAB). Regional AQAPs were adopted in 1991, 1994, and 1997. Currently approved AQAPs for the region include the 1997 State Implementation Plan (SIP) and the 1997 Air AQAP for ozone, PM₁₀, and nitrogen dioxides.

The project includes a proposed amendment to the County General Plan to change the land use designation from a primary agricultural use to a residential use. The proposed land use designation of the project site, RS-32,000, will allow the development of single-family residential uses on lots measuring a minimum of 32,000 square feet. While development of the proposed project will result in the construction and occupation of residential uses at a number and density different from existing permitted standards, because the development of these residential uses is consistent with the overall increase in population and the number of dwelling units in the Victor Valley as anticipated by SCAG, no significant conflict with an existing air quality plan is anticipated.

- b-c) The project site is located in an unincorporated area of San Bernardino County, within the MDAB. Air quality regulation in the MDAB is administered by the MDAQMD, a regional agency created for the Basin. The MDAB is designated as a nonattainment area for both Federal and State ozone and PM₁₀ standards. The MDAB is in attainment with all other criteria pollutants for both Federal and State standards.

Air pollutant emissions associated with the project would occur over the short term from construction activities, such as fugitive dust from site preparation and grading, and emissions from equipment exhaust. There would be long-term regional emissions associated with project related vehicle trips. Long-term local CO emissions at intersections in the project vicinity would not be significantly affected by project-related traffic. Long-term stationary source emissions would occur due to energy consumption such as electricity usage by the proposed land uses. These emissions are detailed as follows.

Construction Emissions

Equipment Exhaust and Related Construction Activities. Construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The use of construction equipment on-site would result in localized exhaust emissions. Based on construction estimates for a similar project, peak daily emissions associated with construction equipment exhaust for the proposed project during grading periods would exceed the MDAQMD established daily emissions threshold for NO_x. This exceedance represents a temporary significant impact.

Newer construction equipment, specifically that identified as Tier I equipment, generates a significantly reduced amount (40-60 percent of older equipment) of NO_x during operation. The following measure has been identified to reduce the significance of potential emissions of NO_x during project grading and construction activities.

Mitigation:

III-1 *The construction and grading documents prepared for the proposed project shall state that Tier 1 equipment will be utilized during all on-site construction and grading activities.*

Fugitive Dust.

As the proposed project site is undeveloped, desert scrub, it must be assumed that a certain level of fugitive dust is currently generated on-site. Potential PM₁₀ emissions (wind erosion on agricultural land and agricultural tilling dust) resulting from on-site agricultural use were derived from factors cited in *PM₁₀ Attainment Plan for the Mojave Desert Planning Area* (MDAQMD, July 31, 1995.) Assuming active agricultural use of 25 percent (62 acres) and 50 percent (125 acres) of the project site, potential PM₁₀ emissions associated with agricultural production would total approximately 205 and 409 pounds/day, respectively. As with the proposed project, this level of agricultural activity would exceed MDAQMD significance thresholds for PM₁₀.

Based on construction information from similar projects, fugitive dust emissions would be generated by heavy equipment operations, wind erosion of disturbed areas, and vehicle travel on unpaved roads. It is estimated that that each acre of graded surface creates about 26.4 pounds of PM₁₀ per workday during the construction phase of the project and 21.8 pounds of PM₁₀ per hour from dirt/debris pushing per dozer. Assuming active grading of up to 10 acres of land per day, and the operation of three dozers (eight hours per day each), a maximum of 571 pounds of PM₁₀ per day would potentially be generated from soil disturbance at the site during the construction phase. This level of fugitive dust emission would exceed MDAQMD thresholds.

The MDQAMD has identified fugitive dust control measures (Rule 403.2) required of all development within its jurisdiction. As stated in the negative declaration prepared for MDAQMD Rule 403.2, compliance with the control and contingency measures listed in the Rule is presumed to reduce air quality impacts from fugitive dust to a level which meets federal PM₁₀ standards and improves ambient air quality. To reduce the significance of the

temporary fugitive dust impacts that will result from on-site grading and construction activities, the following mitigation has been identified.

III-2 Prior to the issuance of grading permits, the developer shall submit to the County for review and approval, a Fugitive Dust Control Plan. This Plan shall incorporate the fugitive dust control measures identified in MDAQMD Rule 403.2 as well as any other applicable measures identified by the County. The Plan will indicate methods of temporary and long-term dust control. Such measures shall include, but not be limited to:

- The project proponent shall ensure that construction equipment is properly maintained and serviced to minimize exhaust emissions.*
- The project proponent shall ensure that existing power sources are utilized where feasible via temporary power lines to avoid on-site power generation.*
- The project proponent shall ensure that construction employees be informed of ride sharing and transit opportunities.*
- The project proponent shall ensure that any portion of the site to be graded shall be prewatered prior to the onset of grading activities.*
- The project proponent shall ensure that watering of the site or other soil stabilization methods shall be employed on an ongoing basis after the initiation of any on-site grading activity. Portions of the site that are actively being graded shall be watered regularly to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.*
- The project proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.*
- To reduce the potential for wind erosion, the project proponent shall ensure that landscaped areas are installed upon completion of grading operations.*
- The project proponent shall ensure the cleanup of construction-related dirt on any paved approach routes to the project site.*
- The project proponent shall ensure that all grading activities are suspended when wind speeds exceed 25 miles per hour.*

In lieu of preparation of a Fugitive Dust Control Plan, the developer may submit evidence to the County that an Alternative PM₁₀ Control Plan (ACP) prepared pursuant to Rule 403.2 (Section G), has been reviewed and approved by the MDAQMD. .

Operational Emissions

Long-term air emission impacts are those associated with stationary sources and mobile sources related to the proposed project. Under build out of the proposed development, the project would consist of 202 residential units on 249 acres. The stationary source emissions from these land uses would come from consumption of natural gas and electricity. Based on the traffic study prepared for this project, the proposed project would generate 1,933 vehicle trips per day. Emissions associated with these stationary and mobile sources were calculated with URBEMIS 2002 Project-related operational emissions do not exceed MDAQMD daily emissions thresholds.

The Final Environmental Impact Report (FEIR) prepared for the San Bernardino County General Plan identified that potential air quality impacts resulting from implementation of the General Plan would be "...significant and unmitigable." While the project-related emissions associated with the proposed project would cumulatively contribute to air quality emissions in a basin identified as "non-attainment" for NO_x and PM₁₀, these air quality impacts would no more significant than that previously identified in the FEIR. No new significant air quality

impact related to operational emissions will result from the development and occupation of the proposed residential uses.

- d). Vehicular trips associated with the proposed project would contribute to the congestion at intersections and along roadway segments in the project vicinity. The primary mobile source pollutant of local concern is CO. CO is a direct function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, school children, the elderly, hospital patients, etc.). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentration, modeling is recommended to determine a project's effect on local CO levels. The CO concentration for the year 2005 and year 2025 conditions at nine intersections in the project area was calculated. Although these calculations indicate the proposed project would contribute to increased CO concentrations at intersections in the project vicinity, when compared to the area's background ambient CO levels, potential impacts on sensitive receptors would be less than significant.
- e). With the exception of short-term construction-related odors (e.g., equipment exhaust, asphalt odors, etc.), the proposed residential uses do not include uses that are generally considered to generate offensive odors. Solid waste generated by the residential uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site would be adequately managed.

Development of the proposed project will result in the construction and occupation of residential units in close proximity to property utilized for animal husbandry. Potential effects associated with the close proximity of this use may include an increased incidence of odors generated from livestock. Because animal husbandry activities are existing and ongoing operations, potential residents would be well aware of these conditions prior to the purchase and/or occupation of the proposed residences. The proposed lot sizes also allow for some accessory animal husbandry, including horses, which would be compatible with the surrounding uses. In addition, the following mitigation measure will further reduce potential impacts in this area to a level below significance.

Mitigation:

III-3 Prospective property owners to the project area will be made aware in writing, via a Disclosure Statement and CC&Rs that animals are present in the area, and of the common nuisances associated with these agricultural uses.

With implementation of this measure, potential impacts related to this issue would be less than significant.

IV. BIOLOGICAL RESOURCES

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (check ___ if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Data Base):

The following analysis is based upon Biological Resources Report Apple Valley Residential Project (LSA Associates, Inc., September 2, 2003) which is available at the Planning Office in Victorville.

