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1.0 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This document is an Initial Study (IS) and Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act (CEQA) for the Old Town Specific Plan project (proposed project; OTSP; Specific Plan, Plan). This MND has been prepared in accordance with CEQA, Public Resources Code Sections 21000 et seq., and the CEQA Guidelines found in Chapter 14 of the California Code of Regulations.

An Initial Study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines, Section 15064(a)(1), an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the environment. A mitigated negative declaration may be prepared if the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (CEQA Guidelines, Section 15064(f)(2)). According to CEQA Guidelines Section 15070, a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

a) The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

b) The Initial Study identified potentially significant effects, but:

   (1) Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed mitigated negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

   (2) There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose…" In this case, the City of Victorville (City) is the lead agency for the OTSP.

1.2 TECHNICAL STUDIES

A Traffic Study, a Market Study with a Demographics Analysis and a Cultural Resource Records Serach Report have been prepared as part of this IS/MND.

1.3 ABBREVIATIONS USED

The following abbreviations have been used in the preparation of this IS/MND:

- Assembly Bill (AB)
- best management practice (BMP)
- Bureau of Land Management (BLM)
- Burlington Northern Santa Fe (BNSF)
- California Air Resources Board (CARB)
- California ambient air quality standards (CAAQS)
- California Clean Air Act (CCAA)
- California Code of Regulations (CCR)
- California Department of Fish and Game (CDFG)
- California Department of Transportation (Caltrans)
- California Endangered Species Act (CESA)
- California Environmental Protection Agency (CalEPA)
- California Environmental Quality Act (CEQA)
- California Natural Diversity Database (CNDDB)
- California Native Plant Society (CNPS)
- California Wildlife Habitat Relationships (CWHR)
- carbon dioxide (CO_2)
- carbon dioxide equivalent (CO_2e)
- carbon monoxide (CO)
- Certified Unified Program Agency (CUPA)
- Clean Air Act (CAA)
- Clean Water Act (CWA)
- Code of Federal Regulations (CFR)
- Community Noise Equivalency Level (CNEL)
- Comprehensive Land Use Plan (CLUP)
- Congestion Management Program (CMP)
- decibel (dB)
- decibel, A-weighted (dBA)
- Department of Conservation (DOC)
- Department of Toxic Substances Control (DTSC)
- Endangered Species Act (ESA)
- environmental impact report (EIR)
- Farmland Mapping and Monitoring Program (FMMP)
- Federal Emergency Management Agency (FEMA)
- Federal Transit Administration (FTA)
- Fish and Game Code (FGC)
- greenhouse gas (GHG)
- inches per second (in/sec)
- Initial Study (IS)
- interstate (I, as in I-15)
- leaking underground storage tank (LUST)
- level of service (LOS)
- methane (CH_4)
- Migratory Bird Treaty Act (MBTA)Mitigated Negative Declaration (MND)
- Mojave Desert Air Basin (MDAB)
- Mojave Desert Air Quality Management District (MDAQMD)
- Mojave Water Agency (MWA)
- national ambient air quality standards (NAAQS)
- National Environmental Policy Act (NEPA)
- National Pollutant Discharge Elimination System (NPDES)
- nitrogen dioxide (NO_2)
- nitrogen oxide (NOx)
- nitrous oxide (N_2O)
- Old Town Specific Plan (OTSP)
- Ozone Attainment Plan (OAP)
- particulate matter (PM)
- peak particle velocity (PPV)
- reactive organic gas (ROG)
- Regional Water Quality Control Board (RWQCB)
- Senate Bill (SB)
- Southern California Logistics Airport (SCLA)
- Spills-Leaks-Investigations-Cleanups (SLIC)
- State Implementation Plan (SIP)
- State Route (SR)
- State Water Project (SWP)
- State Water Resources Control Board (SWRCB)
- Stormwater Management Plan (SWMP)
- stormwater pollution prevention plan (SWPPP)
- sulfur dioxide (SO_2)
- underground storage tank (UST)
- U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (EPA)
- U.S. Fish and Wildlife Service (USFWS)
- Victor Valley Water Reclamation Authority (VVWRA)

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

Regional Location

The Old Town Specific Plan project area is located in the City of Victorville in San Bernardino County, California (**Figure 1**). San Bernardino County covers 20,160 square miles in southeast California. The county is bordered by Inyo County to the north, the states of Nevada and Arizona to the east, Riverside County and Orange County to the south, and Los Angeles County and Kern County to the west. Approximately 90 percent of the county is desert; the remainder consists of the San Bernardino Valley and the San Bernardino Mountains. Interstate 15 (I-15) traverses all three regions of the county (Valley, Mountain, and Desert), generally in a north-south direction. The most urbanized portion of the county, the Valley Region, is also interconnected with Los Angeles County to the west by Interstate 10 and Interstate 210. Interstate 40 from its intersection with I-15 in Barstow to Interstate 10 provides an intermediate east-west connector between I-10 and I-15. These interstate freeways serve as the regional transportation network (URS 2006, p. III-1).

Victorville is located along I-15, approximately 90 miles northeast of the City of Los Angeles and 30 miles north of the City of San Bernardino. Adjacent communities include the Town of Apple Valley to the east, the City of Adelanto to the west, and the City of Hesperia to the south. Victorville is located within the Mojave Desert region of the county, which consists of an assemblage of mountain ranges interspersed with long, broad valleys. The high desert climate zone experiences all four seasons and ranges from temperatures below freezing in the winter months to over 100 degrees in the summer months. Historic Route 66 passes through the center of the city and bisects the OTSP project area.

Project Area Location

The OTSP project area comprises approximately 428 acres and is located in the northeastern portion of the city, between I-15 and the eastern boundary of the city. The project area encompasses all of the historic Old Town of Victorville, which is bounded by 11th Street, Forrest Avenue, Interstate 15, and the Burlington Northern Santa Fe (BNSF) Railroad. In addition to Old Town, the project area includes the area north of the railroad tracks and the 7th Street corridor gateway leading into Old Town (**Figure 2**).

The OTSP project area contains a mix of land uses, including residential, retail, restaurant, office, service, light industrial, community, and open space. The historic Old Town portion of the project area is characterized by small lots, compact form, and a network of gridded streets and alleyways. A number of locally designated historic buildings, including the Old Victor School, and cultural sites, such as the Route 66 Museum, are located in the historic Old Town. Land uses along the 7th Street corridor include specialty stores, auto repair uses, restaurants, and small office uses. The Victor Valley Transportation Authority building and Amtrak station are both located at the intersection of D and 6th streets within the OTSP project area. The Mojave River is adjacent to the BNSF railroad tracks.

2.2 PROJECT BACKGROUND AND HISTORY

Originally formed around a stage line that later became part of Route 66, Old Town functioned as the city's downtown until the mid-1960s when the construction of the I-15/Palmdale Road/7th Street intersection created an easily accessible intersection to which Old Town commercial

businesses began to relocate. Additional dispersal of commercial businesses to other regional transportation routes, as well as the closure of George Air Force Base in 1992, further contributed to vacant and deteriorating commercial structures in Old Town.

In 1995, the City Planning Division prepared, and the City adopted, a Specific Plan for the Old Town area (1995 OTSP) in order to facilitate the revitalization of the area. The 1995 OTSP acknowledged that Old Town could not compete with regional shopping centers and would not function as a downtown. The 1995 OTSP was intended to implement the Old Town Community Plan Element (since removed) of the City's General Plan and included the following Vision Statement:

> The key to revitalization of the Old Town is to create an atmosphere which attracts people, activities and commerce back to the area. The Old Town cannot compete with regional shopping centers, nor will it function as a downtown. The Old Town must rely upon and emphasize existing infrastructure and lot configuration to create a pedestrian-oriented environment unique to the Victorville Valley.

The 1995 OTSP identified 7th Street as the focal point of Old Town, with ground-floor retail commercial and residences above. Highway 18 was viewed as the primary transportation corridor, lined with commercial uses. A mix of residential types was focused on the streets behind 7th Street and Highway 18.

In November of 2003, the City of Victorville began a planning process to determine how and where to stimulate development and revitalization in Old Town. Out of that process came the 2007 Old Town Victorville Strategic Action Plan. The Strategic Action Plan identified a vision for Old Town focused on 7th Street as the heart of Old Town, with streetscape improvements, new mixed-use development, and infill housing to propel the transformation of Old Town into a pedestrian-oriented environment that fosters a sense of identity and place.

The currently proposed OTSP represents an update to the 1995 OTSP, developed loosely based on the 1995 OTSP, and directly based from the 2007 Strategic Action Plan, three community workshops in 2017 and 2018 on vision, land use and circulation, and current findings from economic, circulation, and urban design analyses. Both the 1995 Specific Plan and the 2007 Strategic Action Plan had a smaller geographic focus than the currently proposed OTSP, focusing only on the Old Town core. The proposed OTSP expands the project area to include the 7th Street corridor to the south of the traditional Old Town core and the area north of the BNSF railroad tracks. **Figure 2** shows the OTSP project area boundaries.

2.3 PROJECT OBJECTIVES

The OTSP represents a blueprint for growth anticipated under the City's General Plan for the OTSP project area over the next 20 years. The purpose of the OTSP is to serve as a tool for redevelopment of the OTSP project area and to present an opportunity to transform the area into a unique, vibrant, mixed-use focal point for the region. The objectives of the OTSP are as follows:

- **Honor heritage**
    - Celebrate Victorville's Route 66 heritage by integrating modern interpretations of past elements into new development standards, signage, and streetscape elements.
    - Define 7th Street as the main street of Old Town that serves both tourists and locals with ground-floor shops and businesses and second-floor residential units.

Be inviting to pedestrians

- Calm 7th Street by reducing lanes and adding parking and curb bulb-outs, therefore diverting higher-speed commuter traffic onto Hesperia Road to create a more serene and pedestrian-friendly Old Town atmosphere.
- Transition 7th Street from an auto-oriented and "bigger-box" corridor to a walkable and quaint Old Town area northward along historic Route 66.
- Improve pedestrian safety by enhanced sidewalks, traffic calming, and improved crossings.
- Enhance connections to and around the transit station.

- **Be a community focal point and distinct area within the city and region**
  - Exhibit a unique style of American roadside architecture that sets both the city and the district apart from any other place in the Victor Valley.
  - Announce arrival to Old Town through enhanced gateways, signage, and streetscaping.
  - Increase density by allowing taller buildings and instituting development standards.
  - Provide a network of public places that include plazas, open spaces, outdoor dining, and enhanced sidewalks.
  - Have opportunities to socialize in an urban environment or be active and recreate in a natural setting.
  - Take advantage of the adjacent Mojave River, a unique, untapped recreational and scenic resource.

- **Be the place where new businesses and residents want to locate**
  - Infuse a mix of retail, service, and professional office uses throughout Old Town.
  - Create a 24/7 environment that brings life and activity to the area around the clock.
  - Transform underutilized or deteriorating properties and buildings into thriving businesses and attractive residences.
  - Integrate new housing above new commercial development to bring people into Old Town and support local businesses.
  - Capitalize on the proximity to public transit by increasing development intensity and employment opportunities.
  - Attract incubator cottage industries, research and development businesses, and live/work development opportunities north of the railroad tracks.

2.4 PROJECT CHARACTERISTICS

The proposed OTSP is a regulatory document that would serve as the zoning ordinance for the properties within its boundary. The OTSP would establish the nature, character, and intensity of development in the OTSP project area by identifying allowed land uses and densities, transportation and streetscape improvements, public signage, design guidelines, development standards, an infrastructure assessment, and implementation and financing strategies and guidelines. The OTSP promotes higher-density mixed-use development in the project area through new housing opportunities and new businesses. The Specific Plan also implements standards and guidelines to promote an attractive and pedestrian-oriented downtown that reflects its historic character.

Project Components

Land Use Map

The OTSP Land Use Plan, including the Land Use Map, would constitute the zoning regulations for property within the OTSP project area. Land use districts proposed in the OTSP describe each of the land use categories for the OTSP project area and reflect the development strategy in terms of mix of uses, density, and intensity of development. These land use districts are consistent with the land use policies and designations in the City's General Plan and are intended to:

- Promote the integration of compatible land uses; and
- Provide a concentration of high-density commercial, office, and residential uses; and
- Encourage greater recreational use of the open space areas north of the railroad tracks; and
- Establish a location for cottage industry, live/work, and research and development in the OTSP project area; and
- Identify the area adjacent to the transit station as a focal point in the OTSP project area through the development of a plaza and high quality design features.

As shown in **Figure 3**, the proposed Land Use Map identifies a dense development pattern with a mix of residential, commercial, and light industrial land uses. Commercial Mixed-Use Retail uses would be concentrated along the north end of 7th Street and 'D' Street near the 7th Street intersection, while the land northeast of 'D' Street would be designated as Open Space. The remaining portions of 7th and D streets as well as Hesperia Road would be designated as Mixed-Use Service, with medium and medium-high density residential and downtown service uses located on minor streets behind these major corridors. The Land Use Map establishes the following hierarchy and function of the streets throughout the OTSP project area: 7th Street as "Main Street," Hesperia Road as a bypass taking fast traffic away from the OTSP project area, and 'D' Street as a commercial corridor and throughway.

Development Standards

The OTSP development standards would establish rules for site layout, parking, building placement, and building form for each of the land use districts. The objectives of the development standards are to:

- Prioritize the pedestrian and promote pedestrian amenities in the design of new development; and
- Promote new development that responds to the local context and historical Route 66; and
- Encourage infill development and adaptive reuse of historical sites; and
- Encourage mixed-use development; and
- Demonstrate the significance of the role and character of the 7th Street corridor (historic Route 66) within the downtown.

Building intensities in the OTSP area would be regulated through conformance to the prescribed development standards (i.e., height, setbacks, parking, form, and massing), which are designed to simplify, streamline, and customize the standards and requirements described in the City's Zoning Ordinance.

Design Guidelines

The OTSP includes design guidelines that would provide design direction for private property in Old Town Victorville and guide new development, improvements, and renovations to be consistent with the vision for the area. The design guidelines address architectural style, private sign design, mixed-use development, and green development.

Circulation

Regional access to the project area is provided from Interstate 15, Route 66, and State Route (SR) 18. Local access is provided from 'D' Street, 7th Street, Hesperia Road, Mojave Drive and stoddard Wells Road. A key OTSP component is to implement a system of roadways to remove through trips from 7th Street in order to allow for enhanced pedestrian opportunities on 7th Street.

The OTSP includes enhancements to the OTSP project area roadway network consisting of the widening of intersections at various streets that intersect with 'D' street (i.e. Forth St., Eleventh Street and Hesperia Rd.) The Sixth Street at-grade railroad crossing would be relocated to signalized Seventh Street. The Stoaddard Welss Road and 'D' Street intersection would be improved. Turn lanes would be added to where Forrest St. and Mojave Rd. intersects Seventh Street and where Forrest intersects Hesperia Road. With these modifications, sufficient levels of traffic will be removed such that 7th Street could be narrowed to one travel lane in each direction and angled and/or parrallel parking could be implemented.

The City's General Plan identifies that level of service (LOS) D should be maintained at intersections. According to the Traffic Study conducted and completed in May 2018, with improvements to the roadways mentioned above, a LOS D will be maintained, including at buildout of the Plan.

Pedestrian and Bicycle Network

The OTSP intends to facilitate a complete network for bicyclists and pedestrians within the OTSP project area by focusing on both enhancing and expanding bicycle and pedestrian facilities and designing appropriate crossings for pedestrians and bicycles. The OTSP identifies roadway

cross sections to improve the pedestrian environment by providing safe, shaded walking areas in the OTSP project area as well as bicycle facilities and pathways consistent with the City's Non-Motorized Transporttion Plan and the Mojave Riverwalk Project.

Transit System

The OTSP focuses on connections to existing transit opportunities, including providing better connectivity to the train station on 'D' Street via improved bicycle and pedestrian facilities. Additionally, the OTSP would facilitate existing and future transit in the OTSP project area by requiring future development to configure roadways and buildings to support transit by providing appropriate curb-returns and bus turnouts.

Parking

The OTSP project area is expected to have a peak parking demand, at buildout, of approximately 14,000 parked vehicles. The current on- and off-street public supply is estimated at 2,100 spaces, with some additional on-street parking provided with implementation of the OTSP. Therefore, the remaining demand would need to be served either through public parking facilities (such as parking structures) or provided through private development in private parking lots.

The OTSP proposes to increase the number of on-street parking spaces by approximately 500 with the recommended cross sections. In addition, the OTSP identifies parking strategies to address future need, including a parking monitoring process, shared/joint use parking, and public parking lots and structures. The OTSP conceptually identifies public parking lots with the potential for future structures at the following locations within the OTSP project area:

- East of A Street, north of 7th Street
- East of A Street, South of 7th Street
- East of Verde Street

Streetscape Palette and Landscaping

The OTSP includes a recommended streetscape palette of coordinated street furniture and lighting intended to create a strong identity and uniformity for the OTSP project area. In addition, the OTSP includes guidance for developing a uniform theme for the planting of the trees, shrubs, and ground covers along OTSP project area streets and public rights-of way. According to the OTSP, median and sidewalk planting strip landscaping should be focused on use of native plants, ease of maintenance, climate appropriateness, and a strong unified theme. The OTSP includes a recommended planting list of native and water-conserving trees, perennials, grasses, and shrubs that should be used for plant selection in the OTSP project area.

Wayfinding System (Signage)

Wayfinding comprises signs, maps, kiosks, arches, and other graphic or architectural methods to convey location and directions to travelers. The OTSP proposes a new wayfinding system for the project area, with the following objectives:

- Provide directional and information signs that are attractive, clear, and consistent in theme, location, and design; and

- Announce arrival into Old Town and build the sense that Old Town is a unified place; and

- Identify key destinations and facilities, such as public parking, parks, shopping, and cultural and civic destinations; and

- Be collocated with other streetscape furniture, such as streetlights and transit shelters, where possible, to enhance visibility and reduce visual clutter in the public realm; and

- Promote walking, bicycling, and use of mass transit.

The OTSP defines the types of signs allowed in the project area and establishes standards for their use, placement, and appearance. The OTSP conceptually identifies major identification signage at the gateways to the OTSP project area and at the intersection of 7th and D streets, as well as several Route 66 markers, directional signs, and parking identification signs.

Infrastructure, Public Utilities, and Facilities

While the OTSP briefly describes each public utility service operating in the project area, upgrades to the utility infrastructure necessary to accommodate future development, including water, wastewater, storm drainage, natural gas, and electricity, would be primarily or completely the responsibitility of the developer.

Buildout of the Project Area

Full redevelopment of the OTSP project area consistent with the proposed OTSP is referred to as "buildout." The planning horizon for the OTSP is 2040, or approximately 22 years from the assumed adoption of the Plan.

As shown in **Table 1**, the proposed OTSP would allow for the addition of 750 residential dwelling units, not including an additional 289 units within the residential medium overlay on the east side of the Mojave River (Stoddard Wells Road), which is already assumed in the Victorville General Plan 2030. Additionally, it would allow for 600,00 square feet of re-occupied commercial space, 600,00 square feet of new commercial space and the re-occupation of a 15-acre school site within the project area beyond exisitng conditions (see **Figure 3**).

TABLE 1
2040 BUILDOUT CONDITIONS IN THE OTSP PROJECT AREA

	Dwelling Units	Commercial Sq. Ft.
Re-occupied Commercial Space	-	**600,00 SF**
New Commercial Space	-	**600,00 SF**
New Housing	**750 DU**	**-**
15-acre School Site	**100% Capacity**	**-**

Based on an average household size of 3.46 persons per unit, which is the most recent and annually stable figure from the Demographic Research unit of the California Department of Finance (1-1-18), the proposed OTSP would allow for an increase of 2,595 persons in the proposed project area, exluding Stoddard Wells Road (750 dwelling units x 3.46 persons per household = 2,595 persons).

2.5 CONSTRUCTION AND PHASING

The proposed OTSP does not include a phasing plan, as the actual construction and phasing would be based on funding, market conditions, and other factors not known at this time. However, the Plan does include priorities and timing for infrastructure and street improvements, such as a high priority and short term designation for the reduction of lanes on Seventh Street.

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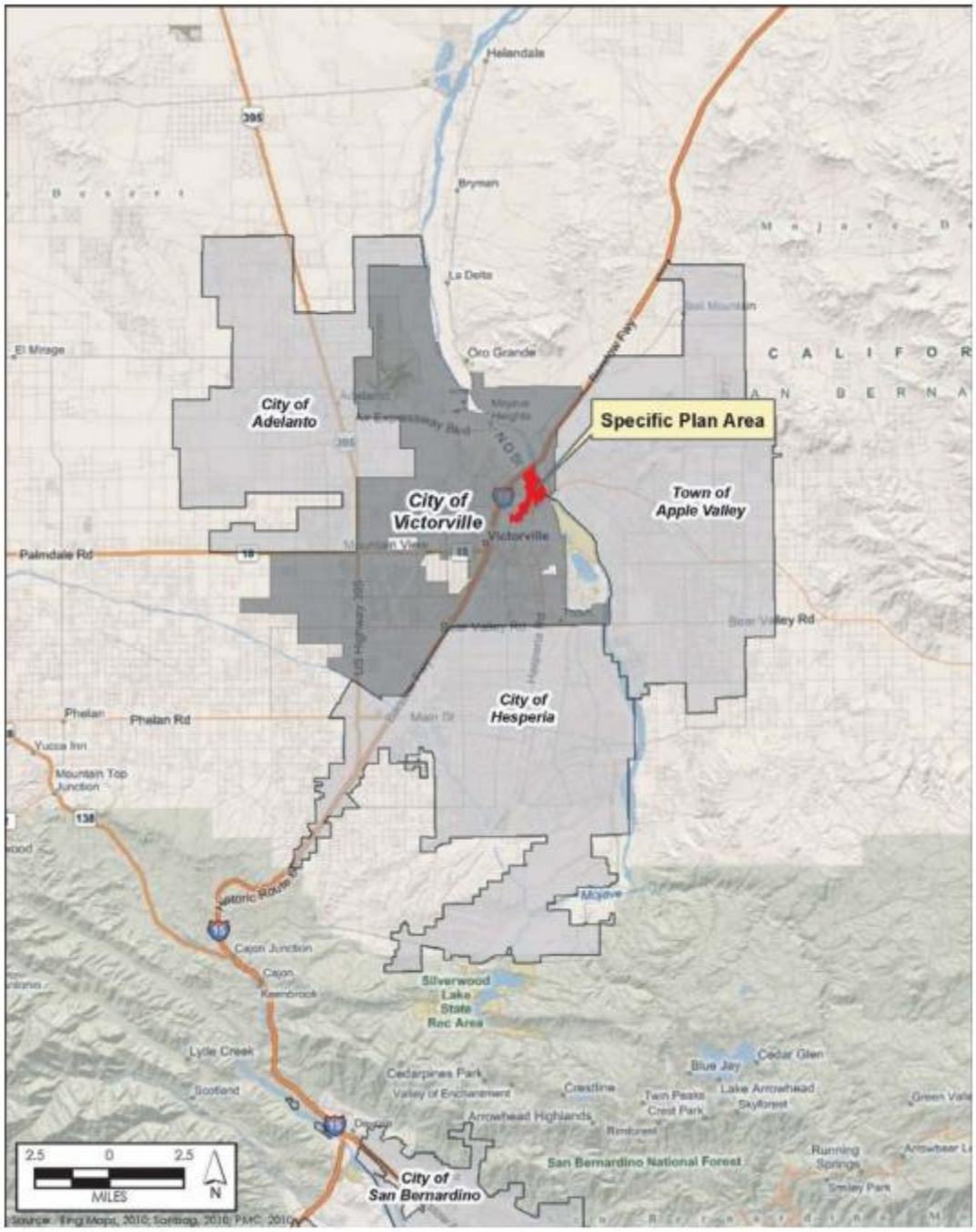
FIGURE 1 REGIONAL LOCATION



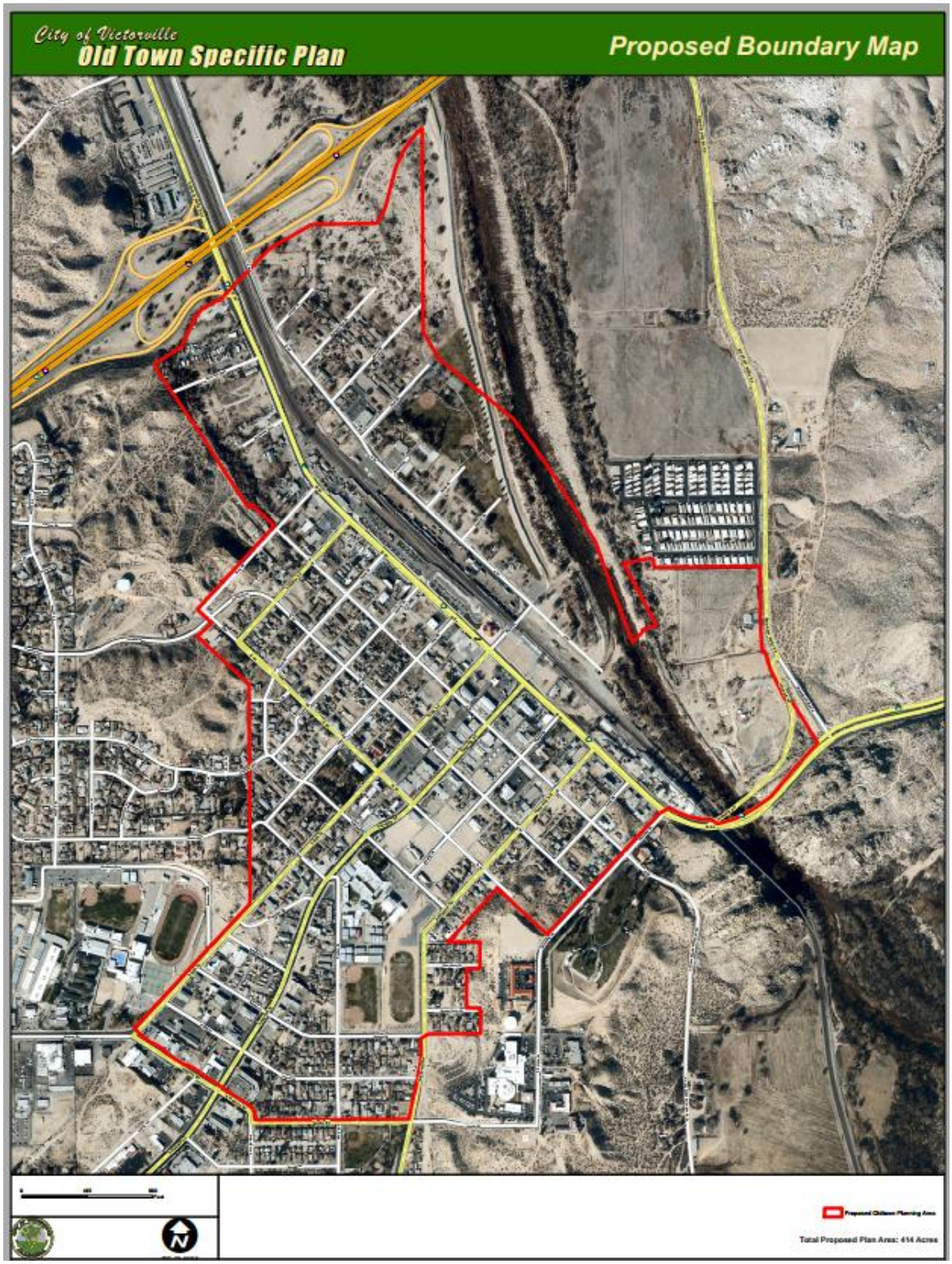


FIGURE 2 PROJECT LOCATION

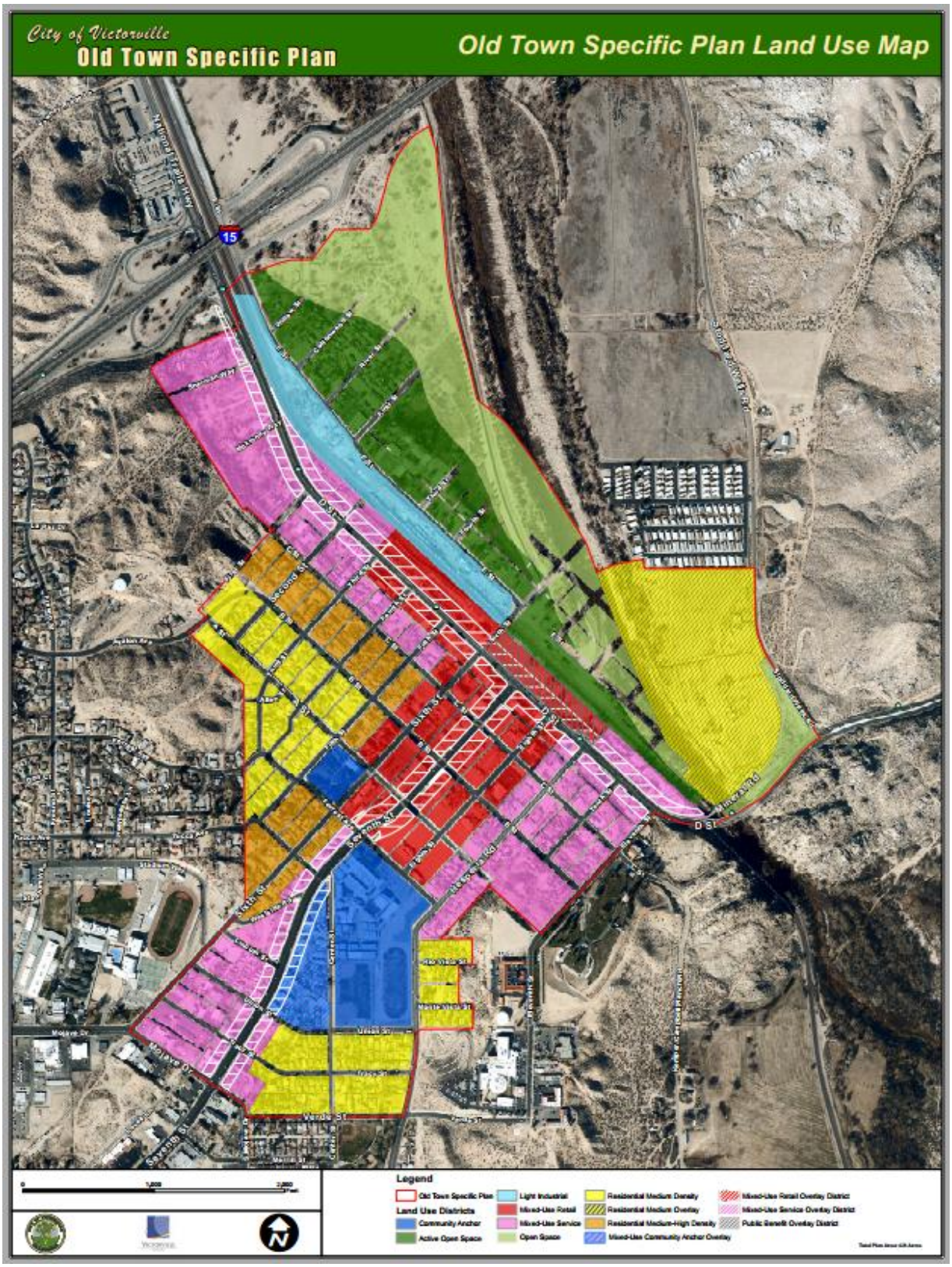


FIGURE 3 SPECIFIC PLAN LAND USE MAP

3.0 ENVIRONMENTAL CHECKLIST

3.1 BACKGROUND

1. Project Title:

A General Plan Amendment, Zone Change and a Specific Plan Amendment to update the Victorville Old Town Specific Plan.