- a) A search of the California Department of Fish and Game’s (CDFG) Natural Diversity Data Base (Rarefind 2, 2001), and the California Native Plant Society’s (CNPS) Inventory of Rare and Endangered Vascular Plants of California (2001) was conducted to assist in the determination of the existence or potential occurrence of sensitive plant and animal species on or in the vicinity of the project site. This review indicated the potential occurrence of 30 special interest plant and animal species in the vicinity of the project site. Nine of these special interest species are listed as threatened or endangered by the United States Fish and Wildlife Service (USFWS) and/or the CDFG,

or are formally proposed or petitioned for listing. Because of the nature and/or condition of habitat on-site, none of the remaining 21 special interest species have more than a low probability of occurring on-site.

Desert tortoise (*Gopherus agassizii*)

The Mojave population of the desert tortoise was listed as a federally endangered species by emergency rule on August 4, 1989, and as a threatened species by final rule on April 2, 1990. The Mojave population includes all desert tortoises north and west of the Colorado River in California, southern Nevada, northwestern Arizona, and southwestern Utah. Federally designated critical habitat for the Mojave Desert population was finalized in February 1994, and includes portions of the Mojave and Colorado deserts that contain “the primary constituent elements and focuses on areas that are essential to the species’ recovery.” Mojave desert tortoises primarily inhabit creosote bush scrub, saltbush scrub, and Joshua tree woodland. Potential habitat for this species occurs throughout the project site. The project area is located in Desert Tortoise habitat category “3,” although no desert tortoise was detected during a full coverage, focused survey of the project site. Additionally, no extant populations of this species are known in the project vicinity. The closest desert tortoise occurrences reported in the NDDDB are from “...Fremont Valley south to the vicinity of Adelanto...” and “west side of Lucerne Lake at base of Granite Mountains...” Both of those locations are more than 10 miles from the project site. Given the negative results of the focused survey, the degree of development and disturbance in the project vicinity, and the lack of reported tortoise populations within approximately 10 miles of the project site, this species seems to be absent from the project site. The USFWS generally requires “zone-of-influence” (ZOI) surveys be conducted in undeveloped areas adjacent to the project site to ascertain the potential impact of the project to tortoises that may occur in adjacent areas. As no access was given to enter surrounding properties, ZOI surveys were not conducted

The findings of biological resource surveys are typically valid for one year. Because the age of the Biological Resource Assessment prepared for the project site exceeds one year, and did not include a survey of the “zone of influence” typically required by the USFWS, there is a potential that the desert tortoise may occupy the project site. This would be a potentially significant impact.

Mojave ground squirrel (*Spermophilus mohavensis*)

The Mojave ground squirrel is listed as threatened under the State Endangered Species Act. This species primarily inhabits creosote bush scrub and other low-lying desert scrub areas. Habitat throughout the site is marginal for this species due to the sparse shrub cover and high level of disturbance by livestock grazing and past agricultural use. In addition, no extant populations of this species are known east of the Mojave River in the project vicinity. The closest recorded observation reported to NDDDB is a 1931 record from 4 miles west of the site (across the Mojave River). The next closest known population is a 1955 record from 6 miles northeast of project site. While this species is considered to have a low probability of occurring on the project site, a focused trapping survey is typically required to conclusively determine the on-site presence or absence of this species. In the absence of a focused trapping survey, it must be assumed that this species is present on site. This would result in a potentially significant.

Western burrowing owl (*Athene cunicularia hypugea*)

On April 8, 2003, the CDFG Commission received a petition to list the western burrowing owl as State threatened or endangered. If the petition is formally accepted by the Commission, the burrowing owl will be protected as a “candidate” species until a final decision by the Commission relating to the petitioned action is made. This species is a ground-dwelling owl of grasslands, agricultural lands, and other open habitats characterized by low or sparse vegetation. Potential habitat for this species occurs throughout the project site. As no individuals, occupied burrows or other sign of this species were observed during the desert tortoise and general biological surveys of the site, this species is considered to have a low probability of occurring at the project site. Burrows discovered

during the Mojave desert tortoise focused surveys were inspected for signs of occupation by the western burrowing owl. No pellets, scat, whitewash, or tracks were observed. While no on-site evidence of the owl was detected on-site, because of the presence of suitable habitat and burrows on-site, a focused survey for this species will be required to ascertain the absence or presence of the burrowing owl from the project site prior to project construction.

The following measures were identified to reduce the significance of potential impacts to the desert tortoise, Mojave ground squirrel, and burrowing owl.

Mitigation Measures:

- IV-1 Prior to issuance of grading permits, the developer shall provide evidence to the County that focused desert tortoise and Mojave ground squirrel surveys have been conducted. The focused surveys shall be prepared in accordance with the survey protocols established by the United States Fish and Wildlife Service and/or California Department of Fish and Game. If no desert tortoise and no Mojave ground squirrel are identified during the focused survey, Mitigation Measure IV-3 shall apply. In the event one or both of these species are identified on-site, Mitigation Measure IV-4 shall apply.*
- IV-2 In lieu of Mitigation Measure IV-1 (focused surveys), the developer may assume that both the desert tortoise and Mojave ground squirrel are present within the project limits. In this case, the requirements of Mitigation IV-4 shall apply.*
- IV-3 If no desert tortoises or Mojave ground squirrel are identified during on-site focused surveys, the entire site shall then be immediately, completely, and adequately fenced after the surveys in order to prevent either species from entering the site prior to ground disturbance activities. "Adequately fenced" shall include desert tortoise exclusionary fencing (e.g., fine mesh [1/4" or smaller] material [hardware cloth, silt fence, snow fence, etc.] buried to at least 12 inches below the surface and 24" above ground) and positioned and maintained in a manner to prevent entry of either species on-site. Should the project site be graded in phases, the exclusionary fence shall encompass all areas outside the area of active grading.*
- IV-4 The developer shall mitigate for impacts to the desert tortoise and/or Mojave ground squirrel by purchase of credits in a habitat conservation bank approved for each/both species. The amount, location, and condition of any such property shall be established through consultation with and approval by the United States Fish and Wildlife and the California Department of Fish and Game. As established through consultation with the agencies, the developer shall provide funds (e.g., endowment) to contribute to the maintenance of mitigation lands. Prior to the issuance of grading permits, the developer shall provide to the County, evidence that it has satisfactorily met the permit and/or other requirements established by either agency.*
- IV-5 Within 14 days prior to proposed on-site site clearance or any earthmoving activities, a pre-construction clearance survey for the burrowing owl shall be conducted in accordance with current CDFG standards. Any western burrowing owls identified on-site shall be relocated prior to the commencement of grading activities. The relocation of any specimen shall be conducted per applicable CDFG and/or USFWS procedures. Relocation of on-site burrowing owls shall not be permitted during the nesting season for this species.*

Adherence to the aforementioned mitigation will reduce potential impacts to sensitive wildlife species to a less than significant level.

- b) The only natural community on the site is Joshua tree woodland, which is restricted to approximately 6 acres in a hilly area at the southeast corner of the site. Dominant species in the Joshua tree woodland include Joshua tree (*Yucca brevifolia*), cheesebush (*Hymenoclea salsola*), Russian thistle (*Salsola tragus*), Mediterranean schismus (*Schismus barbatus*), and filaree (*Erodium cicutarium*). Vegetation over the remainder of the site (approximately

243 acres) is ruderal due to the high level of disturbance. Dominant species in ruderal areas include London rocket (*Sisymbrium irio*), Russian thistle, Mediterranean schismus, and filaree – all non-native species. No riparian areas are located within the limits of the project site.

Because State or Federal agencies do not consider Joshua tree woodland a sensitive plant community, and because no riparian habitat is located on-site, no impact related to this issue will result from the construction or occupation of the proposed residential uses; therefore, impacts related to this issue would be less than significant.

- c) Most of the project site is currently used to graze cattle and was farmed in the past. The U.S. Geological Survey (USGS) topographic quadrangle *Apple Valley South, California* (1971, photo-revised in 1980), indicates that one blue-line drainage is located on-site. The depiction of a blue-line stream on a USGS map does not guarantee the presence of water on-site, nor does it grant either the United States Army Corps of Engineers (Corps) or the CDFG jurisdiction. During a site investigation, the area where the blue-line stream was identified was in fact a featureless plain supporting ruderal vegetation. No visible evidence of an Ordinary High Water Mark (OHWM) or a streambed was identified. Additionally, no evidence (OHWM, drift lines, debris racks, shelving, bed, bank, or channel) was documented where the blue-line drainage may have entered or exited the property.