2. Lead Agency Name and Address:

City of Victorville
14343 Civic Drive
Victorville, CA 92393-5001

3. Contact Person and Phone Number:

Michael Szarzynski, Senior Planner
(760) 955-5135

4. Project Location:

The Old Town Specific Plan project area encompasses 428 acres bounded roughly by the Mojave River and Stoddard Wells Road to the northeast, 11th Avenue to the east, Mojave Drive and Verde Street to the south and Interstate 15 to the northwest.

5. Project Sponsor's Name and Address:

City of Victorville
Development Department
14343 Civic Drive
Victorville, CA 92393-5001

6. Description of Project:

The proposed Old Town Specific Plan (OTSP) is a regulatory document that would serve as the zoning ordinance for the properties within its boundary. The OTSP would establish the nature, character, and intensity of development in the project area by identifying allowed land uses and densities, transportation and streetscape improvements, public signage, design guidelines, development standards, an infrastructure plan, and implementation and financing strategies and guidelines. The OTSP promotes higher-density mixed-use development in the project area through new housing opportunities and new businesses. The Specific Plan also implements standards and guidelines to promote an attractive and pedestrian-oriented downtown that reflects its historic character.

7. Surrounding Land Uses and Setting:

The OTSP project area contains a mix of land uses, including residential, retail, restaurant, office, light industrial, community and open space. The historic Old Town

portion of the project area is characterized by small lots, compact form, and a network of gridded streets and alleyways. A number of historic buildings, including the Old Victor School, and cultural sites, such as the Route 66 museum, are located in the historic Old Town. Land uses along the 7th Street corridor include specialty stores, auto repair uses, restaurants, and small office uses. The Victor Valley Transportation Authority building and Amtrak station are both located at the intersection of D and 6th streets within the OTSP project area. The Mojave River is adjacent to the BNSF railroad tracks.

8. Other Public Agencies Whose Approval Is Required:

In CEQA, the term "responsible agency" includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the proposed project. Therefore, the following agencies may have some role in implementing the proposed project and have been identified as potential responsible agencies:

- United States Army Corps of Engineers (USACE)
- California Department of Fish and Game (CDFG)
- California Department of Transportation (Caltrans)
- Lahontan Regional Water Quality Control Board
- Mojave Desert Air Quality Management District (MDAQMD)
- San Bernardino County Fire Department, North Desert Division

9. Has Tribal Consultation occurred for the project:

The interested area Tribes were notified per Public Resources Code Section 21080.3.1 and two area Tribes responded. San Manuel Band of Mission Indians declined consultation and Morongo Band of Mission Indians requested consultation after the 30-day request for consultation period ended. However, when given an opportunity to consult nevertheless, the Tribe did not respond after another 30-day period.

3.2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

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

3.3 DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the incorporated mitigation measures and revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

☐ I find that 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.

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

Signature	Date
Michael Szarzynski	Senior Planner
Printed Name	Title

3.4 EVALUATION OF ENVIRONMENTAL IMPACTS

The following requirements for evaluating environmental impacts are cited directly from the State CEQA Guidelines Appendix G Final Update November 2017.

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect, and construction as well as operational impacts.

3) A "Less than Significant Impact" applies when the proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.

4) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5) "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except per PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

EXISTING SETTING

City of Victorville

The City of Victorville is characterized by a relatively flat topography and is in a geographic subregion of the southwestern Mojave Desert known as the Victor Valley. The Victor Valley is separated from other urbanized areas in Southern California by the San Bernardino and San Gabriel mountains. The developed/urbanized area of the city is generally flat or moderately sloping desert terrain characterized by a gradual incline from the Mojave River toward the San Bernardino Mountains to the south and from the Mojave River to the mountains in and surrounding the northern part of the city, including Quartzite Mountain. Areas of high visual sensitivity within and adjacent to the city include the Transverse Range, the Mojave River, the rocky bluffs of the lower Mojave River narrows, and Mojave Narrows Regional Park (City of Victorville 2008b, p. 5.1-1).

Joshua trees are another notable aesthetic feature of the Victorville area. Joshua trees, which can grow up to 12 meters (40 feet) tall, are distributed on gentle slopes and on valley floors of upper bajadas and sandy areas. The Joshua tree (locally protected) is an archetypal plant of the Mojave Desert that may live several hundred years; it provides valuable habitat for a variety of native wildlife species (City of Victorville 2008b, p. 5.1-1).

OTSP Project Area

The OTSP project area itself is highly urbanized and is organized by a street grid network of blocks that orient themselves to 7th and D streets (**Figure 2**). While the OTSP project area includes a number of amenities and a mix of uses, the overall aesthetic character of the area is poor due to a significant number of vacant, underutilized sites, substandard building conditions, poorly

kept storefronts, and a general state of blight and disrepair (City of Victorville 2007, p. 16). However, it should be noted that the northeastern boundary of the project area is adjacent to the Mojave River, which as stated above is considered an area of high visual sensitivity.

The Old Town portion of the project area (1995 OTSP project area) is characterized by its small lots, compact form, and pedestrian scale. The project area includes a number of historic buildings, including the Old Victor School, and cultural sites, such as the Route 66 museum and *th Street Community Center. Land uses on 'D' Street consist of a mix of mobile home parks, auto uses, vacant buildings, and marginal retail activity on the south side. At the intersection of 'D' and 6th streets is the Victorville Victor Valley Transit Center, with a train stop for the Southwest Chief train route, which connects Los Angeles to Chicago.

The 7th Street corridor leading into the historic Old Town core is characterized by larger blocks, newer auto-oriented development, and buildings set back from the street with large surface parking lots adjacent to the sidewalk. The types of uses along 7th Street include specialty stores, auto repair uses, restaurants, and small office uses.

The area to the north of the railroad tracks is characterized by a lack of structure. Single-family homes, a park and community uses are scattered amidst a large number of vacant lots.

Scenic Highways

There are no officially designated state scenic highways in the City of Victorville (Caltrans 2011). The County of San Bernardino General Plan designates certain portions of Interstate 15 as a scenic route from Devore (junction with I-215) to the Nevada state line; however, there is no scenic designation of I-15 within the City of Victorville (City of Victorville 2008b, p. 5.1-1). Route 66, Hwy 395 and SR 18 are not listed as well.

REGULATORY FRAMEWORK

State Laws and Regulations

- California Scenic Highway Program
- California Desert Plant Protection Act
- Nighttime Sky-Title 24 Outdoor Lighting Standards

Local Laws, Regulations, and Policies

- City of Victorville General Plan 2030 (2008) – The General Plan 2030 Land Use and Resource elements include goals, policies, and implementation measures that apply to visual resources and are intended to provide for an aesthetically pleasing community and to preserve conservation and open space areas.

- City of Victorville Municipal Code – The City of Victorville Municipal Code contains design guidelines that regulate the aesthetic quality of new development and redevelopment with respect to structures, signs, walls, landscaping, street widths, and street lighting. The Municipal Code also addresses fences, hedges, structure heights, structure projections, and architectural design controls.

- City of Victorville Joshua Tree Ordinance – Joshua trees are protected by Title 13.33,

Chapter 13.33 of the Victorville Municipal Code, which prohibits the destruction or removal of Joshua trees without written consent from the Director of Community Services.

PROJECT IMPACTS AND MITIGATION MEASURES

a) **Less than Significant Impact.** The northeastern boundary of the OTSP project area is adjacent to the Mojave River, which is considered an area of high visual sensitivity within the city. Future development under the OTSP could impact views of the Mojave River if it were to physically block or screen the river from view or if it would impede or block access to a formerly available viewing position.

The proposed OTSP designates land adjacent to the Mojave River as Open Space and Active Open Space. This land use designation is reserved for open space and natural resources; however, recreational uses are allowed. Play areas, ball fields, trails, lakes, and detention basins are allowed in lands designated as Open Space and Active Open Space would allow recreational buildings, however further from the river. The Open Space land use designation would prevent intense urban development and increase recreational opportunities adjacent to the Mojave River. Therefore, implementation of the OTSP would be expected to enhance, rather than restrict, visual and physical connections between the OTSP project area and the Mojave River. As such, impacts would be considered **less than significant**.

There are no state or federally designated historic buildings in Old Town, however there are locally designated historic sites. Consequently, there are no restrictions on these sites regarding development, therefore impacts would be considered **less than significant**.

b) **No Impact**. As stated above, there are no officially designated state scenic highways in and no scenic designation of the I-15 corridor within the city. Therefore, implementation of the proposed OTSP would not damage scenic resources within a state scenic highway and **no impact** would occur.

c) **Less Than Significant Impact.** The proposed OTSP does not identify any specific development proposals, but rather proposes to update the City's 1995 OTSP to allow for the intensification of land uses within the Specific Plan boundary. Specifically, the proposed OTSP would allow for an additional 750 new residential dwelling units, 600,00 square feet of reoccupied commercial space, and 600,00 square feet of new commercial space within the OTSP project area. In addition, the proposed OTSP identifies new transportation and streetscape improvements, sign guidelines, design guidelines, and development standards for the project area. As such, the proposed OTSP would guide future development in the project area, allowing for and encouraging changes in the nature, character, and intensity of development in the project area. These changes, however, would be expected to improve the overall visual character of the area which, as described above, is currently uninviting and unattractive due to a significant number of vacant and underutilized sites, substandard building conditions, poorly kept storefronts, and overall conditions of blight.

However, all future development occurring within the OTSP project area would be required to comply with the design guidelines and development standards included in the proposed OTSP. The development standards would address height, setbacks, parking, form, and massing of buidlings in the project area, while the design guidelines would address the quality of design of future development through architectural

character and building material/color guidelines. The design guidelines would also encourage pedestrian-oriented site designs as well as building designs that include a rhythm and scale of fenestration (doors and windows) unifying and complementing the adjacent buildings. In addition, the design guidelines would encourage landscaping to complement and enhance the architecture and screen undesirable views in the OTSP project area. They would also encourage plazas and outdoor spaces to complement surrounding architecture via a combination of accent materials, site furniture, shade structures, accent lighting, color, texture, art, or other focal elements. The OTSP is consistent with the goals and policies of the City's General Plan Land Use and Resource elements that promote high quality development which is aesthetically pleasing to the community and the preservation of natural open spaces and natural resources.

As stated above, the northeastern boundary of the OTSP project area is adjacent to the Mojave River, which is considered an area of high visual sensitivity. However, the areas along the Mojave River are exclusively designated as Open Space under the proposed project. Such land use designations would preclude the development of structures in this area and would preserve the visual character of the Mojave River. Active Open Space allows for structures, however that designation is setback from the Mojave River, outside the 100-year floodplain.

As compliance with the OTSP's design guidelines and development standards would be expected to improve the overall visual character of the area, impacts associated with degradation of the visual character of the project area would be **less than significant**.

Additionally, the Plan would not conflict with any zoning requirements that govern scenic quality.

d) **Less Than Significant Impact.** As discussed above, the proposed OTSP does not identify any specific development proposals within the OTSP project area but would allow for the intensification of land uses within its boundary beyond what currently exists. This intensification of residential, commercial, light industrial and active open space would introduce new and increased daytime glare and nighttime light sources into the OTSP project area as there would be increased housing opportunities and new businesses that are sources of glare (windows, siding) and nighttime light. As previously discussed, all future development projects would be required to comply with the OTSP's design guidelines, which require, for example, that exterior light fixtures be shielded and illumination directed downward in order to protect the night sky and prevent off-site glare. The design guidelines also encourage the use of narrow spectrum LED lighting to reduce light pollution, recessed windows to reduce glare and state that lighting should provide visual interest and security and complement the project's architectural and landscape design. In addition, future development projects with newly installed lighting equipment or alterations that increase the connected load, or replace more than 50 percent of the existing luminaires, would be subject to Title 24 Outdoor Lighting Standards. The standards limit lighting power allowances in order to prevent glare and overly bright development projects. Finally, environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Subsequent environmental review would ensure that development projects would incorporate mitigation measures to minimize light and glare impacts and would be compatible with surrounding uses. The OTSP is consistent with goals and policies of the City's General Plan Land Use and Resource elements that promote high quality development that is aesthetically pleasing to the community. Therefore, impacts

associated with new sources of substantial light or glare that would adversely affect day or nighttime views in the area would be **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES.				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.				
In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526, and by Government Code Section 51104(f)), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☒

EXISTING SETTING

As of 2008, San Bernardino County contained approximately 926,992 acres of agricultural land as designated by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) (DOC 2008a). The FMMP is a nonregulatory program that produces Important Farmland maps and statistical data. The FMMP groups land into one of five categories (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Im-

portance, and Grazing Land), with agricultural land being rated according to soil quality and irrigation status (DOC 2004, pp. 6–7.)

No Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance occurs within the City of Victorville. However, there are a few areas of Prime Farmland in the city, scattered along and adjacent to the Mojave River corridor in the vicinity of SR-18. One of these parcels of Prime Farmland did exist within the OTSP project area along the Mojave River and Stoddard Wells Road. The prime farmland was within the center half of a 13.65 acre parcel, approximately seven acres of total prime farmland. It was most recently used as a peach orchard, however it has been vacant land for over a decade. According to the latest 2016 California Department of Conservation FMMP, that designation has since been removed.

Forest Resources

Plant communities within the City of Victorville include creosote bush scrub, Mojave Desert saltbush scrub, rabbitbrush scrub, ruderal (disturbed) communities, Joshua tree woodland, and riparian communities associated with the Mojave River and its floodplain, which includes transmontane alkali and freshwater marsh, Mojave riparian forest, and southern willow scrub. There is no significant forestland or timberland in the OTSP project area.

REGULATORY FRAMEWORK

There are no state or local regulations, plans, programs, and guidelines that are applicable to the proposed OTSP project.

PROJECT IMPACTS AND MITIGATION MEASURES

a) **No Impact.** The proposed OTSP project area is zoned for both residential and commercial land uses by the City of Victorville Development Code (Title 16 of the City Municipal Code) and is designated by the FMMP as Urban and Built-Up Land. Therefore, implementation of the proposed OTSP project would not directly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a nonagricultural use. Therefore, there would be **no Impact.**

b) **No Impact.** The proposed OTSP project area is zoned for both residential and commercial land uses by the City of Victorville Development Code. No parcels within the project area are under a Williamson Act contract. Therefore, implementation of the proposed project would result in **no impact** resulting from conflicts with existing zoning for agricultural uses or a Williamson Act contract.

c) **No Impact**. The proposed OTSP project area does not contain any land zoned for forestland, timberland, or timberland production. Therefore, **no impact** would occur.

d) **No Impact.** The OTSP project area does not contain any forestland; therefore, the project would not result in the loss or conversion of forestland and **no impact** would occur.

e) **No Impact.** The placement of nonagricultural uses adjacent to agricultural uses can result in conflicts that inadvertently place growth pressure on agricultural lands to convert to urban uses. Although the OTSP project area consists of Urban and Built-Up Land and does not include any farmland, lands to the south of the project area are designated by the FMMP as Prime Farmland. Even so, implementation of the OTSP would not be expected

to place pressure on this farmland to convert to nonagricultural uses, as the proposed OTSP project area is located in an established commercial and residential area that is adjacent to major transportation facilities, including Interstate 15 and the Burlington Northern Santa Fe railroad tracks. These urban uses are currently operated in the vicinity of the parcels of Prime Farmland; thus, implementation of the OTSP would not result in new agricultural-urban interface conflicts. Therefore, the proposed project would not involve changes in the existing environment that could indirectly result in the conversion of farmland to nonagricultural use and **no impact** would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

EXISTING SETTING

Climate and Meteorology

The proposed OTSP project area is located in southwestern San Bernardino County, in the geographic subregion of the southwestern Mojave Desert known as the Victor Valley and commonly referred to as the "High Desert" due to its approximate elevation of 2,900 feet above sea level. Hot summers, mild winters, infrequent rainfall, moderate afternoon breezes, and generally fair weather characterize the climate of the Victor Valley, an interior sub-climate of Southern California's Mediterranean climate. The clouds and fog that form along the Southern California coastline rarely extend across the mountains to the city. The most important local weather pattern is associated with the funneling of the daily onshore sea breeze through El Cajon Pass into the upper desert to the northeast of the heavily developed portions of the Los Angeles Basin. This daily airflow brings polluted air into the area late in the afternoon from late spring to early fall. This transport pattern both creates unhealthful air quality and inhibits the scenic vistas of the mountains surrounding the Victor Valley.

In California, air quality is regulated by the California Air Resources Board (CARB). CARB divides the state into air basins that share similar meteorological and topographical features. The City of Victorville is located in San Bernardino County, which is located within the Mojave Desert Air Basin (MDAB).

The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains that dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor. Prevailing winds in the MDAB are out of the west and southwest. These prevailing winds are due to the proximity of the MDAB to coastal and central regions and the blocking nature of the Sierra Nevada range to the north. Air masses pushed onshore in Southern California by differential heating are channeled through the MDAB. The MDAB is separated from the Southern California coastal and central California valley regions by mountains (highest ele-

vation approximately 10,000 feet), whose passes form the main channels for these air masses. The Antelope Valley is bordered in the northwest by the Tehachapi Mountains, separated from the Sierra Nevadas in the north by the Tehachapi Pass (3,800-foot elevation). The Antelope Valley is bordered in the south by the San Gabriel Mountains, bisected by Soledad Canyon (3,300 feet). The Mojave Desert is bordered in the southwest by the San Bernardino Mountains, separated from the San Gabriels by the Cajon Pass (4,200 feet). A lesser channel lies between the San Bernardino Mountains and the Little San Bernardino Mountains (the Morongo Valley) (MDAQMD 2009, p. 7).

During the summer, the MDAB is generally influenced by a Pacific subtropical high cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives as the result of infrequent warm, moist, and unstable air masses from the south. The MDAB averages between 3 and 7 inches of precipitation per year (from 16 to 30 days with at least 0.01 inches of precipitation). The MDAB is classified as a dry-hot desert climate, with portions classified as dry-very hot desert, to indicate at least three months have maximum average temperatures over 100.4°F (MDAQMD 2009, p. 7).

The Mojave Desert Air Basin comprises four air districts: the Kern County Air Pollution Control District, the Antelope Valley Air Quality Management District (AQMD), the Mojave Desert AQMD, and the eastern portion of the South Coast AQMD. The Kern County Air Pollution Control District consists of the eastern portion of Kern County, the Antelope Valley AQMD consists of the northeastern portion of Los Angeles County, the Mojave Desert AQMD includes San Bernardino County and the easternmost portion of Riverside County, and the pertinent portion of the South Coast AQMD includes the eastern part of Riverside County. The air quality associated with the City of Victorville is regulated by the Mojave Desert AQMD.

City of Victorville Ambient Air Quality

Both the U.S. Environmental Protection Agency (EPA) and CARB established ambient air quality standards for common air pollutants. These ambient air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, federal and state standards differ in some cases. In general, California standards are more stringent. This is particularly true for the criteria pollutants, nitrogen oxide (NO_x) and coarse particulate matter (PM_{10}).

CARB maintains several air quality monitoring sites in San Bernardino County, including one site in Victorville at 14306 Park Avenue, which is approximately 1.3 miles from the southernmost boundary of the OTSP project area and 3 miles from the northernmost OTSP project area boundary. **Table 2** shows historical occurrences of pollutant levels exceeding state and federal ambient air quality standards for the two-year period 2008–2009. The table reflects the number of days each standard was exceeded. For example, the monitoring site at 14306 Park Avenue in Victorville measured 6.1 days in 2009 in which California PM_{10} emission standards were exceeded.

TABLE 2
AMBIENT AIR QUALITY MONITORING DATA FOR VICTORVILLE

Pollutant Standards	2008	2009
Victorville – 14306 Park Avenue		
Ozone (*number of days standard exceeded)*		
State 1-hour standard	16	8
Federal 1-hour standard	30	23
State 8-hour standard	59	53
Particulate Matter (*number of days standard exceeded)*		
State 24-hour standard (PM_{10})	*	6.1
Federal 24-hour standard (PM_{10})	0	0
Federal 24-hour standard ($PM_{2.5}$)	*	0

*Notes: * There is insufficient (or no) data available to determine the value.*

Source: CARB 2010a

Areas with air quality that exceeds adopted air quality standards are designated as nonattainment areas for the relevant air pollutants. Areas that comply with air quality standards are designated as attainment areas for the relevant air pollutants. State Implementation Plans (SIPs) must be prepared by states for areas designated as federal nonattainment areas to demonstrate how the area will come into attainment of the exceeded federal ambient air quality standard. The Victorville region is designated nonattainment for federal ozone and fine particulate matter ($PM_{2.5}$) standards and nonattainment for state ozone and PM_{10} and $PM_{2.5}$ standards (CARB 2010b).

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

Federal Laws and Regulations

- The federal Clean Air Act (CAA) required by the Environmental Protection Agency (EPA) to establish national ambient air quality standards (NAAQS).

State Laws and Regulations

- The California Clean Air Act (CCAA), which was adopted in 1988, required CARB to establish California ambient air quality standards (CAAQS).

Local Laws, Regulations, and Policies

- The 2008 Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) (OAP) and 1995 Final Mojave Desert Planning Area Federal Particulate Matter 10 (PM_{10}) Attainment Plan, prepared and submitted by the Mojave Desert AQMD in compli-

ance with the requirements set forth in the CCAA, specifically addressed the nonattainment status for ozone and PM_{10}.

- The Mojave Desert AQMD has also adopted various rules and regulations pertaining to the control of emissions from area and stationary sources. All projects are subject to Mojave Desert AQMD rules and regulations in effect at the time of construction. Specific rules applicable to the construction of future development within the proposed OTSP may include, but are not limited to:
    - Regulation 1 – General Provisions
    - Rule 401 – Visibility Emissions
    - Rule 402 – Nuisances
    - Rule 403 – Fugitive Dust
    - Rule 442 – Usage of Solvents
- Resource Element of the City of Victorville General Plan (Policy 6.2.1)

PROJECT IMPACTS AND MITIGATION MEASURES

a) Less than Significant Impact with Mitigation Incorporated. As identified in the setting discussion, the Victorville region is designated as a nonattainment area for federal ozone and fine particulate matter ($PM_{2.5}$) standards and nonattainment for state ozone, PM_{10}, and $PM_{2.5}$ standards (CARB 2010b).

The Mojave Desert AQMD's OAP (2008) was developed to bring the region into attainment for ozone. The OAP is the regional component of the SIP, which is the state's plan for attaining the federal 8-hour ozone standard as required by the federal Clean Air Act. The OAP demonstrates how the MDAQMD will meet the primary required federal ozone planning milestones, which is attainment of the 8-hour ozone NAAQS by June 2021, and presents the progress the MDAQMD will make toward meeting all required ozone planning milestones.

In addition to not attaining the federal or state ozone standards, the region does not attain the federal or state particulate matter standards (PM_{10} and $PM_{2.5}$). Reduction of particulate matter by all feasible means is necessary to attain these particulate matter standards. The 1995 Final Mojave Desert Planning Area Federal Particulate Matter 10 (PM_{10}) Attainment Plan provides a complete description and submittal to the EPA of the PM_{10} attainment planning elements that the MDAQMD implements to bring the nonattainment area into compliance with federal law. This document serves as a planning tool for reducing PM_{10} pollution in the Mojave Desert Air Basin. The PM_{10} Attainment Plan sets forth an air quality improvement program for the region that is implemented by both the public and private sectors of the community.

According to the MDAQMD's California Environmental Quality Act and Federal Conformity Guidelines (2009), a project is nonconforming with the 2008 OAP and/or 1995 PM_{10} Attainment Plan if it conflicts with or delays implementation of either of these plans. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating

that the project is consistent with the land use plan that was used to generate the growth forecast. An example of a nonconforming project would be one that increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

The proposed OTSP does not identify any specific development proposals within the OTSP project area. However, the OTSP proposes to update the existing 1995 OTSP to allow for the intensification of land uses within and outside its boundary beyond what currently exists. While the proposed OTSP promotes higher-density mixed-use development in the OTSP project area with the intent of bringing new housing opportunities to the downtown, these housing opportunities would be expected primarily to accommodate population growth that is already anticipated to occur within the city. Therefore, the proposed OTSP would guide how and where growth occurs (i.e., high-density mixed use) rather than resulting in substantial new growth.

However, by the OTSP buildout year of 2040, the OTSP would allow for an additional 750 residential dwelling units, 600,000 square feet of re-occupied commercial space, and 600,00 square feet of new commercial space beyond existing conditions. Based on an average household size of 3.46 persons per unit, which is greater than the City's General Plan 2030 EIR but current per DOF, the OTSP would allow for an increase of 2,595 persons beyond what could occur under the existing zoning for the area (750 dwelling units x 3.46 persons per household = 2,595 persons). This increase represents less than 0.6 percent of the city's anticipated population in 2030 (407,534 persons) and as such would not be considered a substantial increase.

It is an objective of the proposed OTSP to promote sustainable development characterized by a mix of uses and a circulation system that prioritizes pedestrians, bicyclists, and transit riders over single-occupancy vehicles as demonstrated by several implementation actions proposed under the OTSP. For instance, 7th Street is proposed to be a more defined mixed-use "Main Street" and is envisioned as the heart of the OTSP project area with a new street configuration (OTSP Implementation Actions C-1, C-7, and C-8), new buildings (OTSP Implementation Actions ED-3 and ED-4), and streetscape improvements (OTSP Implementation Actions ED-5, ED-6, C-3, and C-4). 7th Street is conceptually proposed to discourage high-speed traffic (OTSP Implementation Actions C-1 and C-7) and encourage pedestrian-oriented mixed-use-type development (OTSP Implementation Actions ED-4 and ED-8), encourage public transit use (OTSP Implementation Actions C-8 and C-9), create pedestrian connections including a public access trail and bike lane from the OTSP project area to the riverfront (OTSP Implementation Action PF-3), provide sufficient bicycle parking throughout the OTSP project area (OTSP Implementation Action C-6), and strengthen pedestrian connections at key intersections by providing safe and convenient pedestrian crossings to increase safety and convenience (OTSP Implementation Action LU-10). These measures are intended to reduce vehicle miles traveled and would aid to reduce the generation of criteria air pollutants.

As stated previously, the Mojave Desert AQMD has also adopted various rules and regulations pertaining to the control of emissions from construction, area, and stationary sources. While these regulations are typically triggered by grading and conventional construction activities, the exact nature and scope of the subsequent development activity in the OTSP is not currently known and could result in some projects not being subject to the AQMD regulations. Failure to adhere to these rules and regulations would result in inconsistencies between the proposed OTSP and the OAP and PM_{10} Attainment Plan and therefore a **significant** impact. Therefore, mitigation measure **MM 3a-1** requires that all future develop-

ment within the OTSP project area shall be required to conform with all Mojave Desert AQMD rules and regulations applicable to the specific project proposal.

Mitigation Measures

MM 3a-1: All future development within the OTSP project area shall be required to conform with all Mojave Desert AQMD rules and regulations applicable to the specific project proposal. Specific rules applicable to future and subsequent projects under the OTSP may include, but are not limited to, Regulation 1 – General Provisions, Rule 401 – Visibility Emissions, Rule 402 – Nuisances, Rule 403 – Fugitive Dust, and Rule 442 – Usage of Solvents.

Timing/Implementation: *Prior to the issuance of a building permit*

Enforcement/Monitoring: *City of Victorville Development Department*

With compliance with Mojave Desert AQMD rules and regulations and implementation of mitigation measure **MM 3a-1**, the proposed OTSP would not conflict with or obstruct the 2008 OAP and/or 1995 PM_{10} Attainment Plan, and this impact is **less than significant**.

b–c) Less than Significant Impact. Subsequent land use activities associated with implementation of the proposed OTSP would introduce additional construction, mobile, and stationary sources of emissions, which would adversely affect regional air quality. The MDAB, which encompasses the City of Victorville, is designated as nonattainment for federal ozone and fine particulate matter ($PM_{2.5}$) standards and nonattainment for state ozone, PM_{10}, and $PM_{2.5}$ standards (CARB 2010b).