While the project site is located approximately 0.40 mile east of the Mojave River, no waters subject to Corps, CDFG, or Regional Water Quality Control Board (RWQCB) jurisdiction occur on-site. Furthermore, no riparian or wetland features are located within the limits of the project site.

Therefore, impacts related to this issue would be less than significant.

- d) The project site has been impacted by agricultural, cattle ranching, and mass-grading activities. Because of its high level of disturbance, vegetation over the majority (98%) of the site consists of ruderal and non-native species. The project site is situated within a patchwork of scattered residences, agricultural operations, disturbed land, relatively undisturbed Mojave desert scrub, and is bounded on the west by Deep Creek Road and on the east by Mockingbird Avenue and a rail line. Because of the disturbed nature and degraded condition of the site, its use for ongoing grazing operations, and its proximity to developed uses, the project site does not serve as a significant wildlife movement corridor or act as native or migratory wildlife nursery site.

Therefore, potential impacts related to this issue are less than significant.

- e) San Bernardino County's Development Code (Desert Native Plant Protection Ordinance §89.0401 et seq.) regulates the removal of several species of native desert plants, including smoke trees (*Psoralea argophylla*) and mesquites (*Prosopis* spp.) that are 6 feet or greater in height or with stems 2 inches or greater in diameter, rings of creosote bush (*Larrea tridentata*) 10 feet or greater in diameter, as well as Joshua trees and other yuccas (*Yucca* spp.), nolinias (*Nolina* spp.), and agaves (*Agave* spp.). These regulations apply to the individual plants of these species, but do not regulate impacts to the species' habitats. Of these species, Joshua trees and Mojave yuccas (*Yucca schidigera*) occur on the project site. Additionally, the California Desert Native Plants Act (California Department of Food and Agriculture Code, §80001 et seq.) regulates the removal of many native tree and shrub species. Plant species found on the project site that are subject to the California Desert Native Plants Act include Joshua tree, Mojave yucca, and silver cholla (*Opuntia echinocarpa*).

An inventory of protected plants was conducted by LSA biologists in July 2003. Native desert plants were inventoried and were judged as transplantable or non-transplantable based on a variety of attributes. Of the 838 plants inventoried, 504 were Joshua trees (of which 238 were determined to be suitable for transplant and salvage efforts). The remaining 266 Joshua trees were determined to be not suitable to transplant. The plant survey also inventoried 319 silver/golden chollas (*Opuntia echinocarpa*) and 15 Mojave yuccas (*Yucca schidigera*).

Per the California Food and Agriculture Code, commercial harvesting of desert native plants must be authorized by the State Department of Food and Agriculture as specified by the Desert Native Plant Act. The San Bernardino County Agricultural Commissioner is responsible for the issuance of the appropriate tags, seals, and permits required by the State Department of Food and Agriculture. A salvage plan must be submitted to the Agricultural Commissioner's office for approval before tags are issued.

Impacts to the County and State protected desert plants may result from the construction and operation of the proposed residential uses are potentially significant. The following mitigation measures have been identified to reduce the significance of potential impacts to protected desert plants to a less than significant level.

Mitigation Measures:

IV-6 Prior to the commencement of construction activities, the project proponent shall provide to the County, a plot plan depicting the location of County and State protected desert plants. Prior to the approval or grading permits, the County and the project proponent shall determine the County and/or State protected plants that will be retained in place; removed for transplantation; and/or stockpiled on-site.

IV-7 Where Joshua trees suitable for relocation are located within proposed building areas, the affected trees shall be transplanted or stockpiled for future transplanting. The project proponent shall provide a written salvage plan providing evidence that the relocation or stockpiling of Joshua trees will be conducted in compliance with all applicable County policies. Such a plan shall be submitted to the County for review and approval prior to the issuance of grading permits.

Adherence to applicable provisions of the County's Desert Plant Protection Ordinance; State Desert Native Plants Act and the aforementioned mitigation will ensure that potential impacts associated with this issue will be reduced to a less than significant level.

- f) The Bureau of Land Management (BLM) is in the process of preparing the West Mojave Plan. The project site is not within any conservation area delineated in the Draft West Mojave Plan. Because the project site is not within a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan, no impact related to this issue will occur.

V. CULTURAL RESOURCES — Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (check if the project is located in the Cultural ___ or Paleontologic ___ Resources overlays or cite results of cultural resource review):

The following evaluation is based upon: Cultural and Paleontological Resources Assessment, Lewis Apple Valley Parcels, APNs 438-163-001 and 438-163-002, San Bernardino County, California (LSA Associates, Inc., June 20, 2003).

a-b) A records search was conducted through the San Bernardino Archaeological Information Center (AIC) at the San Bernardino County Museum, Redlands, in May 2003. California Historical Resources Information System cultural resource maps at the Information Center were checked for possible prehistoric and historic resources previously recorded within the project area. To supplement the California Historical Resources Information System data, a review was conducted of the National Register of Historic Places Index, Office of Historic Preservation Directory of Properties, and historic USGS topographic maps. Data from the AIC indicated that five cultural resource studies have been conducted within a one-half mile radius of the proposed project. One prehistoric archaeological site and two historical archaeological sites are known within a one-half mile radius of the project area, and one historical property (P36-030,002) has been recorded in the vicinity of project area. No cultural resources studies have been conducted within the project area. The foot survey of the project site revealed that most of the ground surface was exposed and had previously been disturbed. Ground visibility was good with some obstruction from native vegetation. The entire project site has been impacted by agricultural activities; the majority of the western tract surface appeared disturbed by agricultural grading/disking and the presence of cattle, while the eastern portion of the tract has been severely disturbed by mass grading. No cultural resource sites, features, or isolated artifacts were identified within the project boundaries during the survey.

Development of the tract will not affect any archaeological site or historic resource. Therefore, no further cultural resource investigations or monitoring are recommended for the proposed project. No impacts to archaeological or historic resources will result from the implementation of the proposed project.

c) The project area is in the southwestern portion of the Mojave Desert on sediments referred to as the "Victorville sequence" of fanglomerates. Recent geologic work on the sediments around the parcel suggests that they range in age from 1.95 to 0.8 million years, spanning the late Pliocene and early Pleistocene epochs.

The paleontological resources literature review was conducted using available references to identify sedimentary formations with paleontological resource sensitivity and fossil localities within the vicinity of the project site. The literature review affirmed the presence of sediments that have potential to contain significant, nonrenewable paleontological resources. The search recognized that the Pleistocene Older Alluvial sediments of the "Victorville sequence" are exposed in the bluffs on the eastern portion of the parcel, and probably underlie surficial Holocene sediments on the western portion. The Pleistocene Older Alluvial sediments have high potential for nonrenewable paleontological resources. The review also noted fossil localities in sediments mapped as similar to those on the parcel that occur to the north and west of the tract. These Pleistocene sediments have produced fossil small mammals and the remains of mammoth, horse, and camel. During the paleontological field assessment, the fossil ulna of a large species of kangaroo rat (*Dipodomys* sp.) was found in exposures created by excavation on the west face of the bluffs.

The records search, available geologic literature, and the field assessment indicated that the Lewis Apple Valley Tract contains sediments that have a high potential for containing remains of vertebrate fossils. The presence of sediments suitable to contain paleontological resources and the positive results of the literature review and the field survey reinforce the high potential for encountering significant nonrenewable vertebrate fossils during construction excavation.

Mitigation Measures:

V-1 The project proponent shall develop a Paleontological Resource Impact Program (PRIMP) prior to the initiation of ground disturbing activities. The PRIMP shall be designed to conform to the County's guidelines for the administration of the California Environmental Quality Act (CEQA) and those of the Society of Vertebrate Paleontology. The PRIMP shall include the following conditions:

- *A trained paleontological monitor shall be present during ground-disturbing activities within the project area in sediments determined likely to contain paleontological resources. The monitoring for paleontological resources shall be conducted on a full-time basis. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large or small fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.*
- *Upon encountering a large deposit of bone, salvage of all fossils in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. If small fossils are encountered, a standard 6,000 pound bulk matrix sample shall be collected from each locality.*
- *All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the volume and the storage cost for the developer. Processing includes screen washing of sediment to recover small vertebrate remains. The fossils from the project shall be housed in a museum repository for permanent curation and storage. Charges of a one-time curation and storage fee for paleontological materials are based on cubic footage.*
- *A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.*
 - *The report and inventory, when submitted to the lead agency, signifies the completion of the program to mitigate impacts to paleontological resources. The fossils from the project shall be housed in a museum repository for permanent curation and storage.*

- d) The project site is not located on or near an identified cemetery or burial ground. Therefore, impacts from this issue would be less than significant.