Construction Emissions

Construction-generated emissions are temporary and short term but have the potential to represent a significant air quality impact. The construction and development of the proposed OTSP would result in the temporary generation of emissions resulting from site grading and excavation, paving, and motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

The MDAQMD has adopted guidelines for determining potential adverse impacts to air quality in the region. The MDAQMD guidelines state that construction activities are considered a potentially significant adverse impact if such activities generate total emissions in excess of MDAQMD established thresholds (see **Table 3**).

During construction of any future development projects that would be allowed under the OTSP, air pollutants would be emitted from the operation of construction equipment and from worker and building supply vendor vehicles. Since the actual phasing of proposed OTSP buildout is not known at this time, construction-related emissions were modeled assuming an equal distribution of development over the plan period, which is anticipated to buildout by the year 2030. For example, the proposed OTSP projects a future growth potential of an additional 750 residential dwelling units, 600,000 square feet of reoccupied commercial space, and 600,00 square feet of new commercial space over baseline conditions as stated in the Project Description. For the purposes of this analysis, this projected square footage was divided by 22 (the number of years accounted for in the proposed OTSP [years 2018–2040]) in order to roughly depict potential construction-related criteria pollutant emissions that may result in any given year over the span of the proposed OTSP. However, it is important to note that the proposed OTSP does not include

any policy provisions requiring that its growth potential be attained by 2030 or even beyond. Not all of the identified land may be available for development at any given time based on landowner willingness to sell or develop, site readiness, environmental constraints, market changes, and other factors. However, this impact discussion assumes full growth potential under the proposed OTSP in order to present the maximum amount of pollutant emissions possible under implementation of the OTSP. Thus, the emissions identified in **Table 3** are considered very conservative and likely overstate the extent of air pollutant emissions that would occur during these time periods. **Table 3** illustrates the construction-related criteria and precursor emissions of an average year that would result from implementation of the proposed OTSP. The resultant emissions of these activities were calculated using the CalEEMod air quality model (see **Appendix A**). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals.

TABLE 3
CONSTRUCTION-RELATED CRITERIA POLLUTANT AND PRECURSOR EMISSIONS (AVERAGE YEAR)
(TONS PER YEAR)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_X)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Construction Activities						
Average Year	2.57	7.26	4.72	0.01	0.62	0.55
MDAQMD Potentially Significant Impact Threshold	25 tons/year	25 tons/year	100 tons/year	25 tons/yr	15 tons/year	15 tons/year
Exceed MDAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

As demonstrated in **Table 3**, the proposed OTSP would not result in the exceedance of MDAQMD thresholds for air pollutant emissions. Furthermore, future projects in the OTSP project area would be required to adhere to MDAQMD Rule 403, which implements construction air pollutant control best management practices such as the following:

- Use water for short-term surface stabilization.
- Minimize trackout onto paved roads.
- Cover haul trucks.
- Stabilize (chemical or vegetation) site upon completion of grading when subsequent development is delayed.
- Rapid cleanup of project-related trackout or spills on paved roads.
- Minimize grading and soil movement when winds exceed 30 miles per hour.

- Require a Dust Control Plan (DCP) for construction/demolition projects disturbing 100 or more acres, to address the following additional measures:
    - Provide paved or stabilized access to construction site as soon as is feasible.
    - Maintain natural topography to the extent possible.
    - Construct parking lots and paved roads first, where feasible.
    - Construct upwind portions of projects first, where feasible.

As previously stated, the OTSP would not result in the exceedance of MDAQMD thresholds for air pollutant emissions generated during construction. In addition, compliance with Mojave Desert AQMD rules and regulations, as well as mitigation measure **MM 3a-1** which requires all projects in the OTSP project area to comply with the AQMD rules and regulations, would further reduce construction-related air pollutant emissions. Therefore, the construction-related air quality impacts of the proposed OTSP would be considered **less than significant**.

Operational Emissions

Ozone is not emitted directly into the air but is formed through a complex series of chemical reactions between reactive organic gases (ROG) and nitrogen oxide (NO_x), while the principal sources of PM_{10} and $PM_{2.5}$ include fuel burned in cars and trucks, power plants, factories, fireplaces, agricultural activities, and woodstoves. Implementation of the proposed OTSP would result in increased regional emissions of PM_{10} and $PM_{2.5}$, as well as ROG, NO_x, and carbon monoxide (CO), due to increased use of motor vehicles, natural gas, maintenance equipment, and various consumer products, thereby increasing potential operational air quality impacts. Increases in operational air impacts with implementation of the proposed OTSP would generally consist of two sources: stationary and mobile.

As previously discussed under **a)** above, the proposed OTSP would guide how and where growth occurs (i.e., high-density mixed use) rather than resulting in substantial new growth. One of the objectives of the proposed OTSP is to promote sustainable development characterized by a mix of uses and a circulation system that prioritizes pedestrians, bicyclists, and transit riders over single-occupancy vehicles. These measures would help to reduce adverse effects to air quality resulting from operational emissions through the reduction of fossil fuel consumption and use of private motor vehicles.

Operational-related air quality impacts of the proposed OTSP would be considered **less than significant,** as the OTSP is consistent with the General Plan land use designation (Specific Plan), and emissions resulting from the proposed OTSP have been addressed in the General Plan EIR.

d) **Less than Significant Impact.** Future development consistent with the proposed OTSP could create a significant hazard to future residents, workers, and students through exposure to substantial pollutant concentrations such as $PM_{2.5}$ during construction activities and/or other toxic air contaminants. However, impacts associated with potential exposure to substantial pollutant concentrations would be dependent on the location and nature of future development and the nature of surrounding land uses. The proposed OTSP does not include any specific development designs or development proposals, nor does it grant any entitlements for development. While the OTSP does propose changes

to existing land use densities and zoning designations, it does not involve the construction or expansion of any land uses. All future residential development occurring within the OTSP project area would be required to be in accordance with local regulations.

Compliance with Mojave Desert AQMD rules and regulations, as well as mitigation measure **MM 3a-1** which requires all projects in the OTSP project area to comply with the AQMD rules and regulations, would reduce construction-related air pollutant emissions and therefore limit the exposure of sensitive receptors to $PM_{2.5}$ emissions. Furthermore, City General Plan Resource Element Policy 6.2.1 encourages compliance with the California Air Resources Board "Air Quality and Land Use Handbook: A Community Health Perspective," which provides guidelines for siting new sensitive land uses in proximity to air pollutant-emitting sources. Associated General Plan Implementation Measure 6.2.1.1 states that new sensitive land use development shall not be located within 500 feet of a freeway or an urban roadway accommodating at least 100,000 vehicle trips per day. Implementation Measures 6.2.1.2, 6.2.1.4, and 6.2.1.5 seek to limit the siting of new sensitive land uses near distribution centers, dry cleaning operations, and gas stations, each being a potential source of substantial pollutant concentrations.

Additionally, it is industrial developments that generally emit substantial pollutant concentrations that could create a significant hazard to the public. The proposed OTSP would actually decrease the amount of allowable industrial space to 17 acres of light industrial. Therefore, the proposed OTSP would actually reduce the potential for exposure of the public to toxic air contaminants and large pollutant concentrations.

This impact is therefore **less than significant**.

e) **Less than Significant Impact.** Subsequent land use activities associated with implementation of the proposed OTSP could allow for the development of uses that have the potential to produce odorous emissions either during the construction or operation of future development. Additionally, subsequent land use activities may allow for the construction of sensitive land uses (i.e., residential development, offices, etc.) near existing or future sources of odorous emissions.

Future construction activities could result in odorous emissions from diesel exhaust associated with construction equipment. However, because of the temporary nature of these emissions and the highly diffusive properties of diesel exhaust, exposure of sensitive receptors to these emissions would be limited. In addition, the MDAQMD has adopted a nuisance rule that addresses the exposure of nuisance discharges such as unpleasant odors. Rule 402 states that no person shall discharge from any source whatsoever such quantities of odors (defined as air contaminants by the MDAQMD) or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. Therefore, this impact is **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

EXISTING SETTING

Regional Setting

The City of Victorville is located in southwestern San Bernardino County, in the geographic subregion of the southwestern Mojave Desert known as the Victor Valley and commonly referred to as the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from other urbanized areas in Southern California by the San Bernardino and San Gabriel mountains (City of Victorville 2008a). The Mojave River flows from the San Bernardino Mountains north to Barstow, then east to Soda Lake and the Mojave National Preserve (City of Victorville

2008a). Mojave Narrows Regional Park is located to the southeast of the project area and is a virtual oasis in the Mojave Desert. The park consists of approximately 840 acres along the Mojave River and is used for fishing, boating, camping, hiking, and horseback riding. According to the City of Victorville General Plan, the city limits contain the following plant communities: Mojave creosote bush scrub, desert saltbush scrub, rabbitbush scrub, Mojavean juniper woodland and scrub, ruderal (disturbed) communities, Joshua tree woodland, and riparian communities associated with the Mojave River and its floodplain, including transmontane alkali and freshwater marsh, Mojave riparian forest, and southern willow scrub (City of Victorville 2008a). All database search results and lists of special status plants and animals are provided in **Appendix B** of this IS/MND.

Vegetative Communities

Vegetative communities are assemblages of plant species that occur in the same area and which are defined by species composition and relative abundance. The vegetative community descriptions and nomenclature used in this section generally correlate to wildlife habitat types in *A Guide to Wildlife Habitats of California* or California Wildlife Habitats Relationships (CWHR) (Mayer and Laudenslayer 1988). Vegetative communities were mapped on an aerial photograph as determined by several images of aerial photography including GoogleEarth historical imagery and Bing maps bird's-eye view (GoogleEarth 2011; Bing Maps 2011). Upland plant communities and habitats mapped within the project area include urban, ruderal, and desert scrub. The majority of land within the project area is developed urban habitat that includes commercial, industrial, and residential areas. Isolated patches of desert scrub and ruderal habitats also occur in the project area. Desert riparian habitat associated with the Mojave River is included in a portion of the project area to the northeast. The riparian habitat associated with the Mojave River may be further refined to include alkali and freshwater marsh, Mojave riparian forest, and southern willow scrub as described in the City of Victorville General Plan (City of Victorville 2008b). Small features such as desert washes, intermittent drainages, seasonal wetlands, and individual Joshua trees (*Yucca brevifolia*) may occur in the project area, but could not be identified through aerial photograph interpretation. The types of wildlife habitat (in accordance with the CWHR classification system) mapped in the project area can be found in **Table 4** and **Figure 4**.

TABLE 4
VEGETATIVE COMMUNITIES WITHIN THE OTSP PROJECT AREA

Vegetative Community	OTSP Project Area	Percentage of the OTSP Project Area
Urban/Ruderal	298	70%
Desert Scrub	35	8%
Desert Riparian	95	22%
Total	**428**	**100%**

Note: Because of the scale of the analysis, small habitat patches and habitat features (such as seasonal wetland or desert washes) that could not identified from aerial photograph interpretation may be found in the project area.

Urban/Ruderal

The OTSP project area largely comprises urban and ruderal habitats. Urban habitat is distinguished by the presence of both native and exotic species maintained in a relatively static composition within a downtown, residential, or suburban setting (McBride and Reid 1988). The CWHR database classifies urban habitat into five different vegetation types: tree grove, street strip, shade tree/lawn, lawn, and shrub cover (McBride and Reid 1988). Tree groves refer to conditions typically found in

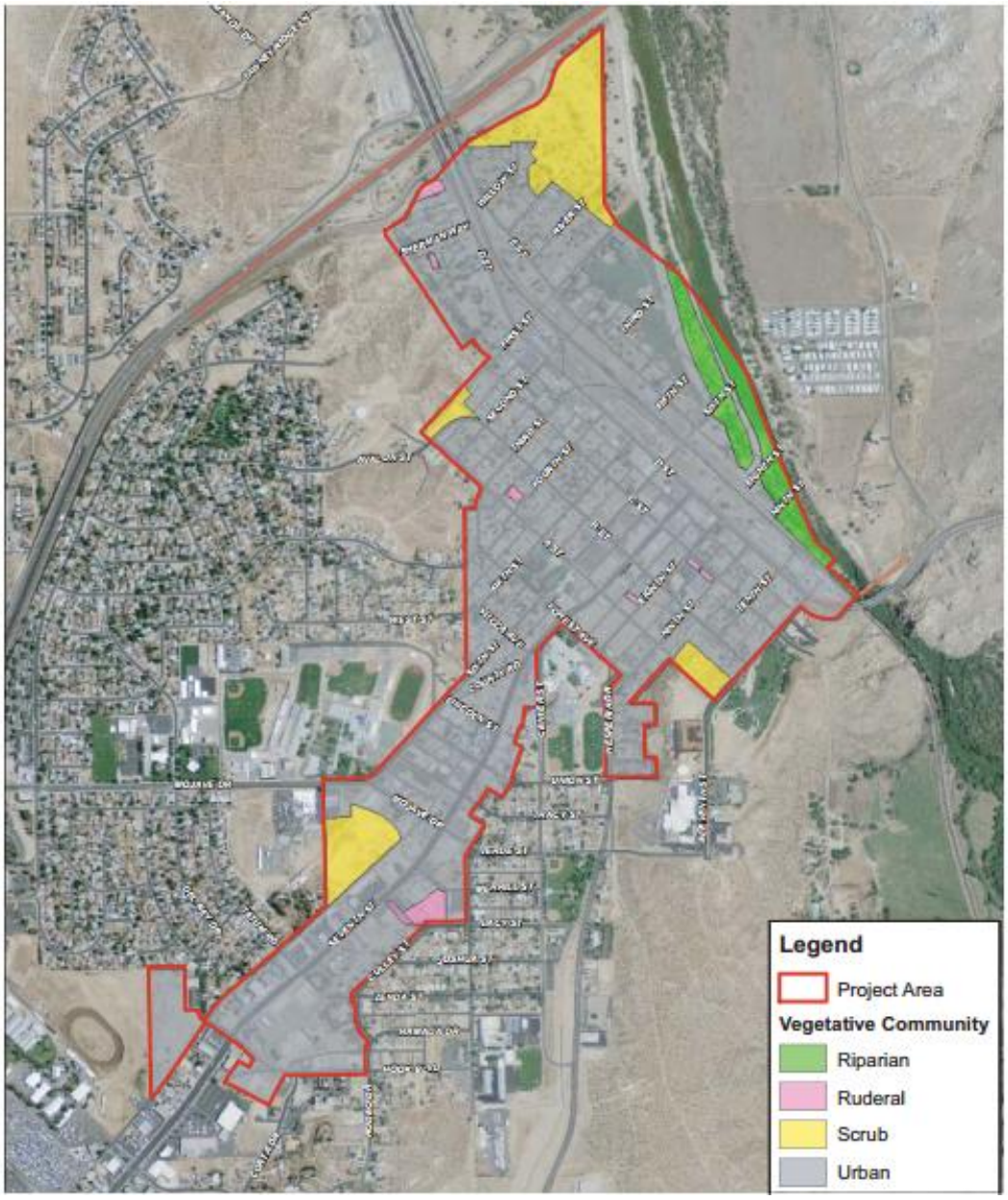
city parks, green belts, and cemeteries. Street strip vegetation, located roadside, varies with species type, but typically includes a ground cover of grass. Shade trees and lawns refer to characteristic residential landscape. Shrub cover refers to areas commonly landscaped and maintained with hedges, as typically found in commercial districts. All five types of urban habitat are generally found in combination, creating considerable edge effect (McBride and Reid 1988).

A distinguishing characteristic of urban habitats is the mixture of native and exotic plant species. Exotic plant species may provide valuable habitat elements such as cover for nesting and roosting, as well as food sources such as nuts or berries. Native and introduced animal species that are tolerant of human activities often thrive in urban habitats. Birds and mammals that occur in these areas typically include introduced species adapted to human habitation, including rock pigeon (*Columba livia*), starling (*Sturnus vulgaris*), house sparrow (*Passer domesticus*), house mouse (*Mus musculus*), and Norway rat (*Rattus norvegicus*). Some native species persist in commercial development lands, including western fence lizard (*Sceloporus occidentalis*), Brewer's blackbird (*Euphagus cyanocephalus*), house finch (*Carpodacus mexicanus*), and American crow (*Corvus brachyrhynchos*).

Ruderal (roadside) communities occur in areas of disturbances such as along roadsides, trails, parking lots, etc. These communities are subjected to ongoing or past disturbances (e.g., vehicle activities, mountain bikes, mowing). Ruderal habitat in these disturbed areas supports a diverse weedy flora. Vascular plant species associated with these areas typically include Johnson grass (*Sorghum halepense*), Canadian horseweed (*Conyza canadensis*), milk thistle (*Silybum marianum*), yellow-star thistle (*Centaurea solstitialis*), and field bindweed (*Convolvulus arvensis*). Fallow fields support field bindweed, turkey mullein (*Eremocarpus setigerus*), wild lettuce (*Lactuca serriola*), prickly sow thistle (*Sonchus arvensis*), and common mallow (*Malva neglecta*). Mediterranean hoary-mustard (*Hirschfeldia incana*) and curly dock (*Rumex crispus*) are also typical of this area. The project area varies from ruderal vegetation along roadways to grasslands within undeveloped areas. Dominant species found within ruderal habitat include introduced grasses such as bromes (e.g., *Bromus hordeaceus, B. diandrus*), rye (*Lolium multiflorum*), and wild oat (*Avena fatua*). Common forbs associated with annual grassland include clover (*Medicago* sp.), filaree (*Erodium* sp.), wild radish (*Raphanus sativus*), mustards (e.g., *Brassica nigra*), winter vetch (*Vicia villosa*), and field bindweed.

Wildlife species found in urban habitat may also be found in ruderal habitat.

FIGURE 4 VEGETATIVE COMMUNITIES WITHIN THE OLD TOWN SPECIFIC PLAN



NOTE: THIS MAP CONTAINS THE ORIGINAL BOUNDARY SHOWN IN RED

Desert Scrub

Desert scrub habitat typically is open, scattered assemblages of broadleaved evergreen or deciduous small-leaved shrubs usually between 1.5 and 6.5 feet in height. Desert scrub plants rarely exceed 10 feet in height. Canopy cover is generally less than 50 percent, usually much less; bare ground is often between plants (Laudenslayer and Boggs 1988). Creosote bush (*Larrea tridentata*)

is often considered a dominant of desert scrub habitats, but its dominance is usually owing to its tall stature rather than density. Generally, desert scrub habitats have low species diversity. Species that may occur in this habitat type include catclaw acacia (*Acacia greggii*), desert agave (*Agave deserti*), white brittlebush (*Encelia farinosa*), white bursage (*Ambrosia dumosa*), barrel cactus (*Ferocactus cylindraceus*), hedgehog cactus (*Echinocereus dasyacanthus*), branched pencil cholla (*Cylindropuntia ramosissima*), teddybear cholla (*Opuntia bigelovii*), Palmer's coldenia (*Tiquilia palmeri*), Wiggins croton (*Croton wigginsii*), desert globemallow (*Sphaeralcea ambigua*), jojoba (*Simmondsia chinensis*), littleleaf krameria (*Krameria erecta*), ocotillo (*Fouquieria splendens*), beavertail pricklypear (*Opuntia basilaris*), rubber rabbitbrush (*Chrysothamnus nauseosus*), sand verbena (*Abronia villosa*), desert senna (*Senna covesii*), squaw waterweed (*Baccharis sergiloides*), Anderson's wolfberry (*Lycium andersonii*), and Mojave yucca (*Yucca schidigera*). Forbs and grasses may include big galetta (*Pleuraphis rigida*), and Spanishneedles (*Bidens pilosa*) (Laudenslayer and Boggs 1988). Areas described as desert scrub in the project area may have been defined in the City of Victorville General Plan as Mojave creosote bush scrub, desert saltbush scrub, rabbitbrush scrub, Mojavean juniper woodland, and scrub.

Desert scrub habitats support a variety of wildlife species. The presence of standing water in winter and the growth of herbaceous plants in spring provide foraging areas and food for species in these seasons. Primary resident species are reptiles or rodents. Typical species include Couch's spadefoot toad (*Scaphiopus couchii*), desert tortoise (*Gopherus agassizii*), a variety of lizards and snakes including the desert iguana (*Dipsosaurus dorsalis*) and common kingsnake (*Lampropeltis getulus californiae*), black-throated sparrow (*Amphispiza bilineata*), various pocket mice (*Perognathus* spp.) and kangaroo rats (*Dipodomys* spp.), kit fox (*Vulpes macroitis*), coyote (*Canis latrans*), and bobcat (*Lynx rufus*) (Laudenslayer and Boggs 1988).

Desert Riparian

Desert riparian habitats are characterized as dense groves of low, shrublike trees or tall shrubs to woodlands of small to medium-sized trees. These habitats are found adjacent to permanent surface water (e.g., streams, springs) or in naturally subirrigated areas. Usually an abrupt transition occurs between this and adjacent shorter and more open desert habitats. Riparian vegetation height depends on constituent plant species; willow (*Salix* spp.) thickets range from 3 to 10 feet in height, whereas Fremont cottonwoods (*Populus fremontii*) may exceed 80 feet (Laudenslayer 1988). Dominant canopy species of desert riparian habitats vary. Overstory species include nonnative tamarisk (*Tamarix* spp.), velvet ash (*Fraxinus velutina*), honey mesquite (*Prosopis glandulosa*), screwbean mesquite (*P. pubescens*), Fremont cottonwood, and willows such as Goodding's willow (*Salix gooddingii*), Hinds willow (*S. hindsiana*), and arroyo willow (*S. lasiolepis*). The subcanopy includes smaller individuals of the canopy species as well as quailbush (*Atriplex lentiformis*), Mojave seablight (*Suaeda moquinii*), desert lavender (*Hyptis emoryi*), seep willow (*Baccharis viminea*), and arrowweed (*Pluchea sericea*) (Laudenslayer 1988). Mojave Narrows Regional Park southeast of the project area supports extensive native riparian woodlands dominated by Fremont cottonwood, Goodding's willow, and honey mesquite. Other native tree species found locally include sandbar willow (*Salix exigua*), white alder (*Alnus rhombifolia*), and California sycamore (*Platanus racemosa*). Desert willow (*Chilopsis linearis*) grows along the river's drier ephemeral reaches. According to the City of Victorville General Plan, other native communities that were mapped along the river include cottonwood-willow woodland, monotypic cottonwood woodland, mesquite bosque, a willow–baccharis streamside community, and hydrophytes (City of Victorville 2008b).

The importance of these relatively rare desert riparian systems to wildlife populations cannot be overstated. These habitats support more bird species at greater densities than other desert habi-

tats, with the possible exception of some Palm Oasis habitats. The dense shrubbery and permanent water provide food, cover, and water for additional wildlife forms (Laudenslayer 1988). The river also serves as a water source for wide-ranging species, including bats, which are abundant in certain locations. The river is used as a flyway stopover for some migratory birds, including turkey vultures (*Cathartes aura*) and Swainson's hawks (*Buteo swainsoni*). Near the City of Victorville, the river is a West Mojave "hot spot" containing over 15 of the species addressed by the West Mojave Plan (BLM 2001).

Special-Status Species

Special-status species are commonly characterized as species that are at potential risk or actual risk to their persistence in a given area or across their native habitat (locally, regionally, or nationally) and are identified by a state and/or federal resource agency as such. These agencies include governmental agencies, such as the California Department of Fish and Game (CDFG) and United States Fish and Wildlife Service (USFWS), or private organizations, such as the California Native Plant Society (CNPS). The degree to which a species is at risk of extinction is the limiting factor on a species' status designation. Risk factors to a species' persistence or population's persistence include habitat loss, increased mortality factors (take, electrocution, etc.), invasive species, and environmental toxins. In context of environmental review, special-status species are defined by the following codes:

- Species that are listed, proposed, or candidates for listing under the federal Endangered Species Act (ESA) (50 Code of Federal Regulations [CFR] 17.11 – listed; 61 Federal Register [FR] 7591, February 28, 1996 – candidates);

- Species that are listed or proposed for listing under the California Endangered Species Act (CESA) (Fish and Game Code [FGC] 1992 Section 2050 et seq.; 14 California Code of Regulations [CCR] Section 670.1 et seq.);

- Species that are designated as Species of Special Concern by CDFG;

- Species that are designated as Fully Protected by CDFG (FGC, Sections 3511, 4700, 5050, 5515); and

- Species that meet the definition of rare or endangered under CEQA (14 CCR Section 15380).

The potential for each special-status species to occur within the project area was assessed based on known occurrences of the species within a 1-mile radius and 5-mile radius of the project area, suitability of habitat within the project area, and professional expertise. **Figure 5** shows the California Natural Diversity Database (CNDDB) occurrence locations of special-status species within a 1-mile radius of the OTSP project area. The information illustrated in the map must be carefully interpreted. The illustration of specific CNDDB occurrence locations reflects the precision of the occurrence report (i.e., although a CNDDB occurrence symbol may overlay a large area, the actual occurrence location may have been a more constrained area). In addition, the supporting habitat features identified with an occurrence location may have been modified since the occurrence report was submitted and the species may be extant from that location.

On the other hand, special-status species may occur in an area where it has not been previously documented. Non-occurrence areas likely reflect areas not previously surveyed. **Table 5** shows the habitat types within the project area and the special-status species associated with those

habitats, which have the potential to be impacted by subsequent projects that would be allowed under the OTSP.

TABLE 5
SPECIAL-STATUS SPECIES POTENTIALLY OCCURRING WITHIN THE OTSP PROJECT AREA

Habitat*	Associated Special-Status Species	Acreage within the OTSP Project Area
Desert Riparian	Booth's evening primrose, Mojave monkeyflower, short-joint beavertail, southern mountains skullcap, and San Bernardino aster California red-legged frog Western pond turtle and coast horned lizard Desert tortoise Long-eared owl Western yellow-billed cuckoo Yellow warbler Southwestern willow flycatcher Yellow-breasted chat Loggerhead shrike Summer tanager Le Conte's thrasher Least Bell's vireo Pallid San Diego pocket mouse Townsend's big-eared bat Mojave River vole Migratory birds and raptors	95
Desert Scrub	Booth's evening primrose, desert cymopterus, sagebrush loeflingia, Mojave monkeyflower, short-joint beavertail, southern mountains skullcap, and San Bernardino aster Desert tortoise Coast horned lizard Burrowing owl Loggerhead shrike Gray vireo Pallid San Diego pocket mouse Townsend's big-eared bat Mohave ground squirrel Migratory birds and raptors	35
Urban/Ruderal	Townsend's big-eared bat Migratory birds and raptors	298

**Because of the scale of the analysis, additional habitats (such as isolated wetland or desert washes) that were not identified from aerial imagery may be found in the project area. Some species listed may not occur in these associated habitats unless their essential habitat requirements are met. Species may occur in areas adjacent to their preferred habitat.*

Special-Status Plant Species

Based on the database search for special-status plants and habitat suitability within the OTSP project area, the plants listed in **Table 5** have the potential to occur within the project area. These species are discussed in detail below.

Booth's evening primrose (*Camissonia boothii* ssp. *boothii*) is designated as a List 2 plant species by CNPS, which are classified as rare, threatened, or endangered in California but more common elsewhere. This species is an annual herb in the evening primrose family (Onagraceae) that is found in Joshua tree woodland, pinyon and juniper woodland, sandy flats, and steep loose slopes. The blooming period for this species is from April to September. This species is found between 2,950 and 7,875 feet in elevation (CNPS 2011). Suitable habitat may occur within undeveloped portions of the project area with sandy soils. There are three previously recorded occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a).

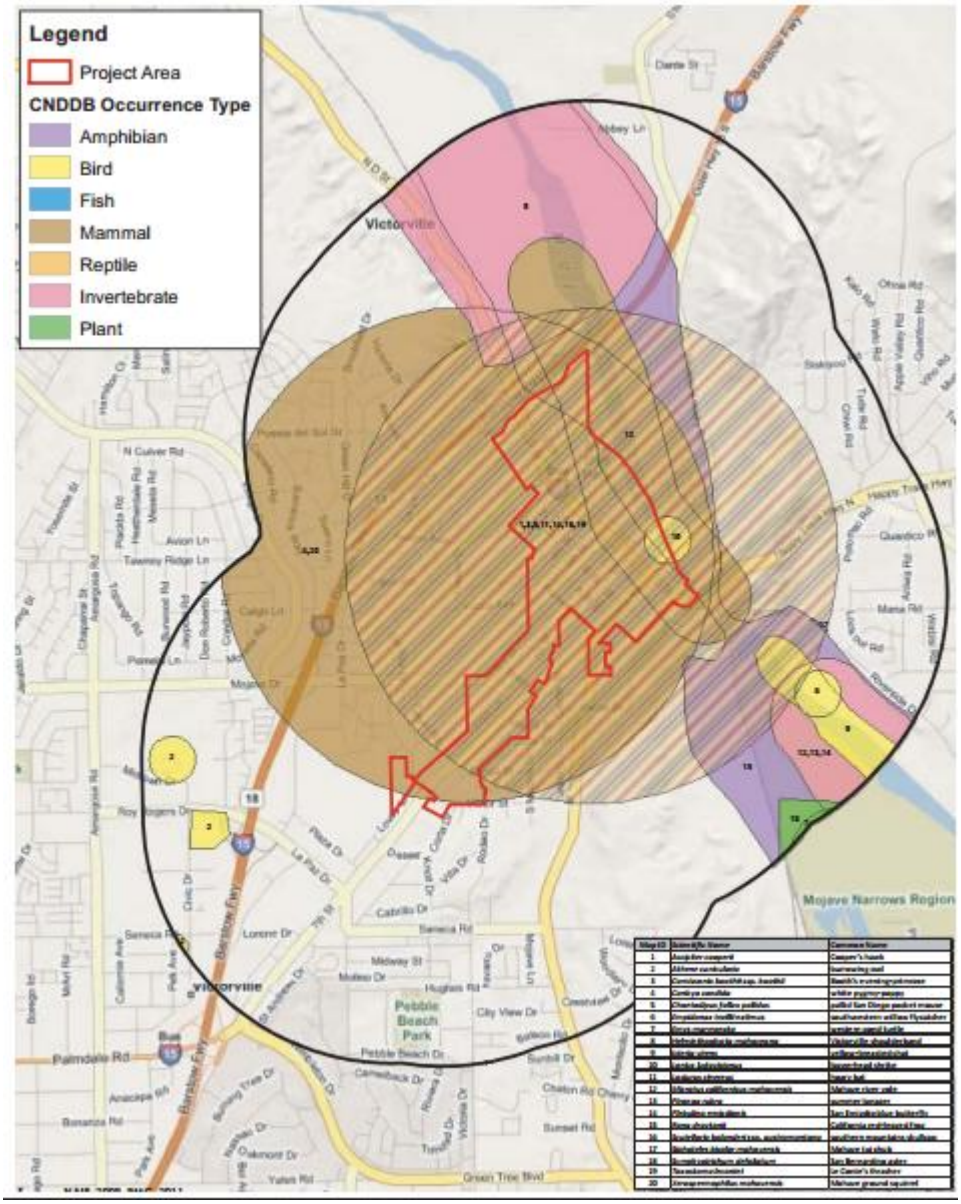
Desert cymopterus (*Cymopterus deserticola*) is designated as a List 1B plant species by CNPS, which are classified as rare, threatened, or endangered in California and elsewhere. This perennial herb in the carrot family (Apiaceae) occurs in Joshua tree woodland and Mojavean desert scrub on fine to coarse, loose sandy soil of flats in old dune areas with well-drained sand at elevations between 2,065 and 4,920 feet (CNPS 2011). This species blooms between March and May (CNPS 2011). There is one previously recorded occurrence within a 5-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in the desert scrub habitat or undeveloped portions with sandy soil.

Sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*) is designated as a List 2 plant species by CNPS. This annual herb in the pink family (Caryophyllaceae) occurs in desert dunes, Great Basin scrub, and Sonoran desert scrub on sandy soils at elevations between 2,295 and 5,300 feet (CNPS 2011). It is found on sandy flats and dunes in sandy areas around clay slicks in associated with greasewood (*Sarcobatus* spp.), saltbush (*Atriplex* spp.), horsebrush (*Tetradymia* spp.), etc. This species blooms between April and May (CNPS 2011). No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a); however, suitable habitat may occur within the project area in the desert scrub habitat or undeveloped portions with sandy soil.

Mojave monkeyflower (*Mimulus mohavensis*) is designated as a List 1B plant species by CNPS. This annual herb in the lopseed family (Phrymaceae) occurs in Joshua tree woodland and Mojavean desert scrub in sandy or gravelly soils, often in washes at elevations between 1,965 and 3,937 feet (CNPS 2011). This species is found in dry sandy or rocky washes along the Mojave River. Most historical occurrences in the Barstow area have been extirpated or impacted. This species blooms between April and June. There is one previously recorded occurrence within a 5-mile radius of the project area (CDFG 2011a). Suitable habitat is present within the project area in the desert scrub or desert riparian habitats or undeveloped portions with sandy soil.

Short-joint beavertail (*Opuntia basilaris* var. *brachyclada*) is designated as a List 1B plant species by CNPS. This perennial stem succulent in the cacti family (Cactaceae) occurs in chaparral, Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland, and riparian woodland in sandy soil or coarse granitic loam at elevations between 1,965 and 5,905 feet (CNPS 2011). This species blooms between April and June. No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a); however, suitable habitat is present within the project area in desert scrub and riparian habitats.

FIGURE 5 PREVIOUSLY RECORDED SPECIAL-STATUS SPECIES OCCURRENCES WITHIN A ONE-MILE RADIUS OF THE OLD TOWN SPECIFIC PLAN



Note: This Map contains the original boundary shown in red

Southern mountains skullcap (*Scutellaria bolanderi* ssp. *austromontana*) is designated as a List 1B plant species by CNPS. This perennial rhizomatous herb in the mint family (Lamiaceae) occurs in chaparral, woodland on mountainsides, and lower montane coniferous forest in mesic soils. Found in gravelly soils on streambanks or in mesic sites in oak or pine woodland at elevations between 1,395 and 6,560 feet (CNPS 2011). This species blooms between June and August. There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in desert scrub and riparian habitats.

San Bernardino aster (*Symphyotrichum defoliatum*) is designated as a List 1B plant species by CNPS. This perennial rhizomatous herb in the sunflower family (Asteraceae) occurs in woodland on mountainsides, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic) near ditches, streams, springs, and disturbed areas at elevations between 6 and 6,695 feet. This species blooms between July and November. There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in desert scrub and riparian habitats.

Special-Status Wildlife Species

Based on the database search for special-status wildlife and habitat suitability within the OTSP project area, the species listed in **Table 5** have the potential to occur within the project area. These species are discussed in detail below.

Amphibians

California red-legged frog (*Rana draytonii*) is a federally threatened species and a California species of special concern. The USFWS has identified primary constituent elements for California red-legged frog as physical and biological elements that are essential to the conservation of the species. These elements include aquatic breeding sites within a matrix of non-breeding aquatic habitat, upland habitat, and dispersal habitat. Breeding habitat for the species includes pools and backwaters within streams, creeks, ponds, marshes, springs, lagoons, and artificially impounded stock ponds (USFWS 2002). This species requires a permanent water source and is typically found along slow-moving streams, ponds, or marsh communities with emergent vegetation (USFWS 2005). This species requires 11 to 20 weeks of permanent water for larval development. Breeding occurs generally between late December and early April. California red-legged frogs are known to aestivate in upland habitat in rodent burrows, under rocks and logs, and in leaf litter in areas adjacent to aquatic habitat. California red-legged frogs are seldom found far from aquatic habitat during dry periods, but some individuals may disperse through upland habitats after the first fall rains. Upland habitat is described as natural areas within 200 feet of the edge of riparian vegetation or no further than the watershed boundary. Dispersal habitat can be of several habitat types but must be free of barriers that would prevent frog dispersal. Barriers include heavily traveled roads without bridges or culverts and large urban development with extensive areas of pavement. During periods of wet weather, some individuals may make overland excursions through upland habitats; during dry periods, this species is rarely encountered far from water (USFWS 2002). There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the riparian habitat surrounding the Mojave River in the project area as there are previously recorded occurrences of California red-legged frogs along the river.

Reptiles

The **western pond turtle** (*Emys marmorata)* is a California species of special concern. Western pond turtles are found in a variety of aquatic habitats in central California, including permanent water bodies with basking sites such as logs and rocks. Suitable habitat for pond turtles includes ponds or slowly moving bodies of water with aquatic vegetation, debris within the water and banks for basking, and invertebrate and vertebrate prey. This species is highly aquatic, but nests on land up to several hundred yards from water. There is one previously recorded occurrence within a 1-mile radius of the project area along the Mojave River (CDFG 2011a). Suitable habitat may occur within the project area adjacent to the Mojave River.

Desert tortoise (*Gopherus agassizii*) is federally and state listed as threatened. Most often tortoise habitats are associated with well-drained sandy loam soils in plains, alluvial fans, and bajadas, though tortoises occasionally occur in dunes, along edges of basaltic flow and other rock outcrops, and in well-drained and vegetated alkali flats. This species is found in desert, shrubland, and chaparral communities and is almost entirely confined to creosote bush. In the Mojave Desert, the tortoise occurs in creosote scrub, creosote bursage (*Ambrosia dumosa*), shadscale scrub, Joshua tree, and, more rarely (in the northern periphery of their range), in mixed blackbush (*Coleogyne ramossisma*) scrub between 3,500 and 5,000 feet in elevation. Often native desert grasses, especially galleta (*Hilaria/Plueraphis* sp.) and Indian rice grass (*Achnatherum hymenoides*), are associated with high tortoise densities. Tortoises are often subterranean when inactive, which is about 98 percent of their total life span. Typically they utilize and/or excavate shelters of four different types: burrows, dens, pallets (shallow depressions for temporary resting sites), and non-burrows. Egg-laying occurs mainly from May to early July. There are five previously recorded occurrences within a 5-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in desert scrub and riparian habitats. The species' recovery plan recommends conservation and management of several tortoise-occupied areas, but none of the areas extend into the City of Victorville.

Coast horned lizard (*Phrynosoma blainvillii*) is a California species of special concern. This lizard frequents a wide variety of habitats; it is most common in lowlands along sandy washes with scattered low bushes. It is found in open areas for sunning, bushes for cover, patches of loose soil for burial, and an abundant supply of ants and other insects. There are two previously recorded occurrences within a 5-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in the desert scrub or riparian habitats.

Birds

Long-eared owl (*Asio otus*) is a California species of special concern and protected under the Migratory Bird Treaty Act (MBTA). This owl occurs in riparian habitat with tall willows and cottonwoods; however, this species also occurs in belts of live oak paralleling stream courses and in dense conifer stands at higher elevations. The long-eared owl requires adjacent open land productive of mice and the presence of old nests of crows, hawks, or magpies for breeding. This species' breeding period is approximately from April to July. No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a). Suitable habitat may occur within the project area in the desert riparian habitat.

Burrowing owl (*Athene cunicularia*) is a California species of special concern. Burrowing owls are year-round residents in the open, dry grasslands and desert habitat. They have been seen in agricultural fields where their prey base (small rodents) is large. They may also occur in grass, forbs, and open shrub stages of pinyon-juniper and ponderosa pine habitats. Burrowing owls nest and

take shelter in burrows in the ground, typically burrows excavated by other species such as ground squirrels. They forage in grasslands and agricultural fields. They inhabit open grasslands and shrublands with low perches and small mammal burrows. This species is a resident year-round and breeds March through August. There are 27 previously recorded occurrences within a 5-mile radius of the project area, three of which are within a 1-mile radius (CDFG 2011a). Suitable habitat is present within the desert scrub habitat, but they may also occur in other areas with low-growing vegetation and rodent burrows.

Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a candidate for federal listing, state listed as endangered, and protected under the MBTA. California breeding range is restricted to the Sacramento Valley, the South Fork of the Kern River, the Lower Colorado River Valley, and sometimes the Prado Basin in Riverside and San Bernardino counties. This species breeds in broad, well-developed, low-elevation riparian woodlands. Egg-laying occurs from mid-June to mid-July. It nests in riparian forests, along the broad, lower flood-bottoms of larger river systems, and in riparian jungles of willow, often mixed with cottonwoods, with a lower story of blackberry, nettles, or wild grape. There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Yellow warbler (*Dendroica petechia brewsteri*) is a California species of special concern and protected under the MBTA. The yellow warbler is found in riparian plant associations. It prefers willows, cottonwoods, aspens, sycamores, and alders for nesting and foraging; however, it also nests in montane shrubbery in open conifer forests. This species typically breeds from mid-April to early August. No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Southwestern willow flycatcher (*Empidonax traillii extimus*) is federally and state listed as endangered and protected under the MBTA. The southwestern willow flycatcher breeds in dense riparian habitats along rivers, streams, or other wetlands. The vegetation can be dominated by dense growths of willows, seepwillow (*Baccharis* sp.), or other shrubs and medium-sized trees. There may be an overstory of cottonwood, tamarisk, or other large trees, but this is not always the case. One of the most important characteristics of the habitat appears to be the presence of dense vegetation, usually throughout all vegetation layers present. Almost all southwestern willow flycatcher breeding habitats are within close proximity (less than 20 yards) of water or very saturated soil. This water may be in the form of large rivers, smaller streams, springs, or marshes. At some sites, surface water is present early in the nesting season, but gradually dries up as the season progresses. Ultimately, the breeding site must have a water table high enough to support riparian vegetation. The birds make a cup nest in a vertical fork in a shrub or tree. Peak egg-laying occurs in June. These birds migrate to Mexico and Central America, often selecting winter habitat near water. There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). The desert riparian habitat surrounding the Mojave River is designated as willow flycatcher critical habitat (USFWS 2011).

Yellow-breasted chat (*Icteria virens*) is a California species of special concern and a migratory bird protected under the MBTA. The yellow-breasted chat is a migrant species that nests in riparian habitats along rivers and streams up to 4,800 feet on the west side of the Sierra Nevada. Preferred habitats include dense thickets and brush, often with thorns, streamside tangles, and dry brushy hillsides. This species breeds from May to July. It nests in low, dense riparian vegetation, consisting of willow, blackberry, and wild grape; it forages and nests within 10 feet of the ground. There is one previously recorded occurrence within a 1-mile radius of the project area (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Loggerhead shrike (*Lanius ludovicianus*) is a California species of special concern and a migratory bird protected under the MBTA. Loggerhead shrikes are a relatively common resident and/or winter visitor in lowlands and foothills throughout California. This species typically prefers open habitats with scattered shrubs, trees, and other potential perch sites (e.g., posts, utility lines, fences), although they are also found in open-canopied valley foothill hardwood, valley foothill hardwood-conifer, valley foothill riparian, pinyon-juniper, juniper, desert riparian, and Joshua tree habitats. Egg-laying occurs from March to May. There are three previously recorded occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a). The desert scrub and desert riparian habitat in the project area may provide habitat for this species.

Summer tanager (*Piranga rubra*) is a California species of special concern and a migratory bird protected under the MBTA. This species is a summer resident of desert riparian along the lower Colorado River and locally elsewhere in California deserts. The summer tanager requires cottonwood-willow riparian for nesting and foraging; it prefers older, dense stands along streams. It seems that tall, shady trees are the most critical element. There are two previously recorded occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Le Conte's thrasher (*Toxostoma lecontei*) is a California species of special concern and a migratory bird protected under the MBTA. This species is found in desert scrub, particularly creosote bush associations, including saltcedar (*Atriplex* sp.) and cholla cacti (*Opuntia* sp.). Their home ranges include saltbush-cholla scrub. They nest in cholla cactus, sagebrush, small trees, or shrubs 1.5 to 11.5 feet above ground. Eggs are laid from February to June. There are two previously recorded occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a). The desert scrub in the project area may provide habitat for this species.

Least Bell's vireo (*Vireo bellii pusillus*) is federally and state listed as endangered and protected under the MBTA. Least Bell's vireo is a summer resident of Southern California in low riparian vegetation in the vicinity of water or in dry river bottoms, below 2,000 feet in elevation. Nests are placed along margins of bushes or on twigs projecting into pathways, usually in willow, baccharis, and mesquite. There is one previously recorded occurrence within a 5-mile radius of the project area (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Gray vireo (*Vireo vicinior*) is a California species of special concern and a migratory bird protected under the MBTA. This species occurs in dry chaparral, west of desert, in chamise-dominated habitat, mountains of Mojave Desert, associated with juniper and sagebrush (*Artemesia* spp.). The gray vireo forages, nests, and sings in areas formed by a continuous growth of twigs, 1 to 5 feet above ground. In all parts of the gray vireo's range, shrub cover that forms a continuous zone of twig growth from 1 to 5 feet above the ground is the common factor of habitat. The shrubbery may evidently be either closed, as in chaparral, or partly open, as in the understory of pinyon-juniper woodland. In Joshua Tree National Monument and the mountains of the eastern Mojave Desert, gray vireos occur in pinyon-juniper woodland or sagebrush mixed with pinyon-juniper woodland (Shuford and Gardali 2008). No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a). The desert scrub in the project area may provide habitat for this species.

Raptors and Other Migratory Birds

Raptor nests including those of Cooper's hawk, Swainson's hawk, and white-tailed kite are protected under the MBTA and Section 3503.5 of the California Fish and Game Code. Suitable raptor nesting habitat occurs in the project area. Additionally, the project area supports suitable

raptor foraging habitat. Consequently, raptor species likely forage and may also nest in the project area. Migratory birds forage and nest in multiple habitats such as those found within the project area. The nests of all migratory birds are protected under the MBTA, which makes it illegal to destroy any active migratory bird nest. Numerous migratory bird species in addition to the ones previously described have the potential to nest in the project area.

Mammals

Pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*) is a California species of special concern. This species occurs in desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. They occur in sandy herbaceous areas, usually in association with rocks or coarse gravel. This subspecies of pocket mouse is found inland, along the southern margins of the Mojave Desert and along the northern slopes of the San Bernardino Mountains and the western edge of the Colorado Desert south to the Mexican boundary. There are two previously recorded occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a).

Townsend's big-eared bat (*Corynorhinus townsendi*) is a California species of special concern. This species is found throughout California in a wide variety of habitats including caves, rock crevices or cliffs, and man-made structures. These bats hibernate in caves or mines where the temperature is 54 degrees Fahrenheit or less, but usually above freezing. Hibernation sites in caves often are near entrances in well-ventilated areas. They hibernate in clusters of a few to more than 100 individuals. Maternity colonies usually are located in relatively warm parts of caves. They generally roost in the open, hanging from walls and ceilings. The Townsend's big-eared bat is extremely sensitive to human disturbance. No long-distance migrations are known. Like many other bats, they return year after year to the same roost sites. The mating period for this species is between October and February, with pups being born from May to July. No previously recorded occurrences are within a 5-mile radius of the project area (CDFG 2011a).

Mojave River vole (*Microtus californicus mohavensis)* is a California species of special concern. This species occurs only in weedy herbaceous growth in wet areas along the Mojave River. They may be found in some irrigated pastures. This species burrows into soft soil, feeds on leafy parts of grasses, sedges, and herbs, and clips grasses to form runways from its burrow. The Mojave River vole is found in moist habitats including meadows, freshwater marshes, and irrigated pastures in the vicinity of the Mojave River. Suitable habitat is associated with ponds and irrigation canals along with the Mojave River proper. Elevations of known localities range between 2,325 and 2,700 feet (Laabs 2011). There are three previously recorded occurrences within a 5-mile radius of the project area, two of which are within a 1-mile radius (CDFG 2011a). The desert riparian habitat in the project area may provide habitat for this species.

Mohave ground squirrel (*Spermophilus mohavensis*) is state listed as threatened. This ground squirrel inhabits desert areas with deep sandy or gravelly friable soils and an abundance of annual herbaceous vegetation. Habitats include alluvial fans where desert pavement is absent. Habitats in order of decreasing favorability include creosote bush association, shadscale association, alkali sink association, and Joshua tree association. Nests are in underground burrows, and mating occurs from February to March. The Mohave ground squirrel is found in open desert scrub, alkali scrub, and Joshua tree woodland; however, they also feed in annual grasslands. They are restricted to the Mojave Desert, where they prefer sandy to gravelly soils and avoid rocky areas. The squirrel uses burrows at base of shrubs for cover, and their nests are located in the burrows. Mohave ground squirrels hibernate during the cold winter months and aestivate during the hot summer months, so these creatures are active for less than half of the year. They are most active in spring and early summer, when green vegetation is abundant. When Mohave ground squirrels turn in for the night, they use soil to plug the entrances of their burrows. There are five previously recorded

occurrences within a 5-mile radius of the project area, one of which is within a 1-mile radius (CDFG 2011a). The desert scrub in the project area may provide habitat for this species.

Sensitive Habitats

For the purposes of this section, sensitive habitats are defined as:

- Areas of special concern to resource agencies;
- Areas protected under CEQA;
- Areas designated as sensitive natural communities by CDFG;
- Areas outlined in Section 1600 of the California Fish and Game Code;
- Areas regulated under Section 404 of the federal Clean Water Act (CWA); and
- Areas protected under local regulations and policies.

The CNDDB search identified no special-status communities occurring in the nine 7.5-minute United States Geological Survey quadrangles within and surrounding the project area. Desert riparian habitat occurs within and adjacent to the project area along the Mojave River. Although Joshua tree woodland was not identified in the project area, individual Joshua trees may occur in the project area.

Critical Habitat

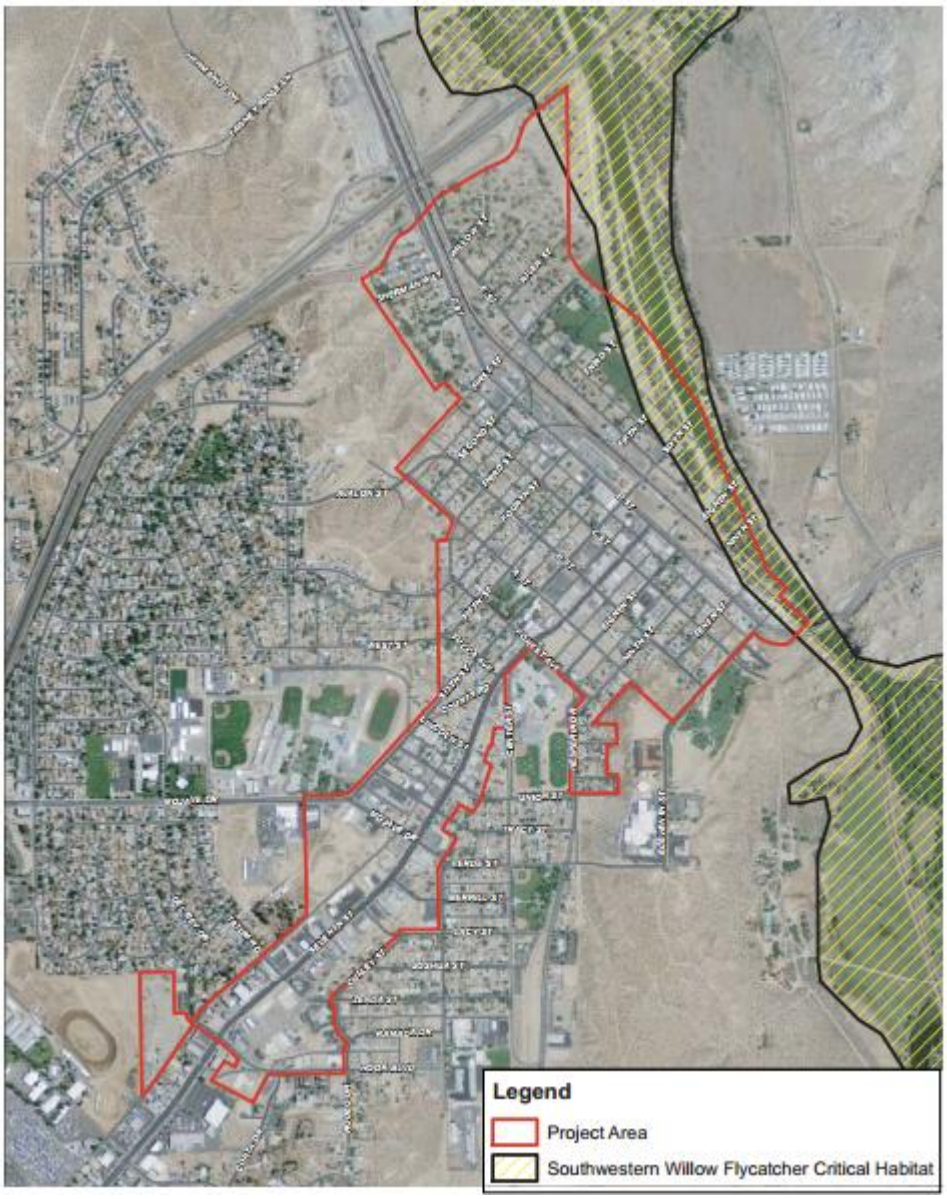
The USFWS defines critical habitat as a specific area that is essential for the conservation of a federally listed species and which may require special management considerations or protection. Critical habitat for southwestern willow flycatcher is present along the Mojave River riparian corridor within and adjacent to the project area (**Figure 6**).

Wildlife Corridors

Wildlife movement corridors are considered an important ecological resource. Wildlife corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Corridors are present in a variety of habitats and link otherwise fragmented acres of undisturbed area. Maintaining the continuity of established wildlife corridors is important to sustain species with specific foraging requirements, preserve a species' distribution potential, and retain diversity among many wildlife populations. Therefore, resource agencies consider wildlife corridors to be a sensitive resource.

Movement corridors may provide favorable locations for wildlife to travel between different habitat areas such as foraging sites, breeding sites, cover areas, and preferred summer and winter range locations. They may also function as dispersal corridors, allowing animals to move between various locations within their range. The Mojave River riparian corridor is partially located within the project area and serves as a major wildlife corridor in the region.

FIGURE 6 DESIGNATED CRITICAL HABITAT WITHIN AND SURROUNDING THE OLD TOWN SPECIFIC PLAN



Note: This Map contains the original OTSP boundary shown in red

REGULATORY FRAMEWORK

The following section describes the federal, state, and local environmental laws, policies, plans, and agencies that are relevant to the OTSP project area.

Federal Laws and Regulations

- Federal Endangered Species Act
- Clean Water Act
- Migratory Bird Treaty Act
- Executive Order 13112 – Invasive Species

State Laws and Regulations

- California Endangered Species Act
- Native Plant Protection Act of 1977
- Fish and Game Code Section 1602
- Fish and Game Code Section 3503.5

Local Laws, Regulations, and Policies

- City of Victorville General Plan
    - Biological Surveys as Part of Routine Project Review Process

      An assessment of biological habitat and potential impacts to listed or sensitive species is required as part of the City's routine CEQA compliance program for new development projects in undeveloped areas. The City, with concurrence from the USFWS, has designated an area within the urbanized part of the community, where surveys to detect desert tortoise are not required, based on past negative survey results and the characteristics of the land and nearby improvements that have eliminated tortoise habitat or represent significant barriers to tortoise movement and sustainability.

      The General Plan includes the following goals, policies, and objectives related to biological resources:

      Goal #4: Conservation of Important Habitat: Preserve land containing native habitat that sustains rare, threatened, or endangered plants and wildlife species.

      Objective 4.1: Preservation of natural communities that support rare, threatened, and/or endangered plants and wildlife species throughout the Specific Plan area.

      Policy 4.1.1: Discourage development of natural habitat that supports rare, threatened, or endangered plants and wildlife (i.e., "sensitive" species), or require

restoration of the same type of impacted habitat within an existing, planned, or potential conservation area.

Implementation Measure 4.1.1.1: The City will compile and maintain up-to-date geographical database of the spatial distribution and composition of natural habitat that supports sensitive species throughout the Specific Plan area.

Implementation Measure 4.1.1.2: Continue to require biological surveys and an assessment of impacts to biological resources for new "greenfield" projects, as part of the City's CEQA implementation procedures. Update City's database of sensitive habitats with findings of project-level biological surveys and reports.

Policy 4.1.2: Support and participate in the West Mojave Plan.

Implementation Measure 4.1.2.1: Assign appropriate City staff to monitor and report on West Mojave Plan activities and to develop staff-level procedures to enable effective implementation of the City's responsibilities under the Specific Plan.

Objective 4.2: Permanent Conservation of Mojave River Corridor Ecological Values

Policy 4.2.1: Generally prohibit private or public development projects or major infrastructure facilities on land within the Mojave River Corridor, where biological surveys have determined there is habitat that supports rare, threatened and/or endangered plants or wildlife. Allow minor encroachments into such habitat, for critical public facilities and recreational trails, where reliable assurances are provided that no loss of sensitive species would occur.

Implementation Measure 4.2.1.1: Compile and current mapping of biological habitat features and occurrences of sensitive species along Mojave River Corridor.

- Victorville Municipal Code Title 13 Chapter 13.33 – Preservation and Removal of Joshua Trees

  It is unlawful for any person to cut, damage, destroy, dig up, or harvest any Joshua tree (Yucca brevifolia) without the prior written consent of the Director of Parks and Recreation or his designee. A violation of this section is a misdemeanor punishable by up to six months in jail and/or a $500 fine (13.33.040 – Prohibition of removal and enforcement).

- West Mojave Plan

  The proposed West Mojave Coordinated Management Plan (West Mojave Plan) is a comprehensive, interagency plan (32 different federal, state, and local agencies) being developed by the Bureau of Land Management (BLM) for the conservation of biological resources in the Western Mojave Region. The plan is intended to function as a regional habitat conservation plan for meeting the requirements of the federal Endangered Species Act. The West Mojave Plan covers the 6.2-million-acre West Mojave Plan Area—including 3.2 million acres of public land and 3.0 million acres of private land—in portions of San Bernardino, Inyo, Kern, and Los Angeles counties. The City of Victorville lies within the West Mojave Plan Area.

The proposed West Mojave Plan presents a multi-species conservation strategy applicable to public and private lands throughout the West Mojave Plan Area. It would amend the BLM's California Desert Conservation Area Plan for public lands and would serve as a habitat conservation plan for private lands. Local jurisdictions and state agencies that become signatories to the West Mojave Plan would be issued "incidental take" permits covering 49 listed, threatened, or otherwise sensitive plant and wildlife species. In exchange, such jurisdictions would require the payment of a development fee (currently $770 per acre) to cover the West Mojave Plan's costs for land acquisition, land management, and other operations. This would streamline the City's CEQA review process by providing a simplified means of mitigating impacts to sensitive plant and wildlife species potentially impacted by development projects within city limits. If the City chooses not to sign on to the West Mojave Plan, the City will be required to determine appropriate mitigation for potentially significant biological impacts on a case-by-case basis. This plan has not yet been adopted.

PROJECT IMPACTS AND MITIGATION MEASURES

a) ***Less than Significant with Mitigation Incorporated.*** Several special-status plant and wildlife species have the potential to occur in the OTSP project area. Most of these species have the potential to occur within the Mojave River riparian corridor and surrounding open space, which includes desert scrub habitat. According to the OTSP Land Use Map (see **Figure 3**), the area surrounding the Mojave River within the OTSP project area is designated as Open Space; therefore, it is unlikely that subsequent projects would adversely affect special-status species. Subsequent projects that would be allowed under the OTSP could result in the development of these isolated patches of habitat and adversely affect special-status species if present. Additionally, indirect impacts may occur with increases in development and population density within the project area. As the exact nature of the development within the project area is not currently known, a conservative approach was taken to analyze project impacts.