Compliance with the stated mitigation will reduce potential impacts to Cultural Resources to a less than significant level.

VI. GEOLOGY AND SOILS — Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 - 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (check ___ if project is located in the Geologic Hazards Overlay District):

The following analysis is based upon Draft Geotechnical Investigation Tract 16569 Apple Valley, California (LOR Geotechnical Group, Inc., August 13, 2003).

ai-ii) The closest known active fault to the project site is the Ord Mountain fault, which is identified as a fault segment of the North Frontal fault zone. The Ord Mountain fault is located approximately 1.3 miles southeast of the site. Other local faults include the Cleghorn fault (approximately 11.4 miles to the south), the Helendale fault (approximately 11.0 miles to the northeast), and the San Andreas fault (approximately 15.8 miles to the south-southwest). The North Frontal fault zone is believed capable of generating an earthquake magnitude of 6.0 to 7.1.

The Helendale and San Andreas faults are estimated capable of generating earthquake magnitudes of 6.5 to 7.3 and 7.5 or greater, respectively.

The historic seismicity of the local area consists of numerous small to medium earthquake events occurring around the project site. These events have been predominantly associated with the North Frontal fault zone. Although future moderate to large seismic events could occur very near the project site, current building codes should reduce this impact to a level below significance.

- aiii) The potential for liquefaction generally occurs in strong ground shaking within fine grained loose sediments where the groundwater is usually less than 50 feet below ground level. Seasonally high groundwater levels as shallow as 40 feet below existing ground level are present on the western portion of the site. Seasonal groundwater water levels on the eastern portion may be encountered at 75 feet below the existing ground surface. The older alluvial materials on the eastern third of the site are dense. Combined with a lower groundwater level, these soils are not anticipated to be susceptible to liquefaction. The western two-thirds of the site, being underlain by relatively loose to medium dense alluvial materials and shallower groundwater levels exhibits a potential for liquefaction to occur during seismic events. Current building standards and the project being located over a mile from any known fault line should reduce this impact to a level below significance.
- aiv) No evidence of mass movement failures such as landslides, rockfalls, or mudflows was observed on-site. Due to the low relief of the project site and the surrounding area, there is no potential for landslides to occur; therefore, no impact related to this issue will occur.
- b) The proposed project consists of the development of residential uses on 249 acres. The construction and occupation of the proposed residential units will require the alteration of the site's existing topography and the removal or relocation of existing topsoil. The alteration of the site's topography may facilitate or hasten the erosion of on-site soils. County Building and Safety will require project proponents to develop and adhere to an erosion control plan so impacts related to this issue should be less than significant.
- c) The Preliminary Geotechnical Investigation Report indicates liquefaction potential on the western two thirds of the project site. The County Geologist's review of the report indicates that further supplemental investigation be conducted to better delineate potential impacts and to specifically determine which lots (within the project area) would be affected, requiring mitigated building practices to reduce the potentially significant impact.

Mitigation:

- VI-1 Supplemental liquefaction investigation shall be conducted that includes Standard Penetration Testing (SPT) and Cone Penetrometer Testing (CPT) of the subsurface soils to better delineate the area of potential liquefaction and designate which lots will require structural mitigation.*
- VI-2 Mitigated building practices such as post-tensioned foundation systems shall be used as required on lots identified with liquefaction potential in VI-1.*
- VI-3 During grading soils shall be overexcavated and recompacted to result in construction of an engineered fill mat a minimum of 24 inches below the base of the proposed footings.*
- VI-4 Based upon the liquefaction potential, the recommended structural mitigation and the overexcavation requirement, this project will be **not** be suitable as a "lot sales project." The lots shall be mass graded and sold as a developer build out.*

Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.

- d) The materials encountered during the geotechnical investigation were observed to have a very low expansion potential. Specialized construction procedures to resist expansive soil activity are not anticipated to be required. Therefore, no impact related to this issue will occur.
- e) Soils within the project site have been mapped as Cajon Sand (0-2 percent slopes); Cajon Sand (2-9 percent slopes); Cajon Sand (9-15 percent slopes); and Cajon-Wasco, Cool Complex (2-9 percent slopes). These soils are very deep, with Cajon soils considered excessively drained and Wasco soils considered well drained.

The project proposes individual septic systems for each of the 202 homes. County Environmental Health will review the required percolation test information before approval; therefore, impacts from this issue should not be significant.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a-b) Development of the proposed project will result in the construction and occupation of single-family residential uses. The construction and occupation of the proposed project will likely require the limited use of common cleaning materials, paints, lubricants, fertilizers, pesticides and similar compounds. The proposed project does not

involve industrial or commercial uses requiring the large-scale use, sale, storage, transport, or disposal of hazardous materials. Impacts associated with the limited, small-scale use of household hazardous materials would not be significant.

- c) The project site is located approximately 1.0 mile east of Carmel Elementary School (Hesperia Unified School District) and 2.0 miles southeast of Mariana Elementary School (Apple Valley Unified School District). As stated in Responses VII a-b, the proposed project does not involve the large-scale use, storage, sale, transport, or disposal of hazardous materials. Therefore, no impacts resulting from hazardous materials emissions will occur within one-quarter mile of a school.
- d) The project site is not identified on the CAL/EPA Hazardous Waste and Substance Sites List (as summarized by the San Bernardino County Land Use Services Department); therefore, no impact related to this issue will occur.
- e-f) The proposed project site is located approximately 6.0 miles northeast of Hesperia Airport, approximately 8.0 miles south of Apple Valley Airport, and approximately 12.0 miles southeast of Southern California International Airport (the former George Air Force Base). The project site is not located within an airport land use plan; therefore, no impact related to this issue would occur.
- h) Although the transit of construction vehicles to or from the project site may temporarily limit and/or slow the passage of vehicles in the vicinity of the project site, this condition is expected to be extremely limited. There is more than one road in and out of the project vicinity so the impact on emergency response and evacuations should be less than significant.
- i) The project site is located within the Fire Safety Review Area 2 established by the County. The standard construction and defensible space area requirements for new homes constructed in Fire Safety Review Areas will mitigate the fire hazard to a level below significance.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a) The proposed project entails the construction of 202 single-family residential dwellings on 249 acres. Construction will require the use of construction equipment that increases the potential for the discharge (via spills or accidents) of fuel and other automotive fluids. Because of the limited nature of any such incident, potential impacts related to such an event would be less than significant.

Waste discharges include discharges of stormwater and construction project discharges. A construction project resulting in the disturbance of one acre or more requires an NPDES permit issued by the RWQCB Lahontan Region. Construction project proponents are also required to prepare an SWPPP (Storm Water Pollution Prevention Plan). By following BMPs (Best Management Practices) as specified by the NPDES permit and SWPPP during construction, potential impacts associated with this issue will be reduced to a less than significant level.

- b) According to the Department of Water Resources, the project site lies within the Upper Mojave River Groundwater Basin, encompassing approximately 645 square miles. Development of the project site (249 acres) will result in the construction of impermeable surfaces where there are currently none. Compared to the total recharge area of the groundwater basin, the installation of impermeable roadway surfaces, driveways, and building pads will not significantly reduce recharge capacity in the groundwater basin.

The Apple Valley Ranchos Water Company (AVRWC) is a member agency of the Mojave Water Agency (MWA). As the regional water planning agency within the adjudicated Mojave River Basin, the MWA assigns each purveyor a fee production allowance (FPA), the amount of water allowed to be withdrawn without payment of additional fees. The AVRWC pumps one hundred percent of its water from 22 wells located within the community, drawing from the Alto subunit of the Mojave ground water basin. The use of water within the basin is overseen by the Mojave River Basin Waterbasin. AVRWC's Free Production Allowance (FPA) for the 2003-2004 Water Year totaled 18,118 acre/feet (approximately 5,906,468,000 gallons). Verified production (the amount used by their current customers) during the same period totaled 15,711 acre/feet (approximately 5,121,786,000 gallons). Unused FPA totaled 2,408 acre feet (gallons 785,008,000 gallons). Based on AVRWC's residential water consumption data and the number of residential connections within the AVRWC service area, an average residential customer (dwelling) will utilize approximately 1,186 gallons of water per day. The 202 proposed residential uses would increase the demand for water within the AVRWC service area by approximately 239,572 gallons per day. While there is no maximum to the amount of water it is permitted to pump, the AVRWC would be required to pay to pump water in excess of its assigned FPA. As the water usage anticipated by the proposed on-site uses is within the AVRWC's FPA, and because a regional approach to groundwater usage has been developed and is overseen by the Mojave Basin Area Watermaster, no significant impact related to groundwater supplies will occur.