Impacts to Special-Status Plant Species

Based on the database search and habitat suitability within the project area for special-status plants, seven special-status plants—Booth's evening primrose, desert cymopterus, sagebrush loeflingia, Mojave monkeyflower, short-joint beavertail, southern mountains skullcap, and San Bernardino aster—have the potential to occur within the project area and be directly impacted by the proposed project. Construction of future development projects as allowed under the OTSP could result in direct loss of these special-status plant species, if these species are present. In addition to direct impacts, indirect impacts to special-status plant species could occur, if species are present, through degradation of habitat with the introduction of non-native species. These impacts are considered **potentially significant** unless mitigation is incorporated.

Impacts to Special-Status Wildlife Species

California Red-Legged Frog

Habitat for the California red-legged frog consists of aquatic breeding sites within a matrix of riparian and upland dispersal habitat. Breeding habitat for the species includes pools and backwaters within streams, creeks, ponds, marshes, springs, lagoons, and arti-

ficially impounded stock ponds (USFWS 2002). California red-legged frogs are known to aestivate in upland habitat in rodent burrows, under rocks and logs, and in leaf litter in areas adjacent to aquatic habitat. California red-legged frogs are seldom found far from aquatic habitat during dry periods, but some individuals may disperse through upland habitats after the first fall rains. This species requires a permanent water source and is typically found along slow-moving streams, ponds, or marsh communities with emergent vegetation (USFWS 2005). Removal of habitat is considered take. There are previously recorded occurrences of California red-legged frog within the Mojave River (CDFG 2011a). If subsequent projects occur within or surrounding the Mojave River and if the species is present during construction activities, then the project may result in mortality of individual California red-legged frog by accidental trampling, burial, or entrapment. If subsequent project occur in suitable red-legged frog habitat, then the project may result in take of the species from direct mortality and removal/disturbance of habitat. This impact is **potentially significant** unless mitigation is incorporated.

Western Pond Turtle and Coast Horned Lizard

Suitable habitat for western pond turtle occurs in the Mojave River riparian corridor within the project area. The western pond turtle may also use the adjacent upland habitat for nesting and over-wintering. The coast horned lizard occurs in a variety of habitats. Both of these species are California species of special concern. Subsequent projects under the Specific Plan may result in temporary disturbance and permanent alteration of habitat for these species. If these species are present during construction activities, direct mortality may occur from trampling or compacting soil where nests are present. Implementation of subsequent projects under the Specific Plan could result in direct mortality of the western pond turtle or coast horned lizard, which would be **potentially significant** unless mitigation is incorporated.

Desert Tortoise

Implementation of the Specific Plan could result in the loss of habitat or direct mortality of the federally and state-listed desert tortoise. The desert tortoise could be affected by construction and implementation of subsequent projects if burrows or other critical sites are on or near a project site. Adverse impacts are possible if burrows or their signs are found up to 0.5 mile away from the project site. Construction and operation of subsequent projects may result in loss and degradation of desert tortoise habitat. This impact is **potentially significant** unless mitigation is incorporated.

Burrowing Owl

The burrowing owl is a California species of special concern. Burrowing owl may occur in ruderal, desert scrub, and the areas bordering the desert riparian habitat within the project area. Subsequent projects may result in disturbance, degradation, and compaction of habitat where this species is found. Burrowing owls frequently occur in areas used by ground squirrels as the owls will excavate old squirrel burrows to use as their own. Construction activities may interfere with nesting activities of burrowing owls if nests are present within 500 feet of the construction zone. These actions could result in direct loss (or take) of a burrowing owl if construction activities disrupt the breeding of this special-status species or destroy a burrow that is actively being used by a burrowing owl. Although burrowing owl is not a listed species, mortality of a large colony would be **potentially significant** unless mitigation is incorporated.

Western Yellow-Billed Cuckoo, Southwestern Willow Flycatcher, and Least Bell's Vireo

The western yellow-billed cuckoo is a candidate for federal listing and state listed as endangered. The willow flycatcher is state listed as endangered. The least Bell's vireo is federally and state listed as endangered. These three species use riparian habitats for nesting and foraging. The desert riparian habitat within the OTSP project area is suitable habitat for these species. Take of the species including mortality, injury, or removal of occupied habitat is potentially significant. Additionally, the portion of the project area adjacent to the Mojave River is within critical habitat for willow flycatcher (**Figure 6**). Since areas where these species may occur is designated as open space in the Specific Plan, it is unlikely that direct impacts to these would occur; however, indirect impacts may occur from increases in human interaction, lighting, traffic, or introduction/spread of invasive species. This impact is **less than significant**.

Raptors and Other Migratory Birds

Trees in and around the project area may provide nesting habitat for raptors and migratory birds protected under the MBTA, including the following California species of special concern: long-eared owl, yellow warbler, yellow-breasted chat, loggerhead shrike, summer tanager, Le Conte's thrasher, and gray vireo. Construction could result in noise, dust, increased human activity, and other indirect impacts to nesting raptors or migratory bird species in the project vicinity. Potential nest abandonment, mortality to eggs and chicks, as well as stress from loss of foraging areas would also be considered **potentially significant** impacts unless mitigation is incorporated.

Pallid San Diego Pocket Mouse and Mojave River Vole

Pallid San Diego pocket mouse and Mojave River vole are California species of special concern. The pallid San Diego pocket mouse occurs in desert wash and desert scrub habitat usually in association with rocks and coarse gravel, whereas the Mojave River vole occurs in weedy herbaceous growth along the Mojave River. These species may occur within the project area. If subsequent disturb or remove suitable habitat where these species occur, the project may result in direct mortality through trampling, compaction of soil, and/or disturbance during nesting. Although these are not listed species, mortality of a significant population of pallid San Diego mouse and Mojave River vole would be **potentially significant** unless mitigation is incorporated.

Townsend's Big-Eared Bat

Townsend's big-eared bat is a California species of special concern. Construction of subsequent projects may result in the removal of vegetation, rock crevices, and other appropriate roosting habitat, which could result in direct mortality to these species. If construction and operation locations are within or immediately adjacent to areas that contain roosting habitat for this species, construction noise and activities may disrupt roosting bats, and therefore result in adverse impacts on bat species. The temporary disturbance as a result of construction activities may result in bat mortality, and failure and/or disturbance to a winter or maternity roost. Although Townsend's big-eared bat is not a listed species, mortality of a significant roosting colony would be **potentially significant** unless mitigation is incorporated.

Mohave Ground Squirrel

Mohave ground squirrel is state listed as threatened. This species may occur within the desert scrub or bordering the desert riparian habitat within the project area. Removal or degradation of suitable habitat for this species may result in take. If Mojave ground squirrels are underground or are shading themselves from the hot sun under construction equipment, vegetation, or underground, they may be injured or crushed during construction activities. If this species is present during construction activities, the proposed project may result in direct mortality of or loss/degradation of habitat for Mojave ground squirrels. This impact is **potentially significant** unless mitigation is incorporated.

Though the City's General Plan policies discussed above would assist in mitigating some of these impacts, additional mitigation measures would be required. Therefore, the following mitigation measures are required:

Mitigation Measures

MM 4a-1: All future development within the OTSP project area involving ground disturbance shall be required to conduct focused surveys in suitable habitat to determine the presence of special-status plant species. Surveys shall be conducted in accordance with the CDFG *Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities* (2000). If no special-status plant species are found, then development will not have any impacts to the species and no additional mitigation measures are necessary.

If any of the species are found on site and cannot be avoided, the City shall consult with the USFWS and/or the CDFG, as applicable, to determine appropriate avoidance and mitigation for special-status plants, which may include, but is not limited to, the following measures:

1. Future project applicants shall salvage portions of the plant populations that cannot be feasibly avoided for either re-establishment after construction is complete or transplantation in a new area supporting appropriate habitat.

2. A propagation program shall be developed for the salvage and transfer of rare, threatened, or endangered plant populations from the site before the initiation of construction activities. The propagation and transfer of individual plant species must be performed at the correct time of year and successfully completed before the project's construction activities eliminate or disturb the plants and habitats of concern. The viability of the plant population shall be maintained.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-2: All future development within the OTSP project area involving ground disturbance shall be required to conduct focused surveys for California red-legged frog in all suitable habitat within 100 feet of construction activities. Surveys shall be conducted within 15 days of the onset of any construction activities. If California red-legged frogs are determined to be present, construction activities will not be allowed within a 100-foot buffer of occupied habitat. Future project applicants shall

consult with the USFWS and obtain all the necessary approvals and/or permits. Through consultation with the USFWS, appropriate avoidance and mitigation for California red-legged frog shall be determined, which may include, but is not limited to, having an on-site biological monitor during construction activities, compensation for loss of habitat, and exclusionary buffer zones.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-3: All future development within the OTSP project area involving ground disturbance shall be required to conduct focused surveys for western pond turtle in all suitable habitat within 100 feet of construction activities. Surveys shall be conducted within 15 days prior of the onset of any construction activities. If construction is planned after April 1, this survey should include looking for turtle nests. If a nest is found within a 100-foot radius of the construction zone, construction shall not take place within 100 feet of the nest until the turtles have hatched or the eggs have been moved to an appropriate location under consultation with the CDFG. In the event that a turtle is found during construction activities, construction activities shall stop until a qualified biologist, under consultation with the CDFG, moves the turtle to a safe location outside of the construction zone.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-4: All future development within the OTSP project area involving ground disturbance shall be required to conduct surveys to detect desert tortoise (as determined by the USFWS and the City). Future project applicants shall implement the provisions of the *Field Survey Protocol for Any Non-Federal Action That May Occur within the Range of the Desert Tortoise* (USFWS 1992). A desert tortoise presence/absence survey shall be conducted by a qualified biologist in accordance with USFWS 1992 Desert Tortoise Survey Protocol for non-federal actions.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-5: All future development within the OTSP project area involving ground disturbance shall be required to conduct preconstruction surveys for California horned lizard in suitable habitat within 24 hours of the onset of construction activities. The surveys shall be conducted using established protocols to maximize the likelihood of observing the species and shall rely on several walking surveys at times of the day when California horned lizards are most active. The estimated occupied area will be delineated on a map, flagged in the field, and made available to all project personnel. All horned lizards found on the project site during the preconstruction survey will be relocated to a property designated as horned lizard habitat prior to project construction. This measure shall be planned and implemented in coordination with the CDFG.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-6: All future development within the OTSP project area involving ground disturbance shall be required to conduct burrowing owl surveys in all suitable habitat within 30 days of the onset of any construction activities using CDFG and *California Burrowing Owl Consortium Guidelines* (CBOC 1993).

Surveys shall be completed for occupied burrows within all construction areas and a 500-foot buffer of this area in appropriate habitat. All occupied burrows will be mapped on an aerial photo. If no burrowing owls are detected, no further mitigation is necessary.

If burrowing owls are determined to be present in the construction zone and buffer area, the following actions shall be taken by future project applicants to offset impacts:

1. If paired owls are present in areas scheduled for disturbance or degradation (e.g., grading) or within 160 feet of a permanent project feature, and nesting is not occurring, owls are to be removed per CDFG-approved relocation.

2. If paired owls are present within 160 feet of a temporary project disturbance (e.g., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify additional losses from nest abandonment and/or loss of reproductive effort (e.g., killing of young).

3. If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) should be avoided from February 1 through August 31 by a minimum of a 250-foot buffer or until fledging has occurred. Following fledging, owls may be passively relocated.

4. Active burrows shall be monitored by a qualified biologist(s)/monitor(s) throughout construction to identify additional losses from nest abandonment.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-7: All future development within the OTSP project area involving ground disturbance shall be required to conduct flycatcher protocol surveys according to the *Willow Flycatcher Survey Protocol for California* (Bombay et al. 2003), and least Bell's vireo protocol surveys shall be conducted according to the *Least Bell's Vireo Survey Guidelines* (USFWS 2001) in all suitable habitat within 100 feet of the construction zones. If no willow flycatchers and/or least Bell's vireos are detected, no further mitigation is necessary. If willow flycatchers or least Bell's vireos are detected, then future project applicants shall consult with the USFWS and/or the CDFG, as applicable, to determine appropriate avoidance and mitigation, which may include, but is not limited to, the following measures:

Construction activities will be limited to outside the nesting season (typically between September 1 and February 28) so as to avoid impacts associated with nesting bird species. Impacts to suitable willow flycatcher and/or least Bell's vireo habitat from the project will be mitigated through compensation for loss of riparian habitat.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-8: All future development within the OTSP project area involving ground disturbance shall be required to undertake measures during construction activities and vegetation clearing (including shrubs and bushes) to avoid active nesting activities. If feasible, vegetation clearing should be conducted outside of the nesting season (typically August 30 to February 1). If vegetation clearing must occur during the nesting seasons (February 1 to August 30), surveys shall be conducted for active nest sites of raptors and other migratory birds no sooner than two weeks prior to the onset of construction activities. The qualified biologist shall survey the construction zone, including staging areas, and a 250-foot radius surrounding the construction zone to determine if active nest sites are present.

If active nests are identified, the following avoidance measures shall be employed:

No construction activities shall occur within 250 feet of an active raptor nest or within 50 feet of other migratory birds. Construction activities can commence in the avoidance buffer once the young have successfully fledged. A qualified wildlife biologist shall monitor the nest to determine when the young have fledged. The biological monitor shall have the authority to cease construction if there is any sign of distress to the raptor or migratory bird. Reference to this requirement and to the MBTA shall be included in the construction specifications.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-9: All future development within the OTSP project area involving ground disturbance shall be required to conduct surveys for bat use in construction zones containing suitable habitat within 30 days prior to the onset of construction activities. If bat roosts are identified on site, future project applicants shall ensure that the bats are safely flushed from the sites. If maternity roosts are identified during the maternity roosting season (typically May to August), no construction activities shall occur within 100 feet of active maternity roosts until a qualified biologist has determined the young bats are no longer roosting.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-10: All future development within the OTSP project area involving ground disturbance shall be required to conduct pre-construction surveys for the pallid San Diego pocket mouse and Mojave River vole in suitable habitat within 14 days prior to the onset of construction activities. If individuals are found, future project applicants shall consult with the CDFG to determine appropriate avoidance and minimization, which may include but is not limited to establishment of buffer zones to avoid the species, relocation of individuals, and provision of an on-site biological monitor.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 4a-11: All future development within the OTSP project area involving ground disturbance shall be required to conduct protocol-level pre-construction surveys for the Mohave ground squirrel in suitable habitat within 14 days prior to the onset of construction activities. Surveys shall be conducted according to established protocols accepted by the CDFG. If Mohave ground squirrels are determined to be present on a project site, future project applicants shall avoid known burrows of this species as directed by consultation with the CDFG. Avoidance measures may include restricting construction activities for each phase of the project as necessary to avoid disturbance to the known burrows or establishment of exclusion zones (no ingress of personnel or equipment), installation of exclusionary fencing of the area where the species are found, and posting of signs to publicize the sensitive nature of the area. If Mohave ground squirrel burrows cannot be avoided, any individuals present shall be systematically removed by an authorized biologist in accordance with CDFG protocol and guidance. Loss of habitat for this species shall be mitigated for through on-site restoration or purchase of credits at a CDFG-approved conservation bank.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

Implementation of the above mitigation measures would reduce potential impacts to special-status species to a level that is considered **less than significant** by requiring surveys to identify sensitive resources prior to construction activities, measures to avoid those resources, or measures to replace or mitigate for resources lost.

b) ***Less than Significant with Mitigation Incorporated***. Sensitive habitats include those that are of special concern to resource agencies and those that are protected under CEQA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act. Riparian habitats are also considered to be a sensitive natural community under CEQA. Within the project area, project activities may result in the loss of riparian habitat from proposed vegetation disturbance or removal; disrupted reproduction depending on the time of year construction occurs; noise, light, dust, and ground vibration during construction; and possible increased sedimentation into the drainages resulting from fill material inadvertently entering the waterway.

A 1602 Streambed Alteration Agreement would be required from the CDFG for removal of or disturbance to riparian habitat and alternation of a stream, lake, or river. This agreement would include measures to minimize impacts to riparian habitat and would require the City to prepare and implement a riparian vegetation mitigation and monitoring plan for disturbed riparian vegetation. In order to comply with federal regulations regarding impacts to "waters of the United States" (as defined in CWA Section 404), the City or any future project applicant would be required to comply with the USACE Section 404 nationwide permit conditions. The City or any future project applicant for specific development projects would also be required to obtain water quality certification from the RWQCB, per Section 401 of the CWA. Though the City's General Plan policies discussed above would assist in mitigating some of these impacts, additional mitigation measures would be required. Therefore, the following mitigation measures are required:

Mitigation Measures

MM 4b-1: Where impacts to riparian habitat are not avoidable and on-site preservation is not possible, habitat compensation shall be required at a minimum of 1:1 impact preservation ratio. To mitigate for the permanent direct and indirect impacts from the proposed project, a mitigation and monitoring plan will be prepared for submittal to the USACE with the Section 404 permit application. The mitigation plan will identify impacts on all jurisdictional features and mitigation measures that will be implemented to achieve "no net loss" (i.e., the same amount of wetland resources lost to site development shall be replaced/created). This may include creation of wetland resources on the project site or off site as determined acceptable to the City and the USACE. To assist in the on-site revegetation, areas of vegetation with a diameter at breast height (DBH) of 4 inches or less that do not require complete removal shall be cut at ground level with hand-operated power. Future project applicants shall prepare and implement riparian vegetation mitigation and monitoring plans for disturbed riparian vegetation.

Timing/Implementation: *Prior to the issuance of a grading permit*

Enforcement/Monitoring: *City of Victorville Development Department*

Implementation of the above mitigation measures would reduce impacts to riparian habitat to a **less than significant** level by preserving and/or enhancing the riparian habitat within the project area.

c) ***Less than Significant***. The Mojave River within the project area is considered jurisdictional waters of the U.S., as defined by Section 404 of the Clean Water Act; therefore, project activities within the river are regulated by the USACE. Other wetland features that were not mapped for this analysis may be found within the project area. If wetlands or other waters of U.S. would be impacted by subsequent projects, then future project applicants would be required comply with the federal "no net loss" policy. Consistent with this policy, the USACE would require that future project applicants restore or create wetlands or other waters of U.S. at equal if not greater value than the wetlands or other waters of U.S. being damaged by implementing mitigation and monitoring plans and/or obtaining credits at an approved mitigation bank to achieve the no- net- loss standard. The mitigation and monitoring plans would be required to include measures to avoid impacts to waters of the U.S. through employment of best management practices such as the erection of exclusionary fencing, revegetation and re-contouring of temporary impact areas, and other appropriate measures. Future project applicants would be responsible for complying with Section 404 and 401 of the Clean Water Act and Fish and Game Code Section 1602 pertaining to streambed alterations.

In addition, construction and operational water quality control requirements identified in the Hydrology and Water Quality subsection below, would reduce potential impacts to water quality and aquatic resources.

Compliance with federal policies and regulations, as well as construction and operational water quality control requirements and the City's General Plan policies discussed above, would reduce impacts to a level that is considered **less than significant**.

d) ***Less than Significant***. The riparian corridor surrounding the Mojave River may serve as a wildlife migration corridor. It is also used as a stopover point for migratory birds. Accord-

ing to the OTSP, the desert riparian habitat surrounding the Mojave River is designated as Open Space where no future urban uses would be allowed. Even so, indirect impact may occur to this area as population densities increase and there is increased passive recreational use of the area. These indirect impacts are minimal and are not expected to drastically reduce the use of the riparian corridor by migratory wildlife. Implementation of the proposed project would not interfere with the movement of any fish or wildlife species or impede the use of native nursery sites or corridors; therefore, the proposed project would have a **less than significant** impact to migratory wildlife.

e) ***Less than Significant with Mitigation Incorporated***. Impacts to Joshua trees would have the potential to conflict with the City of Victorville Preservation and Removal of Joshua Trees ordinance, codified at Title 13, Chapter 13.33 of the City's Municipal Code. According to the ordinance, it is unlawful for any person to cut, damage, destroy, dig up, or harvest any Joshua tree without the prior written consent of the Director of Parks and Recreation or his designee.

Though the City's General Plan policies discussed above would assist in mitigating some impacts, additional mitigation measures would be required. Therefore, the following mitigation measures are required:

Mitigation Measures

MM 4e-1: All future development within the OTSP project area that will result in removal of trees that are protected by Municipal Code Title 13, Chapter 13.33, Preservation and Removal of Joshua Trees, will provide mitigation that will compensate for tree losses. Mitigation can be achieved through replacement, through purchase of habitat conservation areas to protect existing Joshua tree habitats, through in-lieu fee contribution to tree planting programs, or through some combination of these options to achieve a no net loss of tree standard. Prior to any groundbreaking activities, the City Planning Department will determine which trees would be suitable candidates for protection and which trees will need to be mitigated if removed. Trees that will be removed or otherwise harmed by the proposed project shall be mitigated for as described above.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: *City of Victorville Development Department*

f) ***No Impact***. The adopted West Mojave Plan does not include the actions being proposed by state and local governments for non-federal lands. A separate habitat conservation plan is being prepared for projects on 3.1 million acres of State of California and private lands. This habitat conservation plan has not yet been adopted and therefore the proposed Specific Plan would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

EXISTING SETTING

According to the City's General Plan), the northern and southern portions of the existing city boundaries have been the locations of much recent growth, necessitating several cultural resource surveys for development projects (City of Victorville 2008b, p. 5.5-26). The northwestern portion of the city around the Southern California Logistics Airport has been surveyed extensively. Those studies encountered numerous archaeological sites and a number of historic-period buildings or other built environment features.

Victorville is a city very rich in Route 66 heritage. Historic Route 66, proposed as a National Historic Trail and passed by the House in June of 2018 (H.R. 801), passes through the center of the city and through the OTSP project area. There are a number of locally historic buildings within the project area, including a concentration of early and mid-20th century buildings and Victor Elementary School, as well as cultural sites, such as the Route 66 museum, which contribute to the historic character of the OTSP project area. The OTSP is located in an area of high sensitivity for archaeological resources (City of Victorville 2008b, p. 5.5-26) as indicated by the confidential cultural records survey conducted by the SCCC in May 2018 for the Old Town boundary and out 1-mile. See Section XVIII. Tribal Cultural Resources.

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed project:

Federal Laws and Regulations

- Antiquities Act of 1906, National Park Service Act of 1966
- Historic Sites Act of 1935, Section 106 of the National Historic Preservation Act
- Department of Transportation Act of 1966 (Section 4(f))
- Archaeological and Historic Preservation Act of 1974

- American Indian Religious Freedom Act of 1978
- Archaeological Resources Protection Act of 1979
- Native American Graves Protection & Repatriation Act of 1990
- Executive Orders 12898, 11593, 13006, 13007

State Laws and Regulations

- California Environmental Quality Act (14 CCR 15064.5, PRC 21083.2, and PRC 21084.1)
- Section 21080 of the Public Resources Code (AB 52)
- Section 7050.5 of the Health and Safety Code
- Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297)
- SB 447 (Chapter 44, Statutes of 1987)

Local Laws, Regulations, and Policies

- Resource Element of the City of Victorville General Plan (Policies 5.1.1 and 5.1.2)

PROJECT IMPACTS AND MITIGATION MEASURES

a–c) Less than Significant Impact. Future development within the project area that would be allowed under the OTSP has the potential to impact existing known cultural and historical resources. In addition to known resource areas, the potential exists for undiscovered archeological resources to be encountered and potentially impacted by future construction activities. These resources could include human remains located outside of cemeteries. The proposed OTSP does not include any specific development designs or proposals nor does it grant any entitlements for development that would adversely affect archaeological, or historic resources. While the project does propose changes to existing land use densities, it does not involve the construction or expansion of any land uses. All future residential development occurring within the OTSP project area would be required to be in accordance with local regulations.

For instance, there is a concentration of early and mid-20th century buildings within the Old Town Specific Plan Area. Future development pursuant to the proposed OTSP could result in redevelopment of Old Town buildings, which could potentially impact these historic resources. General Plan Resource Element Policy 5.1.2 would encourage the preservation and restrict the destruction of identified historical resources. Implementation Measure 5.1.2.2 further supports protection of historical resources by requiring the City to assist property owners utilize financial incentives for preservation. Implementation Measure 5.1.2.4 requires that mitigation of impacts to historic resources comply with Secretary of Interior Standards (City of Victorville 2008b, p. 5.5-23).

The OTSP is located in an area of high sensitivity for archaeological resources (City of Victorville 2008b, p. 5.5-26) as indicated by the confidential cultural records survey conducted by the SCCC in May 2018 for the Old Town boundary and out 1-mile. Environ-

mental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. General Plan Resource Element Implementation Measure 5.1.2.6 requires monitoring of development activities in areas having potential for buried archaeological resources by a qualified archaeologist with authority to temporarily halt or redirect earthwork if finds are uncovered. Implementation Measure 5.1.2.7 requires the development of a program detailing measures for avoidance or preservation of sites when proposed as a form of mitigation.

Section 16-5.02.130 of the Victorville Development Code includes requirements that protect currently unknown significant archaeological or historical sites discovered during construction activities. The Code requires that such discoveries be reported to the City's Zoning Administrator within seventy-two hours from the time the site is found and that the Zoning Administrator, within five working days after receiving a discovery report, shall cause qualified professionals to conduct a preliminary investigation of the site. If the preliminary investigation confirms that the site is or may be a significant archaeological or historical site, the grading permit shall remain suspended for a period not to exceed forty-five days, during which time the City's Planning Department is required to develop conditions to be attached to the grading permit that ensure preservation of the site; minimize adverse impacts on the site; that allow reasonable time for qualified professionals to perform archaeological investigations at the site; and that preserve for posterity, in such other manner as may be necessary or appropriate, the positive aspects of the cultural historical site involved.

In addition, CEQA Guidelines Section 15064.5 (e) requires that excavation or disturbance of a project site be halted if human remains are discovered in any location other than a dedicated cemetery. THe CEQA Guidelines prohibit excavation or disturbance from resuming until the coroner of the county has determined that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner is required to contact the Native American Heritage Commission (NAHC) within 24 hours; the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American; and the most likely descendent may make recommendations to the landowner or person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Sec. 5097.98. These provisions would apply to all discretionary projects and would assist in reducing potential impacts to human remains discovered during future construction activities.

Therefore, impacts to cultural resources, including archaeological and historic resources, as well as human remains, are considered **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
B) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

EXISTING SETTING

The OTSP is primarily a mixed-use project or residential/commercial project with a small amount of light industrial, therefore the focus to reduce electrical use is within the residential/commercial land use. Efforts to reduce heating and cooling are the most effective strategy. With the requirement to install electric generation products on all new and rehabilitation buildings, combined with efforts to reduce electricity and proper building design and building siting through the development standards and design standards will help accomplish this goal.

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed project:

State Laws and Regulations

- The latest Building Code, State of California, including the Green Code

Local Laws, Regulations, and Policies

- Resource Element of the City of Victorville General Plan (Policies 7.1.1 and 7.2.1)

PROJECT IMPACTS AND MITIGATION MEASURES

a–b) Less than Significant Impact. Future development within the project area would be required to include electrical generation on-site as well as to be required specific desing standards and siting standards which would help to reduce energy consumption. Additionally, development would be required to comply with the latest adopted CA Building and Green Code. Therefore, impacts to energy resources are considered **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would became unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

EXISTING SETTING

Geology and Seismicity

The OTSP project area is located in seismically active Southern California, a region that has experienced numerous earthquakes in the past. The Alquist-Priolo Special Studies Zones Act speci-

fies that an area termed an Earthquake Fault Zone is to be delineated if surrounding faults that are deemed sufficiently active or well defined after a review of seismic records and geological studies. Neither the city nor the OTSP project area is located within any Alquist-Priolo Special Studies Zones.

Five fault systems affect the region around the City of Victorville: the San Andreas, Helendale, North Frontal, Landers, and San Jacinto faults. **Figure 7** depicts known regional seismic hazards. The San Andreas Fault is located approximately 24 miles south of the city and is considered most likely to produce a major earthquake in the city. The Helendale Fault, located approximately 9 miles northeast of the OTSP project area, could also be responsible for a moderate earthquake (City of Victorville 2008b, p. 5.6-2) and is the closest fault to the project area.

A third major fault system, the San Jacinto Fault, is located approximately 26 miles south of Victorville and runs parallel to the San Andreas Fault. The North Frontal fault zone of the San Bernardino Mountains is located approximately 5.5 miles southeast of the city along the base of the Ord Mountains. This active fault has the potential to produce a moderate earthquake (City of Victorville 2008b, p. 5.6-2). The Landers fault is located approximately 50 miles southeast of the city. The Landers Fault was discovered as a result of a 7.4 Richter magnitude earthquake on June 28, 1992.

Topography and Soils

The topography of the city varies considerably from gently sloping and occasionally dissected by an intermittent stream channel to nearly vertical slopes adjacent to the Mojave River. The major environmental factors controlling stability of the steeper hillsides include precipitation, topography, geology, soils, vegetation, and man-made modifications to the natural topography.

The OTSP project area is relatively flat, gradually decreasing in elevation from 2,929 feet above mean sea level at the southern portion of the site to 2,704 feet above mean sea level at the northernmost portion of the site. The project area is without any significant topographic features. Project area soils and associated key characteristics are summarized below in **Table 6**.

TABLE 6
PROJECT AREA SOILS

Soil Type	Percentage of Project Site	Drainage	Depth to Groundwater	Erosion Hazard
Cajon Sand 2–9% slopes	90.5%	Somewhat Excessively Well Drained	>80 inches	Low
Bryman Loamy Fine Sand 5–9% slopes	8.9%	Well Drained	>80 inches	Low
Haplagrids-Calciorthids Complex 15–50% slopes	0.6%	N/A	>80 inches	High

Source: USDA NRCS 2011

The United States Department of Agriculture categorizes soil types according to a variety of characteristics including slope. The following slope categories are found within the OTSP project area:

Gentle – This category refers to terrain with a slope gradient of less than 9 percent. Slopes in this category will generally sustain more intensive land uses with the least management. As shown in **Table 6**, over 99 percent of the project area lays within this category. The OTSP project area gradually decreases in elevation from 2,929 feet above mean sea level at the southern portion of the site to 2,704 feet above mean sea level at the northernmost portion of the site.

Steep – Slope gradients above 15 percent. If plant cover is removed, the slope is highly susceptible to erosion or gully formation. If the gradient is 50 percent or more, construction activities could cause widespread slope failure. The portions of the OTSP project area that have areas where slopes exceed 15 percent are very small and are in an area adjacent to the Mojave River.

Liquefaction

Portions of the OTSP project area, especially those areas along the Mojave River, may be susceptible to liquefaction. Liquefaction results when water-saturated, sandy, unstable soils are subject to intense shaking, such as that caused by an earthquake.

These soils lose cohesiveness, causing unreinforced structures to fail. The primary factors for increased liquefaction susceptibility include areas subject to high seismicity, shallow groundwater, and young, poorly consolidated sandy alluvium. When this type of sandy alluvium is present, liquefaction susceptibility is generally considered high if groundwater depth is less than 10 feet beneath the ground surface, moderate if groundwater depth is between 10 and 30 feet, and low if groundwater depth is greater than 30 feet. Liquefaction is usually not considered a hazard if the groundwater table is greater than 50 feet in depth.

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed project:

State Laws and Regulations

- Alquist-Priolo Earthquake Fault Zoning Act
- California Building Code
- National Pollution Discharge Elimination System permitting

Local Laws, Regulations, and Policies

- City of Victorville Development Code Slope Protection District
- Resource Element of the City of Victorville General Plan (Policies 1.3.1 and 3.2.2) and Safety Element of the City of Victorville General Plan (Policy 1.2.1)

FIGURE 7 FAULT MAP

PROJECT IMPACTS AND MITIGATION MEASURES

a) i–ii) Less than Significant Impact. Like the entire Southern California region, the OTSP project area is located in an area of high seismic activity. The probability of a major earthquake from the San Andreas, Helendale, and the San Jacinto faults is considered to be high. However, no faults or fault traces are known or suspected to exist within the OTSP project area (City of Victorville 2008b, p. 5.6-15), and the OTSP project area is not located within an Alquist-Priolo Special Studies Zones (DOC 2007).

Surface rupture is not anticipated to be a hazard since there are no known or suspected fault traces within the OTSP project area. Although there are no known or suspected fault traces, the aforementioned fault systems could produce earthquakes that cause substantial ground motion in the OTSP project area that could result in serious injuries or deaths, as well as significant property damage. To mitigate this hazard, Chapter 5, Article 17 of the Victorville Municipal Code, in compliance with state

law (Government Code Section 8875), promotes public safety and welfare by reducing the risk of death or injury that may result from such structural damage. The provisions of the chapter set minimum standards for structural seismic resistance established to reduce the risk of life, loss, or injury, but will not necessarily prevent these hazards. Victorville Municipal Code Chapter 16-5.03.020 (Code Adoption) adopts the California Code of Regulations, Title 24, Part 2. The California Code of Regulations contains earthquake design requirements for all buildings. Buildings and other structures and portions thereof are required to be designed to resist the load combinations specified in Section 1605.2 or 1605.3 and Chapters 18 through 23 of the code and the special seismic load combinations with overstrength.

In addition, General Plan Resource Element Implementation Measure 3.2.2.1 requires the preparation of preliminary geotechnical investigations and reports for all new development and major redevelopment projects in order to identify geologic hazards and to define measures to eliminate or reduce such hazards to an acceptable level. Resource Element Policy 3.2.2 requires that the results of preliminary geotechnical investigations be considered by the City's decision-makers prior to discretionary project approvals.

The OTSP is a policy-level document and does not identify any specific development proposals. While the project does propose changes to land use densities and zoning designations, it does not involve the construction or expansion of any residential or nonresidential land uses. All future development occurring within the project area would be required to be in accordance with local regulations, including the City's General Plan and Zoning Code. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, impacts related to earthquakes and ground shaking would be considered **less than significant**.

iii) Less than Significant Impact. Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake. Three factors are required for liquefaction to occur: loose, granular sediment (typically "made" land and beach and stream deposits that are young enough [late Holocene] to be loose); saturation of the sediment by groundwater (water fills the spaces between sand and silt grains); and strong shaking.

Portions of the OTSP area, especially those areas along the Mojave River, may be susceptible to liquefaction. However, the areas along the Mojave River are exclusively designated for open space uses under the proposed project. Such designation would limit the development of structures in this area. In addition and as mentioned above, General Plan Resource Element Implementation Measure 3.2.2.1 requires the preparation of preliminary geotechnical investigations and reports for all new development and major redevelopment projects in order to identify geologic hazards and to define measures to eliminate or reduce such hazards to an acceptable level. This requirement would ensure that future development allowed under the proposed OTSP would be properly investigated for liquefaction potential and mitigated for such hazards when necessary. This impact is **less than significant**.

iv) No Impact. The OTSP project area is relatively flat as it gradually decreases in elevation from 2,929 feet above mean sea level at the southern portion of the site to 2,704 feet above mean sea level at the northernmost portion of the site. The OTSP project area is without any significant topographic features except for the terraces in the region immediately surrounding the Mojave River. However, the areas along the Moja-

ve River are exclusively designated for open space uses under the proposed project. Such designation would limit the development of structures in this area.

In addition, Safety Element Implementation Measure 1.2.1.2 states that the City shall apply the California Building Code slope regulations on all new developments located on slopes in excess of 15 percent. As such, there is no potential for landslides and associated risks. **No impact** would occur.

b) **Less than Significant Impact**. The OTSP project proposes to revise the 1995 OTSP to allow for the intensification of land uses within and outside the Specific Plan boundary beyond what currently exists. As discussed under **a) i–ii)** above, the proposed OTSP does not propose any specific development, nor does it directly result in adverse impacts associated with substantial loss of topsoil or erosion. Environmental impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

However, construction activities associated with the future development allowed under the proposed OTSP would include land clearing, grubbing, grading, and cut and fill, which would result in the removal of topsoil, thus disturbing the underlying soils and exposing them to potential erosion from a variety of sources, including wind and water. In addition, construction activities generally involve the use of water, which could further erode the topsoil as the water moves across the ground. In compliance with the National Pollution Discharge Elimination System (NPDES) permitting, all future construction activity is subject to the Construction General Permit, which requires the development and implementation of a stormwater pollution prevention program (SWPPP), which specifies best management practices (BMPs) that will reduce or prevent erosion sediments from leaving a construction site in stormwater runoff associated with a construction project. The SWPPP must contain site map(s) that show the construction site perimeter, existing and proposed structures and roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the site. Additionally, the SWPPP must describe the monitoring program to be implemented.

Similarly, General Plan Resource Element Policy 1.3.1 requires new development and major redevelopment projects to prepare and implement water quality management plans that incorporate BMPs to minimize, control, and filter construction site runoff and various forms of developed site urban runoff, prior to discharge to receiving waters. Implementation Measure 1.3.1.2 supports this policy by requiring the assessment and mitigation of impacts on surface water and groundwater quality (which include erosion control).

Construction activities associated with the future development allowed under the proposed OTSP project would also be required to conform to Title 16 Article 2, Grading Regulations, of the City Municipal Code. These regulations include provisions for soils engineering investigations, engineering geological investigations, and sufficient control of wind-born soil and dust during and after all grading operations. These reports would have to contain information and test results needed to determine the suitability of the existing soils or soils to be imported and are required to contain the recommend procedures and/or remedial measures, if any, needed to allow the intended use of the soil. Furthermore, the preliminary soils report would be required to analyze the susceptibility to erosion of the native soil material and any materials proposed to be imported.

Impacts related to soil erosion as a result of the proposed OTSP project would therefore be **less than significant**.

c) **Less than Significant Impact**. There are no reports of subsidence in the entire city (City of Victorville 2008b, p. 5.6-21). In addition, subsidence is not considered an issue in the city or the OTSP project area, because the Victor Valley Wastewater Reclamation Authority treatment plant and the City of Adelanto recharge treated wastewater into the local aquifer (City of Victorville 2008b, p. 5.6-21).

As mentioned above, General Plan Resource Element Implementation Measure 3.2.2.1 requires the preparation of preliminary geotechnical investigations and reports for all new development and major redevelopment projects in order to identify geologic hazards and to define measures to eliminate or reduce such hazards to an acceptable level. This requirement would ensure that future development as a result of the proposed OTSP would be properly investigated for liquefaction potential and mitigated for such hazards when necessary. Therefore, this impact is considered **less than significant**.

d) **Less than Significant Impact**. Expansive soils are those soils that shrink or swell depending on the level of moisture they absorb. Expansive soils typically contain clay minerals which determine the ability of the soil to absorb and retain moisture. When structures are located on expansive soils, foundations have the tendency to rise during the wet season and sink during the dry season. This movement can create new stresses on various sections of the foundation and connected utilities and can lead to structural failure and damage to infrastructure.

Soils in most of the OTSP project area are composed mainly of sands, silty sands, and sand with silt (see **Table 6**). For that reason, the expansion potential of the soil is generally low, as indicated in the City's General Plan Environmental Impact Report (City of Victorville 2008b, p. 5.6-22).

Further, Title 16 Article 2, Grading Regulations, of the City Municipal Code include provisions for soils engineering investigations, engineering geological investigations, and sufficient control of wind-born soil and dust during and after all grading operations. These reports would have to contain information and test results needed to determine the suitability of the existing soils or soils to be imported and are required to contain the recommend procedures and/or remedial measures, if any, needed to allow the intended use of the soil.

Additionally, General Plan Safety Element Objective 1.2 serves to identify and mitigate geologic hazards in the land use and development project planning process. Safety Element Policy 1.2.1 requires assessment of site-specific geologic hazards and required mitigation measures prior to granting discretionary project approvals. More specifically, Safety Element Implementation Measure 1.2.1.1 requires complete geologic/geotechnical investigations as a standard procedure in the land use and project-level planning process and applies to all projects subject to CEQA and other projects in areas where the City's Building Official determines there is a possible threat of expansive soils.

While the project does propose changes to land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future development occurring within the OTSP project area would be required to be in accordance with the local regulations described above. This impact is **less than significant.**

e) **No Impact.** No septic tanks are proposed to be installed as a result of the proposed project. All kitchen and bathroom facilities would be serviced by the Victor Valley Wastewater Reclamation Authority, a regional wastewater treatment agency operated

jointly by the City of Victorville and three other members. Therefore, **no impact** would occur.

f) **Less than Significant Impact with mitigation incorporated**. Victorville is within an area rich in paleontological resources, especially adjacent to the Mojave River due to the lower elevation of geological deposits. Consequently, because this is a regulatory document and not a document for a specific development project, there will be no ground disturbing activities as a result. However, any development project not exempt fron CEQA will be subject to palentogical monitoring. Therefore, these impacts are **less than significant with mitigation incorporated.**

Mitigation Measure

MM 7f-1: The applicant shall provide for an on-site paleontological inspector to monitor all grading operations, or a letter from said licensed professional indicating that monitoring is not necessary during grading. Further, if disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2. The results of said monitoring shall be filed with the Development Department prior to the final approval of the project.

Timing/Implementation: *Prior to any ground disturbance*

Enforcement/Monitoring: City of Victorville Development Department

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☒	☐	☐

EXISTING SETTING

To fully understand global climate change, it is important to recognize the naturally occurring "greenhouse effect" and to define the greenhouse gases (GHGs) that contribute to this phenomenon. Various gases in the earth's atmosphere, classified as atmospheric GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF_3), and sulfur hexafluoride (SF_6).

For most non-industrial development projects, motor vehicles make up the bulk of GHG emissions produced on an operational basis. The primary greenhouse gases emitted by motor vehicles include carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons (CARB 2004). Following are descriptions of the primary greenhouse gases attributed to global climate change, including a description of their physical properties, primary sources, and contribution to the greenhouse effect.

EFFECTS OF GLOBAL CLIMATE CHANGE

With more than a decade of concerted research, scientists have established that the early signs of climate change are already evident in the state—as shown, for example, in increased average temperatures, changes in temperature extremes, reduced snowpack in the Sierra Nevada, sea level rise, and ecological shifts.

Many scientists believe that these changes are accelerating—locally, across the country, and around the globe. As a result of emissions already released into the atmosphere, California is anticipated to face intensifying climate changes in coming decades (CNRA 2009). Generally, research indicates that California should expect overall hotter and drier conditions with a continued reduction in winter snow (with concurrent increases in winter rains), as well as increased average temperatures, and accelerating sea-level rise. In addition to changes in average temperatures, sea level, and precipitation patterns, the intensity of extreme weather events is also changing (CNRA 2009).

Climate change temperature projections identified in the 2009 California Climate Adaptation Strategy suggest the following (CNRA 2009):

- Average temperature increase is expected to be more pronounced in the summer than in the winter season.
- Inland areas are likely to experience more pronounced warming than coastal regions.
- Heat waves are expected to increase in frequency, with individual heat waves also showing a tendency toward becoming longer, and extending over a larger area, thus more likely to encompass multiple population centers in California at the same time.
- As GHGs remain in the atmosphere for decades, temperature changes over the next 30 to 40 years are already largely determined by past emissions. By 2050, temperatures are projected to increase by an additional 1.8 to 5.4°F (an increase one to three times as large as that which occurred over the entire 20th century).
- By 2100, the models project temperature increases between 3.6 and 9°F.

Precipitation levels are expected to change over the 21st century, though models differ in determining where and how much rain and snowfall patterns will change (CNRA 2009). Eleven out of 12 precipitation models run by the Scripps Institution of Oceanography suggest a small to significant (12–35 percent) overall decrease in precipitation levels by mid-century (CNRA 2009). In addition, higher temperatures increase evaporation and make for a generally drier climate, as higher temperatures hasten snowmelt and increase evaporation and make for a generally drier climate. Moreover, the 2009 California Climate Adaptation Strategy concludes that more precipitation will fall as rain rather than as snow, with important implications for water management in the state. California communities have largely depended on runoff from yearly established snowpack to provide the water supplies during the warmer, drier months of late spring, summer, and early autumn. With rainfall and meltwater running off earlier in the year, the state will face increasing challenges of storing the water for the dry season while protecting Californians downstream from floodwaters during the wet season.

There may be dramatic changes in average temperature and precipitation. In the next few decades, it is likely that the state will face a growing number of climate change-related extreme events such as heat waves, wildfires, droughts, and floods. Because communities, infrastructure, and other assets are at risk, such events can cause significant damages and are already responsible for a large fraction of near-term climate-related impacts every year (CNRA 2009).

With the passage of California Assembly Bill AB32, the Global Warming Solutions Act of 2006, jurisdictions are required to reduce their greenhouse gas (GHG) emissions to 1990 levels by 2020. To comply with this legislation, in 2008 the City Council authorized and directed Staff to partner with SBCTA to conduct a Countywide GHG inventory and GHG Reduction Plan. With that process complete, the City of Victorville has adopted a Climate Action Plan (CAP) to demonstrate how the City will reduce its GHG emissions in compliance with AB32. The CAP is not additional regulation created by Victorville, inasmuch as the regulation to reduce GHG's already exists under CEQA, including Section 15064.4 Determining the Significance of Impacts from GHG Emissions. The CAP assists in streamlining the CEQA review by allowing developers to demonstrate that their projects are consistent with the CAP by demonstrating compliance through a screening table process that the City has developed along with SBCTA, thus not requiring the developer to conduct a complete GHG analysis on their own for CEQA processing. Absent of their own GHG analysis the developer is subject to the screening table process which allows the developer

to choose any of a number of reduction measures through the Performance Standard PS-1 of reduction measures. For a project to meet the reduction goal through the screening tables, 45-points must be achieved. Additionally, the City of Victorville General Plan EIR (City of Victorville 2008b, p. 5.3-19) states that project-level development projects shall incorporate project-level design features that reduce energy consumption and vehicular travel as much as reasonably feasible and provides mitigation options to be applied on a project-specific basis.

Note: Without specific regulatory measures developed by the California Air Resources Board for SB32 yet, the States 2030 emission reduction plan, the initial study cannot adequately address SB32. However, because the City's CAP does address emissions beyond 2020, by complying with the CAP, the OTSP does contribute to reducing emission levels by 2030.

REGULATORY FRAMEWORK

The following federal, state, and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

State Laws and Regulations

Beginning in 2002, California has enacted the following acts, executive orders, and administrative practices to address climate change, and greenhouse gas emissions.

- Assembly Bill (AB) 1493, codified at Health and Safety Code Sections 42823 and 43018.5
- Senate Bill (SB) 1771 – Greenhouse Gas Emission Reductions: Climate Change, codified at Health and Safety Code Section 42800 et seq. and Public Resources Code Section 25730 et seq.
- Executive Order S-3-05 (2005)
- AB 32, the Global Warming Solutions Act, codified at Health and Safety Code Sections 38500, 38501, 28510, 38530, 38550, 38560, 38561–38565, 38570, 38571, 38574, 38580, 38590, 38592–38599
- SB 375, codified at Government Code Sections 65080, 65400, 65583, 65584.01, 65584.02, 65584.04, 65587, 65588, 14522.1, 14522.2, and 65080.01 as well as Public Resources Code Sections 21061.3, 21159.28, and Chapter 4.2
- SB 1368, codified at Public Utilities Code Chapter 3
- SB 1771, codified at Health and Safety Code Article 6 and Public Resources Code Chapter 8.5
- SB 527, codified at Health and Safety Code Sections 42400.4, 42801, 42810, 42821–42824, 42840–42843, 42860, 42870, 43021, 42410, 42801.1, 43023
- SB 1078, Public Utilities Code Sections 387, 390.1, 399.25 and Article 16
- Executive Order S-13-08 (2008)

- California Building Standards Code – Title 24, Part 6 of the California Code of Regulations, known as the Building Energy Efficiency Standards, established in 1978 in response to a legislative mandate to reduce California's energy consumption

- AB 32 California Global Warming Solutions Act (2006) - requires California to reduce its GHG emissions to 1990 levels by 2020 — a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario

- SB 32 California Global Warming Solutions Act: Emissions Limit (2016) - requires California to reduce its GHG emissions by 40% below 1990 levels by 2030 — CARB must implement this legislation

Local Laws, Regulations, and Policies

- City of Victorville Development Code Greenhouse Gas Emmissions Screening Table

- City of Victorville Development Code Climate Action Plan (2015)

- Resource Element of the City of Victorville General Plan (Policies 7.1.1 and 7.2.1 to 7.2.3)

PROJECT IMPACTS AND MITIGATION MEASURES

a–b) Less than Significant with Mitigation Incorporated. Implementation of the proposed OTSP could contribute to increases of GHG emissions that are associated with global climate change, such as CO_2, N_2O, and CH_4, as it is the intent of the OTSP to promote higher-density mixed-use development in the OTSP project area through new housing opportunities and new businesses. The provisions of the OTSP are intended to promote sustainable development characterized by a mix of uses and a circulation system that prioritizes pedestrians, bicyclists, and transit riders over single-occupancy vehicles, which could reduce reliance on automobiles and thus automobile-generated GHG emissions. Nonetheless, GHGs would be emitted from the use of construction equipment and from worker and building supply vendor vehicles during construction of future development projects that would be allowed under the OTSP.

Emissions of CO_2 typically constitute a majority of total generated GHGs associated with community development projects, largely resulting from automobiles. To a lesser extent, other GHG pollutants such as CH_4, largely generated by natural-gas combustion, would have a minor contribution to overall GHG emissions or are not commonly associated with typical community development projects. It is important to note that while other GHGs, such as HFCs, have a higher global warming potential than CO_2, they emit negligible emissions from land use developments like the proposed OTSP under typical operations.

Short-Term Construction

During construction of any future development projects that would be allowed under the OTSP, GHGs would be emitted from the operation of construction equipment and from worker and building supply vendor vehicles. Since the actual phasing of the proposed OTSP buildout is not known at this time, construction-related GHG emissions were modeled assuming an equal distribution of development over the plan period, which is anticipated to buildout by the year 2040. As stated in the Project Description, the OTSP projects a future growth potential of an additional 750 residential dwelling units, 600,00

square feet of re-occupied commercial space, and 600,00 square feet of new commercial space over baseline conditions. For the purposes of this analysis, this projected square footage was divided by 22 (the number of years accounted for in the proposed OTSP [years 2018–2040]) in order to roughly depict potential construction-related GHG emissions that may result in any given year over the span of the OTSP. However, it is important to note that the proposed OTSP does not include any policy provisions requiring that its growth potential be attained by 2030 or even beyond. Not all of the identified land may be available for development at any given time based on landowner willingness to sell or develop, site readiness, environmental constraints, market changes, and other factors. However, this impact discussion assumes full growth potential under the OTSP in order to present the worst-case scenario for the maximum amount of GHG emissions possible under the implementation of the OTSP. Thus, the emissions identified in **Table 7** are considered very conservative and likely overstate the extent of GHG emissions that would occur during these time periods. **Table 7** illustrates the construction-related carbon dioxide equivalent (CO_2e) emissions of an average year that would result from implementation of the proposed OTSP. Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH_4 traps over 21 times more heat per molecule than CO_2, and N_2O absorbs 310 times more heat per molecule than CO_2. GHG emissions are presented in CO_2e, which weight each gas by its global warming potential. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

The resultant emissions of these activities were calculated using the CalEEMod model (see **Appendix A**). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals. As indicated, construction of the development allowed under the proposed OTSP would generate total emissions of approximately 697.8 metric tons of CO_2e annually.

TABLE 7
CONSTRUCTION-RELATED GHG EMISSIONS (AVERAGE YEAR)
(METRIC TONS PER YEAR)

Source	Carbon Dioxide (CO_2)	Methane (CH_4)	Nitrous Oxide (N_2O)	Carbon Dioxide Equivalent (CO_2e)
Construction Activities				
Average Year	696.01	0.08	0.00	697.81

The City of Victorville General Plan EIR states that project-level development projects shall incorporate project-level design features that reduce GHG emissions as much as reasonably feasible and provides mitigation options to be applied on a project-specific basis (City of Victorville 2008b, p. 5.3-19). Therefore, without an attempt to mitigate construction-generated GHG emissions, future development under the OTSP would be **potentially significant**. All subsequent development allowed under the OTSP would be subject to the following measures in effect at the time of construction as mandated in mitigation measure **MM 8a-1**.

Mitigation Measures

MM 8a-1: All future development within the OTSP project area shall be required to implement the following management practices during construction activities:

a) Perform 90-day low-NOx tune-ups for off-road equipment operating in the Old Town Specific Plan project area.

b) Limit allowable idling to 5 minutes for trucks and heavy equipment.

c) Construction operators shall use Tier 3-rated engines during site grading for all equipment exceeding 100 horsepower, if available.

d) Construction operators shall utilize equipment with engines equipped with diesel oxidation catalysts, if available.

e) Construction operators shall utilize diesel particulate filter and diesel oxidation catalyst on heavy equipment, where feasible.

Timing/Implementation: *During construction*

Enforcement/Monitoring: *City of Victorville Planning Division*

Adherence to mitigation measure **MM 8a-1** would reduce construction-related GHG emissions in conformance with the recommendations of the General Plan EIR. Therefore, the construction-related GHG impacts of the proposed OTSP would be considered **less than significant**.

Long-Term Operation

As previously stated, the proposed OTSP does not identify any specific development proposals within the OTSP project area. However, the OTSP proposes to update the City's 1995 OTSP to allow for the intensification of land uses within its boundary beyond what currently exists. While the proposed OTSP promotes higher-density mixed-use development in the OTSP project area with the intent of bringing new housing opportunities to the downtown, these housing opportunities would be expected primarily to accommodate population growth that is already anticipated to occur within the city under its General Plan. Therefore, the proposed OTSP would essentially guide how and where growth occurs (i.e., high-density mixed use) rather than resulting in substantial new growth.

Table 8 illustrates the operational-related CO_2e emissions projected to be generated annually after buildout of the project area as proposed under the OTSP. The resultant emissions of these activities were calculated using the CalEEMod model (see **Appendix A**). As indicated, operations of the additional 234 dwelling units, 427,261 square feet of commercial space, and 1,357,622 square feet of office space proposed by the OTSP would generate total emissions of approximately 31,632.8 metric tons of CO_2e annually.

TABLE 8
OPERATIONAL GENERATED GHG EMISSIONS (AVERAGE YEAR)
(METRIC TONS PER YEAR)

Source	Carbon Dioxide (CO_2)	Methane (CH_4)	Nitrous Oxide (N_2O)	Carbon Dioxide Equivalent (CO_2e)
Old Town Specific Plan Buildout (Year 2030)				
Average Year after Buildout	30,938.3	28.09	0.33	31,632.8

According to the City of Victorville General Plan EIR, the entirety of the city is projected to emit approximately 2,178,288 metric tons (2,401,152 tons) of CO_2 per year beginning in 2030 (City of Victorville 2008b, p. 5.3-19). The proposed OTSP would allow for an increase of 2,595 persons in the proposed project area, exluding the Stoddard Wells Road area, (750 dwelling units x 3.46 persons per household = 2,595 persons) beyond existing conditions; this increase represents less than 0.6 percent of the city's anticipated population in 2030 (407,534 persons) and as such would not be considered a substantial increase. The City of Victorville General Plan EIR determined the buildout of the General Plan would have a significant contribution to operational impacts associated with GHG emissions. The proposed OTSP is consistent with the land use designation (Specific Plan) for the project area in the city's General Plan. Therefore, CO_2e emissions resulting from implementation of the proposed OTSP (31,632 metric tons per year beginning in 2030) have been accounted for in the General Plan EIR citywide projection of 2,178,288 metric tons of CO_2 per year beginning in 2030.

The City of Victorville General Plan EIR states that project-level development projects shall incorporate project-level design features that reduce energy consumption and vehicular travel as much as reasonably feasible and provides mitigation options to be applied on a project-specific basis (City of Victorville 2008b, p. 5.3-19). It is an objective of the proposed OTSP to promote sustainable development characterized by a mix of uses and a circulation system that prioritizes pedestrians, bicyclists, and transit riders over single-occupancy

vehicles as demonstrated by several implementation actions proposed under the OTSP. For instance, 7th Street is proposed to be a more defined mixed-use "Main Street" and is envisioned as the heart of the OTSP project area with a new street configuration (OTSP Implementation Actions C-1, C-7, and C-8), new buildings (OTSP Implementation Actions ED-3 and ED-4), and streetscape improvements (OTSP Implementation Actions ED-5, ED-6, C-3, and C-4). 7th Street is conceptually proposed to discourage high-speed traffic (OTSP Implementation Actions C-1 and C-7) and encourage pedestrian-oriented mixed-use-type development (OTSP Implementation Actions ED-4 and ED-8), encourage public transit use (OTSP Implementation Actions C-8 and C-9), create pedestrian connections including a public access trail and bike lane from the OTSP project area to the riverfront (OTSP Implementation Action PF-3), provide sufficient bicycle parking throughout the OTSP project area (OTSP Implementation Action C-6), and strengthen pedestrian connections at key intersections by providing safe and convenient pedestrian crossings to increase safety and convenience (OTSP Implementation Action LU-10). These measures would help to reduce the generation of GHGs through the reduction of fossil fuel consumption and use of private motor vehicles. However, without an attempt to mitigate GHG emissions, OTSP impacts would be **potentially significant**.

The following mitigation measures are also required:

MM 8a-2: All future development within the OTSP shall include both of the following energy efficiency measures to be applied to the development of new multi-family, commercial, mixed use, industrial and public buildings or a building being renovated where more than 50 percent of the structure would be replaced:

Requirement 1

- The applicant shall be subject to the provisions of the City of Victorville Climate Action Plan (CAP). The applicant shall submit the required CAP screening table demonstrating 45-points or greater of Greenhouse Gas Rreduction Measures with the appropriate entitlement application submittal.

Requirement 2

- Provide a renewable energy generation (solar, wind, etc.) capable of producing at least 50 percent of the building's total energy demand.

Timing/Implementation: *Prior to the issuance of a building permit*

Enforcement/Monitoring: *City of Victorville Development Department*

Adherence to mitigation measure **MM 8a-2** cited above would reduce operations- generated GHG emissions in conformance with the recommendations of the City's General Plan EIR. In addition, the OTSP implementation actions cited above are generally consistent with state measures for reducing GHG emissions to 1990 levels by 2020 as they promote the reduction of GHG-generating automobile reliance. As such, the proposed OTSP would not conflict or interfere with implementation of any of these objectives or any other applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, the operational-related GHG impacts of the proposed OTSP would be considered **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

EXISTING SETTING

Hazardous Materials

Hazardous materials are used for a variety of purposes including manufacturing, industrial uses, various small businesses, agriculture, medical uses, schools, and households. Accidents can occur in the production, use, transport, and disposal of these hazardous materials. Hazardous chemicals releases may be in the form of solids, liquids, or gases. The major truck transportation arteries which

either traverse the OTSP project area or traverse areas adjacent to the OTSP project area are Interstate 15 and State Route 18, as well as the Burlington Northern Santa Fe Railroad.

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC 2011). In addition to the Envirostor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense sites, and the Land Disposal program. A search of the DTSC Envirostor database and the SWRCB Geotracker found one leaking underground storage tank (LUST) cleanup site, ten leaking underground fuel tank cleanup sites, and two other cleanup sites within the OTSP project area. However, nine of the sites are designated as closed cases because cleanup activities have been completed. The sites are detailed in **Table 9** below.