- c-d) Current surface runoff across the project site flows from the southeast to the northwest. The drainage corridor proposed on the Tentative Map is on the alignment proposed for improvement in the Apple Valley West/Desert Knolls Master Plan of Drainage. This drainage corridor orientation has been reviewed by San Bernardino County's Land Development Engineering Dept. and has met with their approval.

Therefore, impact regarding this issue should be less than significant.

- e) No data are available regarding the existing or proposed capacity of the project's stormwater systems. As previously stated, the construction of the proposed project will involve equipment and construction-related vehicular traffic which may increase incidental spills (automotive fluids and fuels). Implementation and adherence to the required SWPPP will reduce this impact to a level below significance.
- f) Implementation of the proposed project will result in the construction of impermeable surfaces (e.g., roadways, driveways, building pads) in an area currently unpaved and covered with native vegetation. The increase in impervious surface area will decrease infiltration of stormwater and may increase the aboveground surface flows,

especially during high-intensity or long-duration rain events. Storm runoff from paved surfaces tainted by sediment, petroleum products, commonly utilized construction materials and to a lesser extent, trace metals such as zinc, copper, lead, cadmium and iron, may lead to downstream degradation. However, with strict adherence to SWPPP standards and a minimum parcel size of over ½ acre, the impacts should be reduced to a level of non-significance.

- g-h) Based on Q3 Flood Data (Federal Emergency Management Agency, 1996), the project site is located outside the 100-year flood hazard area established for the Mojave River; therefore, the construction and operation of the proposed on-site uses would not be subject to (100-year) flood hazards. No impacts associated with this issue would occur.
- i) Although the project site is located within the inundation overlay relative to failure of the dam at Silverwood Lake, the project includes at least two (2) evacuation roads out. According to the County General Plan, the dam inundation overlay only prohibits critical, essential and high risk land uses. It does not preclude single-family residential development. The project does not include any critical, essential or high risk land use as defined in the General Plan so impact from this issue would not be potentially significant.
- j) The project will not be impacted by inundation by seiche, tsunami or mudflow because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is it in the path of any potential mudflow.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a) The project and the proposed use will not physically divide an established community because the project site is surrounded with existing rural development that is scattered and not a centralized population.
- b) The project site is located within the boundaries of the Sphere of Influence of the Town of Apple Valley. The Town responded to a project notice indicating that the proposal is inconsistent with their pre-zoning which calls for 2.5-acre minimum parcel size. Although the Town has requested that the County not support a project which does not conform to its lot size restrictions, infrastructure and development standards, the Town has also justified approving numerous housing developments with densities significantly higher than what is currently being proposed on this project site. Numerous letters of opposition to the project were also received from surrounding property owners who object to a change to 32,000-square foot lot sizes in their area. All surrounding properties are currently designated for 10-acre minimum parcels except the northeast side, which is designated for 2.5-acre minimum parcel size. Although the project currently is inconsistent with the County General Plan (i.e., agriculture land use district), project proponents have filed, as part of this development proposal, a General Plan Amendment which is the appropriate process (and application) to rectify that inconsistency.
- c) The project area is not covered by any adopted habitat conservation plan. The Bureau of Land Management (BLM) is in the process of preparing the West Mojave Plan. The project site is not within any conservation area delineated in the Draft West Mojave Plan. Because the project site is not within any adopted habitat conservation plan, no impact related to this issue will occur.

X. MINERAL RESOURCES — Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if project is located within the Mineral Resource Zone Overlay):

- a-b) The project site is not located within an identified Mineral Resource Zone (MRZ) Overlay. No known mineral resources are present on-site. Development of the proposed on-site uses would not result in the loss of any known locally or regionally important mineral resource; therefore, no impact related to this issue would occur.

XI. NOISE Would the project result in:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check if the project is located in the Noise Hazard Overlay District _____ or is subject to severe noise levels according to the General Plan Noise Element _____):

The following analysis is based upon a Noise Analysis Report, performed by LSA Associates, Inc., on September 28, 2004. The Noise Analysis includes a detailed description of the noise regulation requirements established by both the County of San Bernardino and the Town of Apple Valley.

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to noise. Rural residential properties exist adjacent to the project site in all directions. The closest existing residence is approximately 75 feet west of the project site on the opposite (west) side of Deep Creek Road. These sensitive land uses may be potentially affected by the noise generated during construction and operation of the proposed project. The primary existing noise sources in the project area are transportation facilities. Vehicle traffic on Deep Creek Road and train traffic on the adjacent Burlington Northern Santa Fe (BNSF) railroad tracks are the dominant sources of the area's ambient noise.

a, c) Traffic Noise

The County has noise standards of 45 and 60 dBA for internal and external residential uses, respectively. The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions along Deep Creek Road and other roadways in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resultant noise levels are weighted and

summed over 24-hour periods to determine the Community Noise Equivalent Levels (CNEL) values. The *Noise Analysis* lists future noise levels in the project vicinity and includes traffic noise levels for the year 2005 with and without the proposed project. Traffic noise levels would be low to moderate. Project-related traffic noise levels would increase by 13.7 dBA along Ocotillo Way east of Deep Creek Road. Although an increase of traffic noise levels by 3 dBA or more would normally be potentially significant, noise levels along Ocotillo Way will remain low with the 60 dBA CNEL contour within the roadway right-of-way. A traffic noise increase less than 3 dBA CNEL, for the other roadway segments, is considered a less than significant impact.

Under the year 2025 (with and without project), traffic noise levels would continue to be low to moderate. Project-related traffic noise levels would increase by 13.5 dBA along Ocotillo Way, and by 3.3 dBA along Tussing Ranch Road. However, noise levels along Ocotillo Way and Tussing Ranch Road will remain low with the 60 dBA CNEL contour within the roadway right-of-way. Therefore, the proposed project will not have any long-term traffic noise impacts on off-site sensitive receptors.

Proposed residential units along Deep Creek Road within 141 feet of the roadway centerline are within the 60 dBA CNEL impact zone. At this distance, the residences would be exposed to traffic noise levels of 64 dBA CNEL. Outdoor recreation activities on the fifteen lots along this roadway (lots 51-55, 61-62, 67, 68, 73-74, 79-80, and 85-86) would be exposed to roadway noise in excess of the County's exterior noise standard. The proposed development includes the installation of a perimeter wall along Deep Creek Road. Such a wall typically provides sound attenuation of 5 dBA or more when the direct line of sight to the traffic is blocked. With the construction of such a perimeter wall, exterior noise levels would be reduced to below County standards (64 dBA – 5 dBA = 59 dBA.)

The combination of exterior walls, doors, and windows, standard construction for Southern California buildings would provide more than 24 dBA in exterior to interior noise reduction with windows closed and 12 dBA or more with windows open. With windows or doors open, interior noise levels at these frontline dwelling units would exceed 45 dBA CNEL (i.e., 60 dBA – 12 dBA = 48 dBA). With windows and doors closed, interior noise levels in these units would be less than 45 dBA CNEL (60 dBA – 24 dBA = 36 dBA). Therefore, building façade upgrades such as double-paned windows with a sound transmission class (STC) rating higher than standard construction practice would not be required. Residential units within 224 feet of the roadway centerline would be exposed to traffic noise levels of 57 dBA CNEL. With windows or doors open, interior noise levels at these residences would still attain County noise threshold (i.e., 57 dBA – 12 dBA = 45 dBA). Typical construction in the region includes the installation of air-conditioning systems, which would allow sufficient noise attenuation to reduce potential interior noise to below County standards.

Because the proposed project will include the installation of a perimeter wall along Deep Creek Road, and with residential air conditioning units, traffic-related noise impacts will not exceed County exterior or interior noise standards.