TABLE 9
LUST AND OTHER CLEANUP SITES WITHIN THE OTSP PROJECT AREA

Facility	Address	Type of Site	Contaminants of Concern	Potential Media Affected	Cleanup Status
Beck Oil Bulk Plant	16928 D Street	LUST	Benzene, Diesel, Gasoline, Toluene, Xylene	Aquifer used for drinking water supply	Open – Site assessment as of 6/26/2009
Conoco Phillips Petroleum Bulk Plant	16640 D Street	LUFT	Benzene, Diesel, Gasoline, Fuel Oxygenates, Toluene, Xylene	Aquifer used for drinking water supply	Open – Site verification monitoring as of 11/18/2002
D Street	6th Street and D Street	Other	Volatile Organic Compounds	Aquifer used for drinking water supply	Completed – Case closed as of 1/8/07
Former NuWay Dry Cleaners	15595 8th Street	Other	Tetrachloroethylene (PCE)	Soil	Open – Site assessment as of 1/14/2010
Cleaned-Up Sites					
Beck Oil Shell	16617 D Street	LUFT	Gasoline	Aquifer used for drinking water supply	Completed – Case closed as of 10/3/2008
Caltrans Victorville	1st Street and D Street	LUFT	Gasoline	Aquifer used for drinking water supply	Completed – Case closed as of 12/27/1987

Facility	Address	Type of Site	Contaminants of Concern	Potential Media Affected	Cleanup Status
Golden West Tire	16568 D Street	LUFT	Benzene, Diesel, Gasoline, Fuel Oxygenates, Toluene, Xylene	Aquifer used for drinking water supply	Completed – Case closed as of 05/05/2009
Southdown Victorville Plant	16888 E Street	LUFT	Diesel	Aquifer used for drinking water supply	Completed – Case closed as of 10/05/2000
Former People's Market	15344 7th Street	LUFT	Benzene, Diesel, Gasoline	Soil, aquifer used for drinking water supply	Completed – Case closed as of 01/20/2011
7-11 #21035	15196 7th Street	LUFT	Gasoline	Under investigation	Completed – Case closed as of 03/07/1996
EW & MJ Guild Trust	16606 Mojave Drive	LUFT	Gasoline	Under investigation	Completed – Case closed as of 06/09/1998
The Meating Place	16550 Mojave Drive	LUFT	Gasoline	Soil	Completed – Case closed as of 07/08/2009
The Meating Place	16552 Mojave Drive	LUFT	Gasoline	Soil	Completed – Case closed as of 10/17/2007

Source: DTSC 2011; SWRCB 2011

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

Federal Laws and Regulations

- Clean Water Act
- Clean Air Act
- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title 10)

State Laws and Regulations

- CalEPA Unified Program

- California Accidental Release Prevention (CalARP) Program
- California Department of Toxic Substances Control
- Department of Toxic Substance Control UST Program
- Hazardous Materials Release Response Plans and Inventory (Business Plan) Program
- California Fire and Building Code

Local Laws, Regulations, and Policies

- Victorville Emergency Plan
- Safety Element of the City of Victorville General Plan (Policies 1.1.1 and 1.3.1)

PROJECT IMPACTS AND MITIGATION MEASURES

a–b) Less than Significant Impact. Future development consistent with the proposed OTSP could create a significant hazard to future residents and workers through exposure to the routine transport, use, or disposal of hazardous materials, through exposure to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or through exposure from the handling or emission of hazardous materials. Since the proposed OTSP does not include any specific development proposals or grant any entitlements for development but allows for the development of the OTSP project area, impacts associated with hazardous materials would be dependent on the location and nature of future development and the nature of surrounding land uses.

As the Certified Unified Program Agency (CUPA), the Hazardous Materials Division of the San Bernardino County Fire Department is responsible for implementing a unified hazardous materials and hazardous waste management regulatory program for local industries and local roadways not under California Highway Patrol or Caltrans jurisdiction. As part of the site plan approval process for all future development proposed under the OTSP, General Plan Safety Element Implementation Measure 1.3.1.1 ensures that the fire department, as the local CUPA, will comment on proposed developments, especially with respect to the generation, storage, use, transportation, disposal, or recycling of hazardous materials and/or hazardous wastes. Such a measure reduces the potential for accidental release of hazardous materials because the fire department in the role of the CUPA provides consolidation and consistency in reporting requirements, permit formats, inspection criteria, enforcement standards, and fees for various hazardous materials programs. Facilities that handle hazardous materials or generate hazardous waste must obtain a permit from the CUPA.

Additionally, it is industrial development that generally includes the routine transportation, use, or disposal of hazardous materials that could create a significant hazard to the public. However, the proposed OTSP would actually decrease the amount of industrial land, including rezoning current heavier industrial users along 'D' Street to Mixed-Use Service, therefore making those uses non-conforming. Consequently, the proposed OTSP would actually reduce the potential for a significant hazard to the public or the environment regarding the transport, storage, use, and disposal of hazardous materials.

The use and handling of hazardous materials during all construction activities under the proposed OTSP would be required to occur in accordance with applicable federal, state, and local laws and codes, including California Occupational Health and Safety Administration requirements, thereby minimizing the extent of any spills, releases, or other exposure.

Compliance with federal, state, and local hazardous materials regulations and codes would ensure that site-specific impacts associated with hazards for the general public and construction workers involving the release of hazardous materials into the environment or through the routine transport, use, or disposal of hazards materials would be reduced to a **less than significant** level.

c) **Less than Significant Impact.** There are several schools located either within the OTSP project area or adjacent to OTSP project site boundaries. Future development consistent with the proposed OTSP could create a significant hazard to students through exposure to the routine transport, use, or disposal of hazardous materials, through exposure to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or through exposure from the handling or emission of hazardous materials. Since the OTSP does not include any specific development proposals or grant any entitlements for development but allows for the development of the OTSP project area, impacts associated with hazardous materials near a school would be dependent on the location and nature of future development and the nature of surrounding land uses.

As previously stated, compliance with federal, state, and local hazardous materials regulations and codes, especially General Plan Safety Element Implementation Measure 1.3.1.1 described above, would ensure that site-specific impacts associated with hazards for students at school sites involving the release of hazardous materials into the environment or through the routine transport, use, or disposal of hazards materials would be reduced to a **less than significant** level.

d) **Less than Significant with Mitigation Incorporated.** Future development consistent with the OTSP could create a significant hazard by locating development on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As noted under the Existing Setting subsection above, there are eleven LUFT and LUST cleanup sites and two other cleanup sites within the OTSP project area. However, nine of sites are designated as closed cases because cleanup activities have been completed. Because they have been remediated, these nine facilities are not likely to adversely affect future development under the OTSP. As the remaining cleanup sites are in the process of being remediated, it cannot be guaranteed that future development under the proposed OTSP would not be adversely affected by those sites, resulting in a **potentially significant** impact. In addition, given the age of the existing structures in the OTSP area, asbestos and lead-based paint exposure could occur during demolition and/or renovation activities. While Objective 1.1 of the City General Plan Safety Element restricts land uses in areas identified as susceptible to hazards, all subsequent development allowed under the OTSP would be subject to the measures in effect prior to the issuance of building permits as mandated in mitigation measure **MM 9d-1**.

Mitigation Measures

MM 9d-1: Prior to the issuance of any building permits, all future development within the OTSP project area shall be required to submit a Phase I environmental site assessment conducted in accordance with American Society of Testing and Mate-

rials's "ASTM Standards on Environmental Site Assessments for Commercial Real Estate" or such other standard as may be acceptable to the City Engineer. Future development under the OTSP shall also provide an updated groundwater sampling program in compliance with City requirements. If further investigative or remedial actions are identified therein, all such actions and/or such alternative actions as may be approved by the Development Department shall be implemented to the satisfaction of the Development Department prior to the issuance of any grading permits.

Timing/Implementation: *Prior to the issuance of Building Permit*

Enforcement/Monitoring: *City of Victorville Development Department*

Adherence to mitigation measure **MM 9d-1** would mitigate potential impacts associated with the cleanup sites within the OTSP project area, as well as asbestos and lead-based paint hazards. Therefore, impacts would be considered **less than significant**.

e) **No Impact.** The only airport in Victorville is the Southern California Logistics Airport (SCLA) located approximately 4.5 miles northwest of the northernmost boundary of the OTSP project area. The City of Victorville has prepared a Comprehensive Land Use Plan (CLUP) for the SCLA due to the public health and safety issues that surround airports and require special land use planning efforts to ensure protection of public welfare. The project area is located outside of the CLUP and is therefore not bound by the regulatory requirements contained within it. Therefore, the proposed project would not result in an airport safety hazard for people working in the project area and **no impact** would occur.

f) **No Impact.** The City of Victorville Emergency Plan identifies emergency responses and actions (City of Victorville 2008b, p. 5.7-15). The nature and scope of the disaster will mandate the specific responses and actions. These responses and actions will vary depending on the nature and scope of the disaster. In the event of a major disaster, shelter may be required for a large number of residents and possibly daytime workers. If an evacuation order is given, residents will be required to proceed to the nearest emergency shelter/facility, unless otherwise directed. Fire, police, or other public safety officials will direct persons out of affected areas utilizing evacuation routes (City of Victorville 2008b, p. 5.7-21). Evacuation routes will be determined on a case-by-case basis. The Emergency Plan identifies the available emergency shelters in the event of an evacuation, including schools, fire stations, police stations, hospitals, Casualty Collection Points, the city's Emergency Operations Center, and the city's Emergency Command Center. The Emergency Plan directs that persons living or working in an area adversely affected by a disaster should report to the appropriate shelters, as directed by local public safety officials. It also explains that persons injured or ill be taken to a Casualty Collection Point (such as Victor Valley College) to obtain triage medical services. A portion of City Hall is to be utilized as an Emergency Operations Center, and the Emergency Command Center is located at Fire Station 311. The City Department of Emergency Services operates a fully equipped mobile command and communications trailer for use in major emergencies. Additionally, the City maintains a mobile police station in a converted bus that would be dispatched to the vicinity of disaster sites.

All future development occurring within the OTSP project area would be required to be in accordance with local regulations, including the City's General Plan and Municipal Code. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, **no impact** would occur.

g) **Less than Significant Impact.** The OTSP project site is located in a primarily urban setting, surrounded by industrial, commercial, and residential development. While there is some vacant land in the area, the risk of loss, injury, or death due to wildland fires is considered low.

In development approvals, the City of Victorville abides by the California Building Code, which contains measures that reduce fire hazards in structures. Some of these measures include use of materials, fire separation walls, building separation, and fire sprinklers. Fire sprinklers are currently required in all structures two stories or more in height, 5,000 square feet or greater in size, and in facilities that are hazardous occupancies as defined in the California Fire and Building Codes. Developmental regulations include requirements for minimum road widths which provide adequate access for firefighting equipment, evacuation of residents, and clearance around structures to prevent the rapid spread of fire. Prior to approval of a development project or issuance of a building permit, the City of Victorville Water District verifies that the peak load water supply requirement is not negatively affected. As development occurs, peak load water supply reserves will need to be increased.

In the event of a wildland file or other major urban fire in the OTSP project area, the San Bernardino County Fire Department provides the administration and support for 32 fire districts and serves over 18,000 square miles of unincorporated area. The San Bernardino County Fire Department has 64 fire stations and provides services including its Valley Division (which includes the project area). The San Bernardino County Fire Department is a full-service, regional fire and emergency medical service agency; however, the department has numerous automatic and mutual aid agreements with local, state, and federal jurisdictions for use and assignment of resources in the event of major emergencies. Therefore, in the event of a wildland fire in the project area, the San Bernardino County Fire Department is equipped to provide fire suppression services and this impact is considered to be **less than significant**.

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

EXISTING SETTING

Surface Hydrology

The OTSP project area is within the Mojave River watershed, which encompasses approximately 4,700 square miles. The primary geographic and surface hydrologic feature of the watershed is the Mojave River. The river flows from south to north, conveying runoff out of the San Gabriel and San Bernardino mountains for about 80 miles, until it empties at Soda Lake. Surface flows fluctuate seasonally and are affected by discharges from Lake Arrowhead, Silverwood Lake, and Mojave Forks

Reservoir (City of Victorville 2008b, p. 5.8-1). The Mojave River and its tributaries have three dams that store water and provide some flood control for the reaches in the Mojave Desert—the Mojave River Forks Reservoir, Silverwood Lake Reservoir, and Lake Arrowhead Reservoir.

Several intermittent streams in the city empty into the Mojave River, including the Oro Grande Wash, Bell Mountain Wash, Ossom Wash and West Fork Ossom Wash, which drain a large area of the city west of Interstate 15. Three smaller unnamed intermittent streams drain the areas south of Southern California Logistics Airport (City of Victorville 2008b, p. 5.8-5) including the Specific Plan project area.

Groundwater Hydrology

The City of Victorville is located within, and draws all of its water supply from, the Alto (or Upper Mojave) sub-basin of the Mojave River Groundwater Basin. The depth to groundwater ranges from 50 feet near the Mojave River to approximately 550 feet in the western portion of the city. Infiltration from precipitation from watersheds in the San Bernardino and San Gabriel mountains is the source of this regional groundwater storage area. The Upper Mojave Groundwater Basin is the sole supply of potable water for the city and therefore the OTSP project area. Overdrafting began during the late 1950s, resulting in an average annual decline in the water table of 1 to 2 feet (City of Victorville 2008b, p. 5.8-5).

Flooding and Drainage

Flooding and Dam Failure Inundation

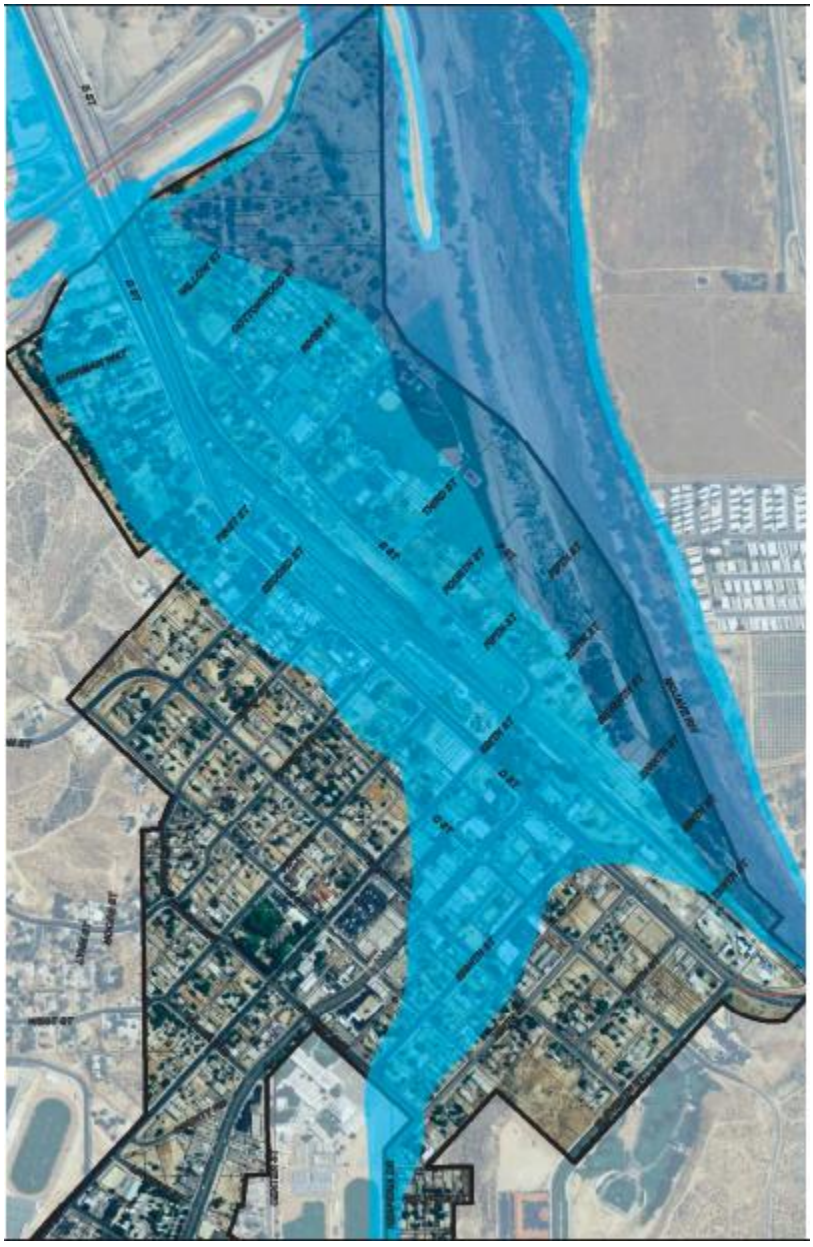
The principal flood hazard to the OTSP project area is from the Mojave River. In the event of a 100-year flood, floodwater would be confined to the river's floodplain. Flood control improvements, including numerous levees and the West Fork Dam, reduce the potential for this flooding (City of Victorville 2008b, p. 5.8-5). Potential threats of dam inundation to the project area as well as the entire city could occur if the dams at Silverwood or Arrowhead lakes failed and emptied into the Mojave River through Deep Creek. Considerable inundation might also occur from failure of the Mojave River Forks Dam. Due to the distance to the nearest developed areas and precautions built into the holding basins below Lake Silverwood and in the Deep Creek area just before the water enters the Mojave River, the probability of extreme flood in the city is unlikely (City of Victorville 2008b, p. 5.8-5).

As shown in **Figure 8**, a substantial portion of the project area is located within the Federal Emergency Management Agency (FEMA) designated 500-year floodplain, while a smaller portion is located in the 100-year floodplain. As can be seen in **Figure 8**, all of the areas within the 100-year floodplain are designated as Open Space by the OTSP, which precludes the development of buildings and structures in that area, as opposed to the adjacent Active Open space area where structures are permitted.

Drainage

The OTSP project area's storm drainage system is maintained by the City's Department of Public Works. The system was originally installed more than 40 years ago. It includes a major channel to accommodate the Oro Grande Wash and a box culvert to carry flows collected from Old Town streets.

FIGURE 8 100- & 500-YEAR FLOODPLAIN



Note: This Map contains the original baoundary shown in black

FEMA 100-year floodplain

FEMA 500-year floodplain

Regulatory Framework
The following federal, state, and local regulations, plans, programs, and guidelines are applicable to the proposed project:

Federal Laws and Regulations

- Clean Water Act
- 303(d) of the Clean Water Act
- National Pollutant Discharge Elimination System (NPDES) Permit Program
- National Flood Insurance Program

State Laws and Regulations

- Porter-Cologne Water Quality Control Act

Local Laws, Regulations, and Policies

- San Bernardino County Flood Control District Act
- Resource Element of the City of Victorville General Plan (Policies 1.1.1, 1.1.2, and 1.1.3) and Land Use Element of the City of Victorville General Plan (Policy 3.1.1)

PROJECT IMPACTS AND MITIGATION MEASURES

a) **Less than Significant Impact.** Future residential development within the OTSP project area as a result of implementation of the proposed OTSP could result in both construction and operational impacts to water quality and discharge standards. Potential operational impacts include the use of fertilizers, herbicides, and pesticides to maintain lawns, as well as motor vehicle operation and maintenance. Potential construction impacts include grading and vegetation removal activities that would result in the exposure of raw soil materials to the natural elements (wind, rain, etc.). The proposed OTSP is a policy-level document that does not include any specific design or development proposals, nor does it grant any entitlements for development. While the project does propose changes to existing land use densities and changes to land use zoning designations, it does not involve the construction or expansion of any urban land uses. All future development occurring within the project area would be required to be in accordance with local regulations.

City General Plan Resources Element Policy 1.3.1 requires new development and major redevelopment projects to prepare and implement water quality management plans that incorporate best management practices (BMPs) to minimize, control, and filter construction site runoff and various forms of developed site urban runoff, prior to discharge to receiving waters. Its implementation measures support the policy by assigning qualified professionals to conduct plan checks (Implementation Measure 1.3.1.1) and to assess and mitigate impacts on surface water and groundwater quality as a routine aspect of the City's CEQA process (Implementation Measure 1.3.1.2). Therefore, future development proposed under the OTSP would be required to comply with this General Plan policy. Further, environmental impacts of subsequent development projects under the OTSP

would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

In addition, all new project developments disturbing more than 1 acre of land within the OTSP project area would be required to obtain a NPDES General Construction Permit, develop and implement a SWPPP, and implement project-specific BMPs (all described under subsection 6, Geology and Soils, above). The City of Victorville is a co-permittee of the Mojave Watershed Group of Small Communities enrolled under statewide Phase II Municipal Stormwater NPDES General Permit No. CAS000004 for Municipal Separate Storm Sewer Systems (MS4s), effective 2005 (City of Victorville 2008b, p. 5.8-25). The permit establishes a region-wide Stormwater Management Plan (SWMP) to control discharges of sanitary wastewater, septic tank effluent, car wash wastewaters, improper oil disposal, radiator flushing, laundry wastewater, spills from roadway accidents, and improper disposal of toxic materials. Pollutant control measures in the SWMP include specific focus on failing septic tanks, industrial/business connections, recreational sewage, and illegal dumping. Under the supervision of City staff, all future development over 1 acre must comply with these requirements and the City Municipal Code to ensure that the project would not violate any water quality standards or waste discharge requirements.

The City's Municipal Code also contains extensive requirements for water conservation and recycling measures in Chapter 13, Code 13.60. Included are Chapter 13.60.040 – Prohibited water uses and water waste, Chapter 13.60.050 – Limitation on water intensive landscape and turf areas within new nonresidential facilities, and Chapter 13.60.060 – Limitations on model home and new residential development landscaping. Water conservation reduces runoff and the potential for such runoff to contain or obtain pollutants that may enter receiving waters. These requirements would be applied to all future development projects in the project area.

The implementation of BMPs, consistent with the typical requirements of the NPDES permit and the typical contents of a SWPPP if required, would ensure that the quality of discharged water from the OTSP project area would not be substantially degraded and subsequent construction and operational water quality impacts would be reduced to a **less than significant** level.

b) **Less than Significant Impact**. The City of Victorville, and therefore the OTSP project area, is located within and draws all of its water supply from the Alto (or Upper Mojave) subbasin of the Mojave River Groundwater Basin.

As stated above, the City's Municipal Code also contains extensive requirements for water conservation and recycling measures in Chapter 13, Code 13.60. Included are Chapters 13.60.040, 13.60.050, and 13.60.060. Water conservation reduces water use and waste, and aids in maintaining groundwater resources. Furthermore, General Plan Resource Element Objective 1.1 requires the reduction of the rate of groundwater extraction for municipal water supply to no more than 80 percent of 2006 levels by 2012 and the maintenance of that level over the long term. To support this objective, Policy 1.1.1 requires water conservation measures for new development and major redevelopment, like that to potentially result from implementation of the proposed OTSP. This policy's implementation measures offer incentives for projects that demonstrate significant conservation or innovative techniques (Implementation Measure 1.1.1.1), revise development standards in city regulations and codes to include conservation measures to be incorporated into development (Implementation Measure 1.1.1.2), and maintain xerophytic plant information available to the public (Implementation Measure 1.1.1.3). General Plan

Resource Element Policy 1.1.2 will penalize high volume wasteful water practices. Policy 1.1.3 supports conversions of wasteful water practices to water-conserving practices, and Implementation Measure 1.1.3.1 will convert City-owned landscaping to xerophytic palettes and replace inefficient irrigation systems. Objective 1.2 expands sources of water supply and delivery systems through alternatives to groundwater extractions. Continued implementation of these General Plan provisions aids in ensuring sustainable water supplies and reduces impacts to the groundwater basin by attempting to conserve as much groundwater as possible.

The proposed OTSP is consistent with the land use designation (Specific Plan) designated by the City General Plan, and the City of Victorville General Plan DEIR determined the buildout of the General Plan would have a less than significant contribution to the groundwater basin. Future development that would be allowed under the OTSP in the project area is consistent with the development already anticipated under the City's General Plan, and groundwater impacts from implementation of the OTSP would not be any greater than those analyzed in the General Plan EIR. This impact is **less than significant**.

c–e) **Less than Significant Impact**. As previously stated, the majority of the OTSP area is built-out. However, future development under the proposed OTSP could result in increased impervious surfaces in the OTSP project area and/or increased pollutants in runoff associated with demolition and reconstruction activities and would therefore substantially alter the existing drainage pattern of the area and increase surface runoff. Increased surface runoff could increase the potential for localized flooding and/or erosion both on and off site if allowed to exit the OTSP project area unchecked. In addition, runoff water could exceed the capacity of stormwater drainage systems and provide an additional source of polluted runoff. Environmental impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

Future residential development projects in the city are subject to the requirements of NPDES Stormwater Permit Number CAS000004 enforced by the Lahontan Regional Water Quality Control Board. The permit requires that the City impose water quality and watershed protection measures for all development projects and prohibits discharges from causing violations of applicable water quality standards or from resulting in conditions that create a nuisance or water quality impairment in receiving waters. Compliance with the provisions of the NPDES would reduce the impacts of future development. Similarly, future residential development projects in the project area would be required to comply with the requirements of NPDES Stormwater Permit Number CAS000004. Therefore, the proposed OTSP would not result in significant impacts to drainage or runoff, as future development envisioned by the OTSP would be subject to the regulations discussed above.

In addition, General Plan Land Use Element Policy 3.1.1 provides mechanisms through which development can pay the cost of its infrastructure and service needs. The policy's implementation measures serve to collect and apply development fees to pay for infrastructure as identified in the capital improvement program (Implementation Measure 3.1.1.1), require new development to pay the capital costs of facilities to serve the developments (Implementation Measure 3.1.1.4), and continue to contact special districts as necessary when new projects are proposed to ensure service capability to serve the new projects (Implementation Measure 3.1.1.5). All local or private project drainage facilities to be constructed are required to be evaluated on an individual basis by the City Engineering Department. The department shall also determine the amount of responsibility for costs of improvements by the developers for local or private project facilities on

private property. Adherence to these General Plan provisions would ensure adequate facilities to control surface water runoff and associated erosion or siltation that could result during construction in the OTSP project area. This impact is **less than significant**.

d) **Less than Significant Impact**. The Mojave River and its tributaries have three dams that store water and provide some flood control for the reaches in the Mojave Desert. Potential threats of dam inundation and the release of pollutants within the city could occur if the dams at Silverwood or Arrowhead lakes failed and emptied into the Mojave River through Deep Creek. Considerable inundation might also occur from failure of the Mojave River Forks Dam. Due to the distance of these dams to the nearest developed areas and precautions built into the holding basins below Lake Silverwood and in the Deep Creek area just before the water enters the Mojave River, the probability of extreme flood is unlikely (City of Victorville 2008b, p. 5.8-39). Flood control improvements, including numerous levees and the West Fork Dam, reduce the potential for flooding to the city and project area. In addition, the City of Victorville General Plan DEIR (City of Victorville 2008b, p. 5.8-39–5.8-40) determined the buildout of the General Plan would have a less than significant impact from the threat of dam inundation and the release of pollutants. Since the proposed OTSP would allow for development consistent with that projected in the City's General Plan and analyzed in the associated EIR, this impact is **less than significant**. Additionally, The OTSP project area is not located near any ocean coast or seiche hazard areas and would not involve the development of residential or other sensitive land uses in or near these areas. Therefore, the project would not expose people to potential impacts involving seiche or tsunami. No potential for mudflows is anticipated. Therefore, there is **no impact** associated with the proposed OTSP.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

EXISTING SETTING

As stated in the Project Description of this document, the OTSP project area comprises approximately 428 acres and is located between Interstate 15 and the eastern boundary of the city. The historic Old Town is the core of the project area, which also includes the area north of the railroad tracks and the 7th Street corridor gateway leading into the historic Old Town. The project area contains a mix of land uses, including residential, retail, restaurant, office, light industrial, institutional, and civic uses. However, there is also a prevalence of vacancies within the Old Town, which the Plan attempts to address. The Old Town area includes a number of historic buildings, including Victor Elementary School, and cultural sites, such as the Route 66 museum. The Victorville Victor Valley Transit Center is located at the intersection of D and 6th streets. The 7th Street corridor includes some auto-oriented commercial development. The area to the north of the Burlington Northern Santa Fe railroad tracks, which bisect the eastern portion of the OTSP project area, includes single-family homes and community uses that are scattered amidst a large number of vacant lots and currently zoned a combination of Medium Density Residential, Mixed Density Residential, and Specific Plan.

REGULATORY FRAMEWORK

The following local regulations, plans, programs, and guidelines are applicable to the proposed project:

Local Laws, Regulations, and Policies

- Southern California Association of Governments Regional Comprehensive Plan and Guide
- City of Victorville General Plan 2030
- Old Town Strategic Action Plan – 2007
- Old Town Specific Plan 1995

PROJECT IMPACTS AND MITIGATION MEASURES

a) **No Impact**. The OTSP project area currently contains a mix of land uses, including residential, retail, restaurant, office, industrial, institutional, and civic uses as well as several vacant lots. While the proposed project would allow for the redevelopment of some of these uses, it would not physically divide any existing residential areas. In fact the improvements proposed will connect the area on the north side of the railroad tracks as well as the area on the east side of the Mojave River. Therefore, the proposed project would not divide an established community and **no impact** would occur.

b) **No Impact.** The OTSP project area has been designated for development as a Specific Plan area under the City's General Plan among other various land uses. The proposed project provides a framework to develop the project area as a mixed-use pedestrian-friendly environment with a focus for new higher-intensity development in the city. As such, the OTSP includes land use districts that describe each of the land use categories for the project area and reflects a development strategy in terms of mix of uses, density, and intensity of development. The land use districts are intended to implement the goals, policies, and objectives of the City's General Plan and to promote the integration of compatible land uses in the project area. The OTSP Land Use Map identifies retail and commercial uses along the street frontage of the three major corridors in Old Town—7th Street, Hesperia Road, and D Street—which experience the most traffic and get the most visibility and are therefore the best location for commerce. Residential and downtown service uses are located on minor streets behind the major corridors to provide the population and services necessary to support Old Town businesses. Therefore, as the proposed project is consistent with the land use policies and designations in the City's General Plan and as the OTSP will serve as the zoning document for the project area after implementation, **no impact** associated with conflicts with applicable land use plans would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☒	☐
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?	☐	☐	☒	☐

EXISTING SETTING

Naturally occurring mineral resources within the city include sand, gravel, or stone deposits that are suitable as sources of concrete aggregate, located primarily along the Mojave River (City of Victorville 2008b, p. 5.10-1).