Train Noise Impact

A BNSF railroad track exists adjacent to the project site. The centerline of the railroad track is approximately 80 feet east of the proposed residential uses. Based on information provided by the project applicant, the volume of train traffic on this line is negligible (no more than one train per day) when the line is in operation. Operation of the line occurs on an intermittent basis.

At a distance of 80 feet, the Federal Transportation Administration (FTA) estimates that a railroad line generates a noise level of 65 dBA CNEL. Twelve lots (lots 96-98, and 190-198) are located within 65 dBA contour. The 60 dBA contour extends to 172 feet from the centerline of the rail line. The development includes perimeter wall to be constructed between the rail line and the proposed residential lots. Such a wall typically attenuates noise by a minimum of 5 dBA. While exterior areas on these lots would be temporarily exposed to noise levels of dBA, the

sound attenuation provided by the intervening perimeter wall and the infrequent activity on the rail line will ensure potential train related noise impacts are less than significant.

- b) Construction of the project would not result in significant groundborne vibration or groundborne noise on properties adjacent to the project site. Furthermore, project operation would not generate significant groundborne noise and vibration. Therefore, no significant groundborne noise and vibration impacts would occur, and no mitigation measures are required.
- d) Short-term noise impacts would be associated with excavation, grading, and erecting of buildings on site during construction of the proposed project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area today but would no longer occur once construction of the project is completed. Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There will be a relatively high single-event noise exposure potential at a maximum level of 87 dBA CNEL with trucks passing at 50 feet.

The second type of short-term noise impact is related to noise generated during excavation, grading, and construction on the project site. Construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant. Typical maximum noise levels range up to 91 dBA at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three or four minutes at lower power settings.

Construction of the proposed project is expected to require the use of earthmovers, bulldozers, and water and pickup trucks. This equipment would be used on the project site. The maximum noise level generated by each earthmover on the proposed project site is assumed to be 88 dBA CNEL at 50 feet from the earthmover. Each bulldozer would also generate 88 dBA CNEL at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA CNEL at 50 feet from these vehicles. Each doubling of a sound source with equal strength increases the noise level by 3 dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case combined noise level at each individual residence during this phase of construction would be 91 dBA CNEL at a distance of 50 feet from the active construction area.

The closest existing residences in the vicinity of the project area are located 75 feet from the project construction areas. The closest residences may be subject to short-term noise reaching 87 dBA CNEL generated by on-site construction activities. Compliance with mitigation identified below will reduce the construction noise impacts to a less than significant level.

The following mitigations will reduce the significance of noise impacts associated with the occupation of proposed residential uses and the operation of existing facilities:

Mitigation Measures:

XI-1 Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday in accordance with the County of San Bernardino's standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

XI-2 During all site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

XI-3 The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

XI-4 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- e-f) The proposed project site is located approximately six miles northeast of Hesperia Airport, approximately eight miles south of the Apple Valley Airport, and approximately twelve miles southeast of Southern California International Airport (the former George Air Force Base). Due to the project's distance from the airports, no significant noise impacts are expected to affect the project site.

XII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a) Based on California Department of Finance 2005 population estimates, in unincorporated San Bernardino County, an average of 3,359 persons occupy each dwelling unit. The proposed project has 202 residential lots; therefore, the construction and operation of the proposed residential development may result in a direct population increase of 679 persons.

The project site is located in an unincorporated area of the County, within the Sphere of Influence of the Town of Apple Valley. It is intended the project site will be annexed into the AVRWC. Development of the proposed residential uses will require the extension of a waterline onto the site from the Jess Ranch development located approximately 1.5 miles north of the project site. The development of the proposed on-site uses will contribute to growth within this area of the County.

Off-site. Land uses along the alignment of the proposed waterline consist of existing residential uses and undeveloped properties. Currently properties fronting Poppy Road and Deep Creek Road are dependent on wells to provide potable water supplies. While the proposed extension of the waterline will facilitate the development of the project site, it will also accommodate existing residential development in the area by providing an alternative and secure supply of quality water. The decision to connect to the proposed water line lies with individual property owners. Based on the pattern of development in the region, whether properties are supplied by well water or water delivered through a pipeline, undeveloped will continue to be converted to residential uses. While the extension of the proposed waterline, and the availability of water, may facilitate construction on currently undeveloped properties located along the waterline alignment, such growth would represent a continuation of the present pattern of development.

On-site. The extension of the waterline will facilitate growth through an increase in on-site residential density. Under CEQA, the potential to induce growth is not considered necessarily detrimental, beneficial, or of significance to the environment. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. The intended water purveyor has stated it is able to provide water to the project site without adversely impacting existing service commitments. Additionally, potential impacts to other service providers can be reduced to a less than significant level through the adherence to established standards and/or payment of required fees. Potential environmental impacts associated with non-service issues are reduced to a less than significant level through the adherence to established service requirements and implementation of the

mitigation measures identified in this document. Because the project does not significantly effect the ability of local agencies to provide services, and because the environmental impacts associated with the proposed project have been reduced through the incorporation of mitigation measures, no significant impact associated with growth will result from the development of the proposed project.

- b) The proposed project site is currently utilized for the grazing of cattle. Residential uses are proposed within the project site; therefore, no displacement of housing will result from the proposed development. No impact associated with this issue will occur.
- c) The proposed use will not displace any people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents. The proposed residential use will actually add more housing to the area, so no impacts associated with this issue will occur.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental need for new facilities, 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 or any of the public services:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

ai) While the project site is within the State Responsibility Area (SRA) of the California Department of Forestry (CDF), fire protection services to the project site will be provided by the Apple Valley Fire Protection District (AVFPD), from Station 334, located at 12134 Kiowa Road. Station 334 is manned twenty-four hours a day by a crew consisting of one captain, one engineer, and one firefighter/paramedic. Equipment based at Station 334 consists of one Type I engine (for structure fires) and one Type 3 engine (for brush fires). The project site is located within the 5 minute response radius of Station 334. The AVFPD maintains a mutual aid response agreement with the San Bernardino County Fire Department (SBCFD) and the CDF.

Development of the proposed residential uses may result in an increased demand for fire protection services. The AVFPD has established standard conditions that are imposed on new development within its service area. The proposed project will be designed per applicable standards required by the AVFPD. Additionally, the project proponent will be required to pay required fees to offset fire protection impacts that may result from the development and occupation of the proposed residential uses. Adherence to these standards and the payment of required fees will reduce potential impacts related to the procurement of fire protection services to a less than significant level.

aii) Law enforcement services to the project site will be provided by the San Bernardino County Sheriff's Department (SBSD), from the Victor Valley Station, located at 14455 Civic Drive in the City of Victorville. The Victor Valley Station serves as the command station for SBSD operations in the unincorporated areas of the Victor Valley and the surrounding region, including the project area.

Development of the proposed residential uses may result in an increased demand for police protection services. The proposed project will be designed per applicable standards required by the SBSB for new development. Additionally, the project proponent may be required to pay required fees to offset law enforcement impacts that may result from the development and occupation of the proposed residential uses. Adherence to these standards and the payment of required fees will reduce potential impacts related to the procurement of law enforcement services to a less than significant level.

- aiii) The construction and occupation of the proposed residential uses will increase the student population of the Apple Valley Unified School District (AVUSD). The AVUSD utilizes a student generation factor of 0.7 student per dwelling units. Based on the number of residential units proposed, at build out of the project site, the student population of the AVUSD would increase by approximately 141 students.

Government Code Section 65995(b) establishes the base amount of allowable developer fees, and allows increases in the base fee every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. The AVUSD currently requires payment of Level 2 fees, which totals \$2.14 per foot for residential development. With payment of the AVUSD's required Development fee, no significant impact on school facilities and services is expected to occur.

- aiv) The County of San Bernardino has established a policy (General Plan Policy OR-46a) requiring new residential development to provide local park and recreation facilities at a rate of not less than 3.0 acres per thousand population. This requirement may be met either through the dedication of lands, the payment of fees, or both. Because the project is located within the Town of Apple Valley's park district, project proponents will be required to pay Quimby fees to reduce the impact on parks to a level below significance.
- av) The proposed project will increase the local population, which may incrementally increase the demand for medical or public social services. As these services are typically demand-responsive and, because existing facilities service any such demand, any potential impact resulting from the development and occupation of the residential uses will be less than significant.

The construction of over 25,000 linear feet of roadways and the installation of utility infrastructure will incrementally increase maintenance requirements for these facilities. The County of San Bernardino requires a Fiscal Impact Analysis (FIA) (General Plan Policy LU-8a) of required services and infrastructure including both short and long-term financing mechanisms and/or strategies to evaluate this potential impact.

XIV. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a) The nearest recreation facility to the project site is Mendell Park, located on Tussing Ranch Road, approximately 1.9 miles northeast of the project site in the Town of Apple Valley. Mendell Park provides two turf fields, a playground, and small picnic area. Hesperia Lake Park and Nature Center, is located approximately 2.5 miles southwest of project site on Arrowhead Lake Road in the City of Hesperia. Recreation facilities at Hesperia Lake include fishing, camping, picnicking, and a playground. The development of the project site with residential uses may increase the local population by up to 679 persons. Persons residing within the project site may utilize these park facilities. This significant increase in the use of these facilities could result in accelerated deterioration of these park or recreation facilities.

The project is located within the Town of Apple Valley Park District. In order to mitigate this impact, the project shall be subject to the imposition on the Park District’s Quimby fees. Payments of these fees will reduce this impact to a level below significance.

b) This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment; therefore, no impact from this issue will occur.

Mitigation Measure:

XIV-1 Prior to issuance of building permits for each unit, the developer will submit proof of payment to the Apple Valley Recreation and Park District of a park mitigation fee. The fee value will be determined by County Planning in consultation with Apple Valley Recreation and Park District and shall be reevaluated every two years to be increased in accordance with consumer price index for the region. The fee will be of a sufficient amount to mitigate park-related impacts of the project (est. pop. = 679), utilizing the formula specified by San Bernardino County Code Section 811.0310(f) and fulfilling the County General Plan guideline of 3 acres of developed park per 1,000 projected project population.

XV. TRANSPORTATION/TRAFFIC

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

The following analysis is based upon Traffic Impact Analysis Tentative Tract 16569 San Bernardino County, California (LSA Associates, Inc., September 10, 2004), available at the County’s Public Service Counter in Victorville.

a-b) The Traffic Impact Analysis report was accepted and reviewed by San Bernardino County Traffic Division. The report finds that the proposed project will contribute to significant cumulative traffic impacts at the following intersections:

- Main Street/Rock Springs Road; and.
- Deep Creek Road/Bear Valley Road..

To mitigate for potential project-related traffic impacts the following mitigation has been identified:

Mitigation Measures:

XV-1 Prior to the approval of building permits, the project developer shall provide fair-share contributions for those improvements detailed in the Traffic Impact Analysis prepared for the proposed project. The contribution

required by the developer shall be as established in the Traffic Impact Analysis and/or upon consultation with the County.

The total Project Fair Share Contribution cited in the TIA is \$23,326. Therefore, project proponents will be required to pay \$23,326 to the Department of Public Works prior to issuance of building permits. This will reduce potential impacts in this area to a level of less than significant.

- c) The proposed project site is located approximately 6 miles northeast of Hesperia Airport, approximately 8 miles south of Apple Valley Airport, and approximately 12 miles southeast of Southern California International Airport (the former George Air Force Base). The project site is not located within an airport land use plan. The proposed residential use would not interfere with the pattern or volume of air traffic at any air facility. Therefore, no impact related to this issue would occur.
- d) Although the Traffic Study conducted for this project states that two intersections in the immediate vicinity are already operating below the intended level of service, the County Traffic Division has provided mitigation measures so that potential impacts in this area will be less than significant (see XV a,b).
- e) Apple Valley and County Fire Protection Districts require cul-de-sac streets shall not exceed 600 feet. This length is based on the emergency vehicle maneuverability and response time for emergency services. The proposed project contains nine (9) such cul-de-sacs that exceed this requirement, therefore mitigation is required.

Mitigation:

XV-2 All dwellings within cul-de-sacs that extend beyond 600 feet maximum length shall be constructed with an A 13AD automatic fire sprinkler system. Plans and fees shall be submitted to the Fire District by a licensed C-16 contractor. Sprinkler work may not commence until approved plans and permits have been issued by the Fire District.

- f) The San Bernardino Development Code has established standards governing the manner parking is provided for residential uses. Adherence to applicable residential parking standards will ensure no impact related to this issue will occur. No mitigation is required.
- g) The proposed use will not conflict with applicable County standards, which support and/or facilitate alternative means of transportation; therefore, no impact associated with this issue will occur.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with Federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a) The project proposes using individual septic systems for 202 new homes. The Regional Water Quality Control Board requires a maximum of two (2) houses per acre with which the project does comply. The County Environmental Health Services requires percolation tests to determine compliance with siting criteria for the use of individual septic tank disposal systems. Adherence to applicable requirements pertaining to the design, siting, construction, and maintenance of septic systems will reduce potential impacts related to this issue to a less than significant level.
- b) It is intended the project site will be annexed into the Apple Valley Ranchos Water Company (AVRWC). Development of the proposed residential uses will require the extension of a waterline onto the site from the Jess Ranch development located approximately 1.5 miles north of the project site. Construction and installation of this waterline will occur entirely within existing utility easements so no impact will occur.

- c) The project will require the construction of a drainage corridor to handle stormwater run-off. Construction of the corridor will be in accordance with applicable construction standards and specifications. Adherence to these standards and the SWPPP will reduce impacts in this area to a level below significance.
- d) The project is not currently located within the service area of a water purveyor. Project proponents intend to receive water service from AVRWC, a mutual water company governed by the State Department of Corporations. In order to receive service from a mutual water company, the project applicant would need to have "water shares" within the company as well as clearance by the Public Utilities Commission.

Development within the service area of the AVRWC would then be subject to standard service conditions established by the AVRWC to ensure the continued delivery of water of sufficient supply and quality to meet the demand. Prior to development of the proposed residential uses, the project applicant would be required to meet all applicable service requirements established by the AVRWC, the MWA and/or other water service providers. Adherence to such requirements will ensure potential impacts associated with water supply are minimized to a less than significant level.

- e) Wastewater treatment for the project site will be provided by individual septic systems. The construction and occupation of the proposed residential uses will not increase the flow of wastewater to any existing wastewater treatment system; therefore, no impact related to the capacity to existing wastewater treatment systems will occur.
- f-g) Based on generation factors collected from California Integrated Waste Management Board (CIWMB), each resident of unincorporated San Bernardino County generate approximately 4.0 pounds of solid waste per day. Based on this generation factor, occupation of the proposed residential development will result in the generation of approximately 2,716 pounds (1.36 tons) of solid waste per day. Solid waste from the project site would be transported either by a contracted solid waste hauler (AVCO Disposal) to the Victor Valley Material Recycling Facility and Transfer Station, located at the northwest corner of Abbey Lane and "B" Street. This transfer station is permitted to accept 600 tons of solid waste per day. The volume of solid waste generated by the proposed on-site uses is significantly less than the permitted capacity of this facility. From the transfer station, solid waste from the proposed project would be transported to Victorville Refuse Disposal Site on Stoddard Wells Road in Victorville. This landfill is permitted to accept 1,600 tons of solid waste per day and currently accepts approximately 707 tons per day (2002). Daily surplus capacity at this landfill is 893 tons per day. The amount of solid waste generated daily from the proposed project represents less than one percent (0.15 percent) of the landfill's current daily surplus capacity; therefore, a significant impact would not occur. The transport and disposal of solid waste generated by the proposed project will be conducted in accordance with all applicable local, state, and federal solid waste standards as well as provisions/programs related to recycling. Therefore, no impact from this issue would occur.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- a) The project does not appear to have the potential to significantly degrade the overall quality of the regions’ environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Potential impacts to listed and sensitive animal and County protected plant species are reduced to a less than significant level through the implementation of mitigation. There are no identified historic or prehistoric resources identified on this site. Mitigation has been identified to address potential impacts to any archaeological or paleontological resources identified during construction the project.
- b) The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. Increases in the number of persons and dwelling units is consistent with the continuing growth trends identified in the Victor Valley region.
- c) The project will not result in significant environmental that will adversely impact human beings, either directly or indirectly. Only minor increases in traffic, emissions and noise will be created by implementation of the proposed project. These potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse affects upon the region, the local community or its inhabitants. As stated previously, the project will be conditioned to adhere to applicable design, development, and operational requirements established by the County, and as applicable, the requirements of other responsible entities. The proposed project will additionally be required to fully implement the mitigation measures identified

in this Initial Study. Through adherence to established standards and requirements, and the implementation of the aforementioned mitigation measures, all potentially significant impacts associated with the construction and operation of the proposed project have been reduced to a less than significant level.

Mitigation Measures

- I-1** *All lighting on-site shall adhere to the Glare and Outdoor Lighting - Mountain and Desert Areas Performance Standards contained in the County's Development Code, Section 87-0921. In accordance with the ordinance, the lighting shall be positioned and shielded to prevent any light pollution or light trespass.*
- III-1** *The construction and grading documents prepared for the proposed project shall state that Tier 1 equipment will be utilized during all on-site construction and grading activities.*
- III-2** *Prior to the issuance of grading permits, the developer shall submit to the County for review and approval, a Fugitive Dust Control Plan. This Plan shall incorporate the fugitive dust control measures identified in MDAQMD Rule 403.2 as well as any other applicable measures identified by the County. The Plan will indicate methods of temporary and long-term dust control. Such measures shall include, but not be limited to:*
- The project proponent shall ensure that construction equipment is properly maintained and serviced to minimize exhaust emissions.*
 - The project proponent shall ensure that existing power sources are utilized where feasible via temporary power lines to avoid on-site power generation.*
 - The project proponent shall ensure that construction employees be informed of ride sharing and transit opportunities.*
 - The project proponent shall ensure that any portion of the site to be graded shall be prewatered prior to the onset of grading activities.*
 - The project proponent shall ensure that watering of the site or other soil stabilization methods shall be employed on an ongoing basis after the initiation of any on-site grading activity. Portions of the site that are actively being graded shall be watered regularly to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.*
 - The project proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.*
 - To reduce the potential for wind erosion, the project proponent shall ensure that landscaped areas are installed upon completion of grading operations.*
 - The project proponent shall ensure the cleanup of construction-related dirt on any paved approach routes to the project site.*
 - The project proponent shall ensure that all grading activities are suspended when wind speeds exceed 25 miles per hour.*
- In lieu of preparation of a Fugitive Dust Control Plan, the developer may submit evidence to the County that an Alternative PM₁₀ Control Plan (ACP) prepared pursuant to Rule 403.2 (Section G), has been reviewed and approved by the MDAQMD.*
- III-3** *Prospective property owners to the project area will be made aware in writing, via a Disclosure Statement and CC&Rs that animals are present in the area, and of the common nuisances associated with these agricultural uses.*

- IV-1 Prior to issuance of grading permits, the developer shall provide evidence to the County that focused desert tortoise and Mojave ground squirrel surveys have been conducted. The focused surveys shall be prepared in accordance with the survey protocols established by the United States Fish and Wildlife Service and/or California Department of Fish and Game. If no desert tortoise and no Mojave ground squirrel are identified during the focused survey, Mitigation Measure IV-3 shall apply. In the event one or both of these species are identified on-site, Mitigation Measure IV-4 shall apply.*
- IV-2 In lieu of Mitigation Measure IV-1 (focused surveys), the developer may assume that both the desert tortoise and Mojave ground squirrel are present within the project limits. In this case, the requirements of Mitigation IV-4 shall apply.*
- IV-3 If no desert tortoises or Mojave ground squirrel are identified during on-site focused surveys, the entire site shall then be immediately, completely, and adequately fenced after the surveys in order to prevent either species from entering the site prior to ground disturbance activities. "Adequately fenced" shall include desert tortoise exclusionary fencing (e.g., fine mesh [1/4" or smaller] material [hardware cloth, silt fence, snow fence, etc.] buried to at least 12 inches below the surface and 24" above ground) and positioned and maintained in a manner to prevent entry of either species on-site. Should the project site be graded in phases, the exclusionary fence shall encompass all areas outside the area of active grading.*
- IV-4 The developer shall mitigate for impacts to the desert tortoise and/or Mojave ground squirrel by purchase of credits in a habitat conservation bank approved for each/both species. The amount, location, and condition of any such property shall be established through consultation with and approval by the United States Fish and Wildlife and the California Department of Fish and Game. As established through consultation with the agencies, the developer shall provide funds (e.g., endowment) to contribute to the maintenance of mitigation lands. Prior to the issuance of grading permits, the developer shall provide to the County, evidence that it has satisfactorily met the permit and/or other requirements established by either agency.*
- IV-5 Within 14 days prior to proposed on-site site clearance or any earthmoving activities, a pre-construction clearance survey for the burrowing owl shall be conducted in accordance with current CDFG standards. Any western burrowing owls identified on-site shall be relocated prior to the commencement of grading activities. The relocation of any specimen shall be conducted per applicable CDFG and/or USFWS procedures. Relocation of on-site burrowing owls shall not be permitted during the nesting season for this species.*
- IV-6 Prior to the commencement of construction activities, the project proponent shall provide to the County, a plot plan depicting the location of County and State protected desert plants. Prior to the approval or grading permits, the County and the project proponent shall determine the County and/or State protected plants that will be retained in place; removed for transplantation; and/or stockpiled on-site.*
- IV-7 Where Joshua trees suitable for relocation are located within proposed building areas, the affected trees shall be transplanted or stockpiled for future transplanting. The project proponent shall provide a written salvage plan providing evidence that the relocation or stockpiling of Joshua trees will be conducted in compliance with all applicable County policies. Such a plan shall be submitted to the County for review and approval prior to the issuance of grading permits.*
- V-1 The project proponent shall develop a Paleontological Resource Impact Program (PRIMP) prior to the initiation of ground disturbing activities. The PRIMP shall be designed to conform to the County's guidelines for the administration of the California Environmental Quality Act (CEQA) and those of the Society of Vertebrate Paleontology. The PRIMP shall include the following conditions:*
- A trained paleontological monitor shall be present during ground-disturbing activities within the project area in sediments determined likely to contain paleontological resources. The monitoring for paleontological*

resources shall be conducted on a full-time basis. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large or small fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.

- Upon encountering a large deposit of bone, salvage of all fossils in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. If small fossils are encountered, a standard 6,000 pound bulk matrix sample shall be collected from each locality.
- All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the volume and the storage cost for the developer. Processing includes screen washing of sediment to recover small vertebrate remains. The fossils from the project shall be housed in a museum repository for permanent curation and storage. Charges of a one-time curation and storage fee for paleontological materials are based on cubic footage.
- A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.
 - The report and inventory, when submitted to the lead agency, signifies the completion of the program to mitigate impacts to paleontological resources. The fossils from the project shall be housed in a museum repository for permanent curation and storage.

VI-1 Supplemental liquefaction investigation shall be conducted that includes Standard Penetration Testing (SPT) and Cone Penetrometer Testing (CPT) of the subsurface soils to better delineate the area of potential liquefaction and designate which lots will require structural mitigation.

VI-2 Mitigated building practices such as post-tensioned foundation systems shall be used as required on lots identified with liquefaction potential in VI-1.

VI-3 During grading soils shall be overexcavated and recompacted to result in construction of an engineered fill mat a minimum of 24 inches below the base of the proposed footings.

VI-4 Based upon the liquefaction potential, the recommended structural mitigation and the overexcavation requirement, this project will be **not** be suitable as a "lot sales project." The lots shall be mass graded and sold as a developer build out.

XI-1 Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday in accordance with the County of San Bernardino's standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

XI-2 During all site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

XI-3 The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

XI-4 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

XIV-1 Prior to issuance of building permits for each unit, the developer will submit proof of payment to the Apple Valley Recreation and Park District of a park mitigation fee. The fee value will be determined by County

Planning in consultation with Apple Valley Recreation and Park District and shall be reevaluated every two years to be increased in accordance with consumer price index for the region. The fee will be of a sufficient amount to mitigate park-related impacts of the project (est. pop. = 679), utilizing the formula specified by San Bernardino County Code Section 811.0310(f) and fulfilling the County General Plan guideline of 3 acres of developed park per 1,000 projected project population.

XV-1 Prior to the approval of building permits, the project developer shall provide fair-share contributions for those improvements detailed in the Traffic Impact Analysis prepared for the proposed project. The contribution required by the developer shall be as established in the Traffic Impact Analysis and/or upon consultation with the County.

XV-2 All dwellings within cul-de-sacs that extend beyond 350 feet maximum length shall be constructed with an A 13AD automatic fire sprinkler system. Plans and fees shall be submitted to the Fire District by a licensed C-16 contractor. Sprinkler work may not commence until approved plans and permits have been issued by the Fire District.

REFERENCES (List author or agency, date, title) (add technical reports, farmlands map, etc.)

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