REGULATORY FRAMEWORK

The following state regulations, plans, programs, and guidelines are applicable to the proposed project:

State Laws and Regulations

- State Mining and Reclamation Act

PROJECT IMPACTS AND MITIGATION MEASURES

a–b) Less than Significant Impact. Portions of the OTSP project area are located within mineral resource zone MRZ-2b. The MRZ-2b mineral resource zone designation represents areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas classified as MRZ-2b contain discovered mineral deposits that are significant inferred resources as determined by their lateral extension from proven deposits or their similarity to proven deposits (City of Victorville 2008b, p. 5.10-2).

The portions of the OTSP project area within the MRZ-2b zone are those that lie along the Mojave River and are designated as Open Space and Active Open Space by the OTSP consistent with the City's General Plan. The General Plan does not designate this area for mineral extraction. As the Open Space designation strictly limits urban development, the proposed project would not impact existing mineral resources nor allow for the extraction of these mineral resources. In addition, the area affected by the OTSP Open Space Land Use Designation is small in comparison to the size of the potential mineral resources identified in the area. Therefore, this impact is **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. NOISE. Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

EXISTING SETTING

The ambient noise environment in the vicinity of the OTSP project area is dominated by traffic noise and noise from the BNSF railroad tracks. Motor vehicle and train noise commonly causes sustained noise levels, often in close proximity to sensitive land uses. The major sources of traffic noise in the OTSP project area are Interstate 15, State Route 18, Route 66, 7th Street, Hesperia Road and from the BNSF rail system.

The Burlington Northern Santa Fe Company (BNSF) operates freight rail services through the OTSP project area. The rail line bisects the eastern and northern portion of the OTSP project area and includes BNSF, Union Pacific freight trains as well as Amtrack passenger trains. Due to the frequency of trains, the at-grade railroad crossing, the train station, the homeless population in the Old Town area and near the Mojave River as well as the steep walled upper Mojave Narrows passage, train whistle usage is very high within the Old Town area.

The Southern California Logistics Airport (SCLA) is located to the northwest of the OTSP project area and is also a source of noise for the area.

The common unit for measuring sound (or noise) to the faintest level detectable by a person with good hearing is called a decibel (dB). Since sound or noise can vary in intensity by over one million times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient level. Since the human ear is not equally sensitive to all sound frequencies within the entire spectrum, noise levels at maximum human sensitivity are factored more heavily into sound descriptions in a process called A-weighting, written as dBA. References to noise levels in this section are in dBA. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Because community receptors (e.g., residents, the infirm, convalescents, children) are more sensitive to unwanted noise during the evening and night, state law requires that nighttime noise be more heavily weighted than noise occurring during the day. To measure this noise variation during different times of the day, an artificial decibel increment is added to quiet time noise levels for planning purposes in a 24-hour noise descriptor called the Community Noise Equivalency Level (CNEL). The CNEL takes average sound levels at an observation point and adds a weighting penalty to those sounds that occur during the evening and night hours. A penalty of 5 dBA is added between 7 PM and 10 PM, and a 10 dBA penalty is added between 10 PM and 7 AM. CNEL noise levels are often reported as 65 dB CNEL or 65 CNEL.

When evaluating changes in 24-hour community noise levels, a 3 dBA increase is barely perceptible to most people. While a 5 dBA increase is readily noticeable, a 10 dBA increase would be perceived as a doubling of loudness.

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP project:

State Laws and Regulations

- Title 24 of the California Building Code
- State of California General Plan Guidelines

Local Laws, Regulations, and Policies

- Noise Element of the City of Victorville General Plan (Policies 1.1.1, 1.2.1, 1.2.2, 2.1.1, and 2.2.1)
- Section 13.01 of the City of Victorville Municipal Code
- Comprehensive Land Use Plan (CLUP) for the Southern California Logistics Airport

PROJECT IMPACTS AND MITIGATION MEASURES

a) **Less than Significant Impact**. Subsequent land use activities associated with implementation of the proposed OTSP would introduce additional development into the OTSP project area which in turn would result in noise from both construction and operational activities.

Permanent Increases in Ambient Noise Levels

The City of Victorville General Plan and Municipal Code consider noise compatibility standards in evaluating land use projects. A proposed land use must be shown to be compatible with the ambient noise environment, particularly for noise sources over which direct City control is preempted by other agencies. Such sources include vehicle traffic on State or Federal roadways, aircraft, or trains. Since the City cannot regulate the noise level from these sources, it exercises its land use decision authority to ensure that noise/land use incompatibility is minimized.

Table N-3 of the General Plan Noise Element establishes noise standards for the placement of various land uses. Noise exposure is normally acceptable if the level of exposure does not require any special noise insulation or special construction techniques to reduce interior noise levels. The maximum exterior noise level considered to be normally acceptable for residential development is 65 dBA. An interior CNEL of 45 dBA is mandated by the State of California Noise Insulation Standards (CCR, Title 24, Part 6, Section T25-28) for multiple family dwellings, hotel and motel rooms, and all habitable rooms in residential use, including single-family dwelling units. Typical noise attenuation within older residential structures with standard construction practices and single-paned closed windows is about 20 dB. Therefore, an exterior noise exposure of 65 dBA CNEL is compatible with an interior noise level of 45 dB CNEL for residential dwellings in Victorville (City of Victorville 2008b, p. 5.11-4).

Due to the nature of retail/commercial uses as less sensitive land uses, the exterior noise exposure standard is generally not as stringent as compared to residential land uses. Unless retail/commercial projects include noise-sensitive uses such as outdoor dining, noise exposure is generally not considered a commercial facility siting constraint for typical project area noise exposures. The City of Victorville noise compatibility guidelines recommend 65 dB CNEL as normally acceptable and 75 dB CNEL as conditionally acceptable exterior noise exposures for commercial uses (City of Victorville 2008b, p. 5.11-4).

Table N-3 of the General Plan Noise Element depicts land use compatibility standards for noise generation. **Table 10** below shows the noise compatibility standards associated with the land uses that occur, or could potentially occur, within the OTSP project area.

TABLE 10
VICTORVILLE GENERAL PLAN LAND USE COMPATIBILITY STANDARDS

Land Use Categories	Community Noise Exposure CNEL, dB					
	55	60	65	70	75	80+
Residential – Low Density, Single Family, Duplex, Multi-family, Mobile Home	1	1	2	2	3	4
Transient Lodging – Motels, Hotels	1	1	2	2	3	3
Schools, Libraries, Churches, Hospitals, Nursing Homes	1	1	2	3	3	4
Auditoriums, Concert Halls, Amphitheaters	2	2	3	3	4	4
Playgrounds, Neighborhood Parks	1	1	1	2	3	3
Office Buildings, Business Commercial, Retail Commercial and Professional	1	1	1	2	2	3
Industrial, Manufacturing, Utilities	1	1	1	1	2	2

Legend:

1. *NORMALLY ACCEPTABLE. Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.*
2. *CONDITIONALLY ACCEPTABLE. New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, with closed windows and fresh air supply systems or air conditioning will normally suffice.*

3. NORMALLY UNACCEPTABLE. New construction or development should generally be discouraged. If new construction or development does proceed, a detained analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

4. CLEARLY UNACCEPTABLE. New construction or development should generally not be undertaken.

Source: City of Victorville 2008b, p. 5.11-15

The OTSP proposes to revise the 1995 OTSP to allow for the intensification of land uses within the Specific Plan boundary beyond what currently exists. The OTSP would allow for the addition of 750 residential dwelling units, 600,00 square feet of re-occupied commercial space, and 600,000 square feet of new commercial space beyond existing conditions. These additions have the potential to increase noise levels beyond existing conditions. The OTSP, however, would reduce the amount of industrial square footage, arguably the land use with the most noise-producing potential.

The OTSP contains conceptual streetscape improvements accounting for a street's pedestrian orientation (OTSP Implementation Actions C-1, C-6, C-7, and LU-10). 7th Street is proposed to undergo a road diet, reducing speeds through road narrowing measures, therefore discouraging high-speed traffic (OTSP Implementation Action C-7) and encourage pedestrian-oriented mixed-use-type development (OTSP Implementation Actions ED-4 and ED-8), and strengthen pedestrian connections at key intersections by providing safe and convenient pedestrian crossings to increase safety and convenience (OTSP Implementation Action LU-10). These traffic calming measures could potentially lead to the reduction of the overall ambient noise environment in the OTSP project area; however, the uses existing on Hesperia Road could potentially be impacted as it comes to accommodate some of the pass through traffic moving through the vicinity.

Future noise generation could be mitigated by the City's General Plan policies. The General Plan Noise Element includes noise mitigation measures for the design and use of new roadway projects. While environmental impacts of subsequent roadway projects such as the development of an new at-grade railroad crossing on Seventh Street would also be considered pursuant to CEQA before its construction, it should still be noted that Implementation Measure 1.2.1.1 mandates the use of special paving materials that will buffer roadway noise and Implementation Measure 1.2.1.2 incorporates setbacks in roadway design to maximize the distance from sensitive land uses. Once implemented, these General Plan Noise Element provisions will be required.

In conjunction with these standards, the General Plan Resource Element would protect new development land uses under the proposed OTSP with provisions such as Implementation Measure 6.2.1.1, which states that the siting of new sensitive land uses within 500 feet of a freeway, within 500 feet of urban roads with 100,000 vehicles per day, or within 500 feet of rural roads with 50,000 vehicles per day shall be avoided. Implementation Measure 6.2.1.3 requires that new sensitive land uses not be sited within 1,000 feet of a major service and maintenance rail yard. Noise Element Implementation Measure 1.2.1.3 restricts new truck routes to roadways that are located away from sensitive land uses.

Furthermore, General Plan Noise Element Implementation Measure 1.1.1.3 requires a noise study to be performed and appropriate noise attenuation to be incorporated prior to approving any multi-family or mixed-use residential development in an area with a CNEL of 65 dB or greater. Implementation Measure 1.1.1.2 prohibits new single-family residential land uses in areas with a CNEL of 65 dB or greater.

Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal for the OTSP project area and Policy 1.1.1 of the General Plan Noies Element requires that this case-by-case consideration is compared with Table N-3 of the General Plan (**Table 10** above shows the noise compatibility standards associated with the land uses that occur, or could potentially occur, within the OTSP project area).

The General Plan provisions cited above ensure a **less than significant** impact in relation to permanent noise increases as a result of the proposed OTSP by mandating the location of noise sensitive land uses away from existing excessive noise sources and the location of new excessive noise generators away from existing sensitie land uses.

b) **Less than Significant Impact.** Future construction activities under the proposed OTSP would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and operations involved. Vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. **Table 11** displays vibration levels for typical construction equipment.

TABLE 11
TYPICAL CONSTRUCTION EQUIPMENT VIBRATION LEVELS

Equipment	PPV at 25 Feet (in/sec)[1]	Approximate Lv at 25 Feet[2]
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

[1] Where PPV is the peak particle velocity

[2] Root mean Square (RMS) velocity in decibels (VdB) referenced to 1 micro inch/second and based on the RMS velocity amplitude

Source: Federal Transit Administration 2006

On-site construction equipment could include bulldozers and trucks. According to the Federal Transit Administration (FTA), vibration levels associated with the use of a large bulldozer is 0.089 inches per second (in/sec) peak particle velocity (PPV) and 87 vibration decibels [VdB referenced to 1 microinch per second and based on the RMS velocity amplitude] at 25 feet, as shown in **Table 11**. Using the FTA-recommended procedure for applying a propagation adjustment to these reference levels, predicted worst-case vibration levels of approximately 0.03 in/sec PPV and 81 VdB at approximately 50 feet from a construction site's boundary could occur from use of a large bulldozer. These vibration levels would not exceed Caltrans' recommended standard of 0.2 in/sec PPV (Caltrans 2002) with respect to the prevention of structural damage for normal buildings. Vibration levels at further distances would be substantially diminished.

While the OTSP describes allowed land uses and densities, transportation and streetscape improvements, public signage, urban design guidelines, development standards, an infrastructure assessment, and implementation and financing strategies and guidelines, it does not include any specific development designs or proposals, nor does it grant any entitlements for development. While the OTSP does propose changes to existing land use densities and zon-

ing designations, it does not involve the construction or expansion of any land uses. All future development would be required to be in accordance with local regulations.

In addition, General Plan Noise Element Implementation Measure 2.1.1.5 requires the City to restrict noise and require mitigation measures for any noise-emitting construction equipment or activity.

Future construction activities under the proposed OTSP would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and operations involved. However the requirement to require mitigation measures for any noise-emitting construction equipment or activity would reduce this impact to **less than significant**.

c) **No Impact.** The only airport in Victorville is the Southern California Logistics Airport (SCLA) located approximately 4.5 miles northwest of the northernmost boundary of the OTSP project area. The City of Victorville has prepared a Comprehensive Land Use Plan (CLUP) for the SCLA due to the public health, safety, and noise issues that surround airports and require special land use planning efforts to ensure protection of public welfare. The OTSP project area is located outside of the CLUP and is therefore not bound by the regulatory requirements contained within it. Therefore, the proposed OTSP would not result in a noise-related hazard associated with the SCLA and **no impact** would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

EXISTING CONDITIONS

Population

According to the 2018 Demographic Analysis (Appendix D) performed for the project by ESRI on 5-7-18, the 2017 population of the proposed OTSP project area was estimated to be 2,253 residents, which represents a 3.0 percent increase over the population of 2,188 recorded for the downtown area at the 2010 Census. This represents a stable population and the growth rate was less than half of that occurred during the previous decade (7%).

By contrast, the population of the city in 2010 was 115,903 persons, an increase of approximately 40 percent in population since the 2000 Census. This increase represents an annual growth rate of approximately 6.0 percent. Since then the growth has slowed to less than 1.0% annually or 6.7% overall since the 2010 Census and currently sits at 123,701 as of 2018 with 3.46 persons per household according to the CA Department of Finance (DOF). The DOF tracks the annual City reported growth between Cenus counts.

The City's General Plan 2030 Land Use Map allocates 38,839 acres for residential uses that are expected to generate a total of 138,617 dwelling units, of which 87,014 are single-family and 51,508 are multi-family (City of Victorville 2008b, p. 5.12-6). Assuming an average household size of 2.94 persons per unit, the City's General Plan 2030 projects a population of 407,534 persons within the city by year 2030 (City of Victorville 2008b, p. 5.12-9).

Housing

According to the ESRI Demographic Report for the project, the proposed OTSP area contains 602 housing units, just three units more since the 2010 Census (599 units). Therefore, the growth since 2010 mainly occurred with an increase in household size, from 3.36 in 2010 to 3.46 in 2017. Conversely, as of January 1, 2018, the City has an estimated 37,809 housing units according to the CA Department of Finance (DOF) Demographic Unit. The City's General Plan 2030 projects 138,617 housing units in the city by year 2030 (City of Victorville 2008b, p. 5.12-9).

REGULATORY FRAMEWORK

The following local regulations, plans, programs, and guidelines are applicable to the proposed project:

Local Laws, Regulations, and Policies

- Southern California Association of Governments Regional Comprehensive Plan and Guide
- City of Victorville General Plan 2030

PROJECT IMPACTS AND MITIGATION MEASURES

a) **Less than Significant Impact**. The proposed OTSP does not identify any specific development proposals within the OTSP project area. However, the project proposes to update the City's 1995 OTSP to allow for the intensification of land uses within the Specific Plan boundary beyond what is currently allowed. According to ESRI estimates which were used in the development of the OTSP, the population of downtown is expected to grow at just 0.47 percent annually, reaching 2,306 residents by the year 2022.

By the project buildout year of 2040, the proposed OTSP would allow for an additional 750 residential dwelling units, 600,000 square feet of re-ocupied commercial space, and 600,000 square feet of new commercial space beyond what is currently allowed. Based on an average household size of 3.46 persons per unit, which is greater than the City's General Plan 2030 Draft EIR (City of Victorville 2008b, p. 5.12-6) but accurate in current estimates, the proposed OTSP would allow for an increase of 2,595 persons beyond existing conditions (750 dwelling units x 3.46 persons per household = 2,595 persons). This increase represents 0.6 percent of the city's anticipated population in 2030 (407,534 persons) and as such would not be considered a substantial increase. In addition, the proposed project would increase the project area's population from 2,253 to 4,848 (2,253 + 2,595 = 4,848) over the next 22 years, which is not a significant increase in population compared to Victorville's overall expected population growth.

While the proposed OTSP promotes higher-density mixed-use development in the project area with the intent of bringing new housing opportunities to support the downtown, these housing opportunities would be expected primarily to accommodate population growth that is already anticipated to occur within the city under its General Plan (City of Victorville 2011, p. 1-1). Therefore, the proposed OTSP would guide how and where growth occurs (i.e., high-density mixed use) rather than resulting in substantial new growth.

In addition, environmental impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Subsequent environmental review would ensure that development projects would incorporate mitigation measures to minimize impacts associated with population growth. Furthermore, the proposed OTSP would ensure that adequate transportation and streetscape improvements and necessary infrastructure and public facilities would be provided concurrent with future population and housing growth in the project area. Therefore, this impact would be considered to be **less than significant**.

b) **Less than Significant Impact.** As described above, the proposed OTSP would increase housing opportunities in the OTSP project area in addition to the residential units that currently exist in the project area. Since the proposed project is converting very few residential uses to nonresidential uses (Open Space), the proposed OTSP would not displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. Therefore, this impact would be considered to be **less than significant**.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

EXISTING SETTING

Fire Protection

Fire protection and emergency medical services for the City of Victorville are provided by the San Bernardino County Fire Department, North Desert Division. Within the city limits, four fire stations are manned and operated by the fire department. A fifth station is located at the Southern California Logistics Airport. In addition, three county fire stations are located within the City's existing Sphere of Influence and provide fire protection services to the city and adjacent unincorporated areas. Currently, 58 firefighters serve the city. Each station is equipped with at least one fire engine and three firefighters, with ten staff on call if needed. Fire Station 319 (located at the Southern California Logistics Airport) has three dedicated personnel on site. Paramedics are provided at every fire station (City of Victorville 2008b, p. 5.13-1). The closest station to the OTSP project area is located at 16200 Desert Knoll Drive approximately 0.5 mile southwest of the southernmost boundary of the OTSP project area at 7th Street.

Police Protection

Police protection is provided by the City of Victorville Police Department, which is contracted with the San Bernardino County Sheriff. The department is located at 14200 Amargosa Road. The city also has four satellite police stations: (1) Wimbleton Center at 12370 Hesperia Road, Suite 10, (2) Transportation Center at 16838 D Street (currently unoccupied), (3) Rodeo Drive at 16464 Lariat Road, #A, and (4) Victor Valley Mall at 14400 Bear Valley Road. Currently, the department has for 86 sworn officers and 22 non-sworn positions (City of Victorville 2008b, p. 5.13-2) and a total of 150 people working out of the Victorville station. During the past decade, officers have been added annually based on professional judgment rather than a formulaic approach with sworn officers per capita. It is the standard practice of the City to continue to increase staffing levels as growth continues. The city currently has a ratio of 0.84 sworn officers per 1,000 residents. In 2006, there were 120,227 calls for service, or 1,794 service calls per deputy (City of Victorville 2008b, p. 5.13-2). The police station at 16838 D Street (currently unoccupied) is located within the OTSP project area adjacent to the Burlington Northern Santa Fe railroad tracks.

Average police response time to emergency calls in 2006 was 5 minutes (City of Victorville 2008b, p. 5.13-2).

Schools

Currently, there are 23 public elementary schools, 5 public junior high/middle schools, 3 high schools, a community college and a university (extension), 8 academy/preparatory schools, and 10 private schools located in the city (City of Victorville 2008b, p. 5.13-3). The OTSP project area contains University Preperatory School (relocated, currently vacant), Irwin School, 6th Prep School, Del Rey Elementary School, and Goodwill High School. Victor Valley Junior High School, Victor Valley High School, and Village Elementary are all located directly adjacent to OTSP project area boundaries.

Parks

Existing outdoor recreation resources in the city include public parks, public golf courses, public access lakes, bicycle paths, pedestrian trails, and linkages between recreation areas and urbanized places. The city maintains 409.9 acres of parkland (including golf courses). Green Tree Golf Course (150 acres, 18-hole) and SCLA (Westwinds) Golf Course (60 acres, 9-hole) are located in Victorville (City of Victorville 2008b, p. 5.13-4). Eva Dell Park is located within the OTSP project area as well as a portion of the Mojave Riverwalk project, and Center Street Park and the San Bernardino Fairgrounds are located just east and south of the OTSP project area, respectively.

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed project:

State Laws and Regulations

- Uniform Fire Code
- California Health and Safety Code

Local Laws, Regulations, and Policies

- Fire Codes and Guidelines

PROJECT IMPACTS AND MITIGATION MEASURES

a–e) **Less than Significant Impact**. The proposed OTSP is consistent with the land use designation (Specific Plan) for most of the project area under the City's General Plan. In addition, the City of Victorville General Plan DEIR (City of Victorville 2008b, p. 5.13-1–5.13-14) determined that the buildout of the General Plan would have a less than significant contribution to impacts associated with public services due to City coordination with the planning efforts of public service providers and the requirement that the need for new public service facilities be considered during the review for each new development project.

The proposed project describes allowed land uses and densities, transportation and streetscape improvements, public signage, urban design guidelines, development standards, an infrastructure assessment, and implementation and financing strategies

and guidelines for the project area, in order to establish the nature, characte,r and intensity of development that is needed to create a successful downtown. The proposed OTSP does not include any specific development proposals, nor does it grant any entitlements for development. All future development occurring within the project area would be required to be in accordance with local regulations, including the City's General Plan, which, as discussed above, requires that new development projects coordinate with public service providers to ensure appropriate levels of service for the projects. As required by the General Plan, environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. In addition, impacts to public services from future development projects citywide have been analyzed under the City's General Plan DEIR and impacts were found to be less than significant. Since the proposed project would not accommodate potential future development beyond what has already been analyzed in the city's General Plan and associated EIR, impacts associated with an increased demand for public services as a result of the proposed project would be **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the Construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

EXISTING SETTING

The city currently has 147.9 acres of parkland, which comprises 20 parks and recreation centers. These park facilities range in size from the 1-acre Activity Center on Hesperia Road to the 28.4-acre Hook Park on Joshua Street. The city also has 210.0 acres of public golf courses (Green Tree and Westwinds (currently closed)) and one 52-acre nature park (Rockview Nature Park). The major regional recreational areas within and near the city are the Mojave Narrows Regional Park (840 acres), Lake Gregory (150 acres), and Mojave River Forks (1,100 acres). The three parks are operated by the County of San Bernardino Regional Parks system.

Eva Dell Park is located within the OTSP project area as well as a portion of the Mojave Riverwalk Project, while Center Street Park and the San Bernardino Fairgrounds are located just east and south of the OTSP project area, respectively.

REGULATORY FRAMEWORK

There are no state or local regulations, plans, programs, and guidelines that are applicable to the proposed OTSP project.

PROJECT IMPACTS AND MITIGATION MEASURES

a–b) Less than Significant Impact. The project proposes the intensification of land uses within its boundary beyond what is currently allowed. However, the OTSP would also allow for 95 acres of lands desigated as Open Space and Active Open Space. The Open Space land use designation would ensure that lands such as flood hazard areas remain in a natural state. This land use designation would also allow for play areas, ball fields, trails, lakes, and detention basins. The Active Open Space designation is intended for more intense recreational use than the Open Space designation, providing plazas for public congregation and pay-and-play recreational activities. The designation includes lands for parks, recreation facilities, community gardens, golf courses, swimming pools, tennis courts, and ball fields.

Based on an average household size of 3.46 persons per unit, which is currently accurate but greater than the City's General Plan 2030 Draft EIR (City of Victorville 2008b, p. 5.12-6), the proposed OTSP would allow for an increase of 2,595 persons beyond existing con-

ditions (750 dwelling units x 3.46 persons per household = 2,595 persons). Therefore, the proposed OTSP would only increase the project area's population from 2,253 to 4,848 (2,253 + 2,595 = 4,848) over the next 22 years, which is not a significant increase in population overall for the City of Victorville. Furthermore, the OTSP would also allow for 95 acres of lands desigated as Open Space and Active Open Space. As a result, there would be a **less than significant** impact to existing neighborhood parks and other recreational facilities.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17. TRANSPORTATION. Would the project:				
a) Conflict with a program. plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3 Subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

EXISTING SETTING

Roadway Network

Regional access to the OTSP project area is provided from Interstate 15 (I-15), historic US Route 66, and State Route 18 (SR-18). Local access is provided from D Street (Hwy 18), 7th Street, 6th Street, Stoddard Wells Road, Hesperia Road, and Mojave Drive. These key facilities are described in detail below.

I-15 begins in San Diego, extends north through Escondido, Corona, and Victorville, continues to Las Vegas and Salt Lake City, and terminates in Central Montana at the Canadian border. Near the OTSP project area, I-15 is a six-lane freeway with full interchanges at E Street, D Street, Mojave Drive, La Paz Drive, and 7th Street (US-66). Ongoing Construction within the Old Town area will greatly improve the operation access from I-15 once the $76 million project is complete.

US-66 (7th Street), also known as historic Route 66, begins in Chicago and continues through St. Louis, Oklahoma City, and Albuquerque until termination near Downtown Los Angeles. US-66 travels roughly along I-40 from Oklahoma City. Within the OTSP project area, it is a four-lane arterial street. The House recently (June 2018) passed a Bill to designate the entire route as a National Historic Trail and will soon be heard by the Senate.

SR-18 (D Street) begins at SR-210 in the City of San Bernardino, extends north through Big Bear and Lucerne Valley, and continues south via I-15 to Palmdale Road, then west to Palmdale. SR-18 is a four-lane arterial within the OTSP project area.

6th Street, contained entirely in the OTSP project area, is a two-lane north-south arterial roadway that begins at the intersection of Mojave Drive and terminates at the intersection of E Street. 6th Street runs parallel to and offers an alternative to 7th Street due to its virtually exclusive right-of-way. Within the OTSP project area, 6th Street also provides an at-grade crossing of the BNSF railroad tracks. The OTSP intends to terminate Sixth Street at 'D' Street and move the at-grade crossing to Seventh Street for im-

proved circulation and improved access to the Open Space area north of the BNSF railroad tracks.

Stoddard Wells Road is a north-south arterial roadway that begins at the Hwy 18/'D' Street intersection at the east end of the OTSP project area just prior to the Town of Apple Valley. It continues north, crossing west over I-15 and continuing north towards the County landfill, then back east under I-15 to Apple Valley.

Hesperia Road is a north-south arterial roadway and truck route that begins at the D Street intersection in the OTSP project area and terminates within the City of Hesperia at Lime Street. Within the OTSPproject area, Hesperia Road is a two-lane roadway with a center turning lane. The OTSP includes a plan to widen and improve this intersection.

Mojave Drive is an east-west arterial roadway that begins 20 miles west of the OTSP project area and terminates at the intersection of Victor Street within the project area. Mojave Drive is a four-lane arterial street and serves an important link to I-15 for drivers accessing the Specific Plan project area. The I-15 interchange is located 1 mile west of 7th Street.

Pedestrian and Bicycle Network

Sidewalks

Pedestrian facilities are provided throughout the majority of the project area. While sidewalks, crosswalks, and pedestrian-actuated traffic signals create a pedestrian-friendly environment in some portions of the project area, particularly through the 7th and 6th street corridors, there are several existing constraints for pedestrians in the downtown area, which are described in detail below.

- Sidewalk Conditions – For certain segments of D Street (Caltrans controlled), 6th Street, and 7th Street, the existing sidewalk is either not present or is in need of repair. Certain examples include the sidewalk coming to an abrupt end at a private property line and no crosswalk facilities provided for the pedestrian.

- 7th Street – This roadway currently carries a significant amount of motor vehicle through traffic destined for the Apple Valley area.

- Railroad Crossing – The 6th Street railroad crossing is the only at-grade pedestrian connection between Old Town and the E Street area. The E Street area includes Eva Dell Park and access to a Class I bicycle facility, known as the Mojave Riverwalk.

- Shade – Many areas within the project area have limited street trees, and shade for pedestrians is limited, Seventh Street includes a tree-lined sidewalk.

Bicycle Network

There is an existing Class I bicycle trail a part of the planned Mojave Riverwalk Project along the Mojave River dike at the north end of the project area, which includes a bicycle parking facility. Existing Class III bicycle routes (where vehicles and bicycles share the roadway) exist on 7th Street, Hesperia Road/9th Street, and D Street south of 7th Street.

Transit System

The Victor Valley Transit Authority provides two fixed bus routes within the project area. Route 41 travels from Apple Valley to Victorville, and Route 51 circulates around the Victorville area. Dial-a-ride paratransit is also provided through the Victor Valley Transit Authority Direct Access Service.

Amtrak provides daily motorcoach and passenger rail service. Motorcoach service, designated as the San Joaquin Motorcoach, includes Route 9 and 12 that travel to Las Vegas and Bakersfield. Passenger rail service is provided by the Amtrak Southwest Chief that originates in Chicago and travels to Kansas City and Albuquerque, then terminates in Los Angeles.

Park-and-Ride Lot

The only park-and-ride lot in the project area is the Victor Valley Transportation Center, located on the corner of 6th Street and D Street. The transportation center is serviced by motorcoach, passenger rail, and public bus. This facility also contains ten bicycle storage units.

Parking

Current parking facilities within the project area consist of:

- Off-street parking in public lots – 35 total spaces
- On-street angled parking on A Street and C Street, between 6th Street and 8th Street – approximately 60 total spaces
- On-street parallel parking on all other roadways except D Street, 7th Street, Hesperia Road/9th Street, and A Street between 2nd Street and 3rd Street – estimated to be approximately 2,000 spaces[1]
- Private parking lots

REGULATORY FRAMEWORK

The following local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

Local Laws, Regulations, and Policies

- San Bernardino County Congestion Management Program
- City of Victorville Non-Motorized transportation Plan
- Circulation Element of the City of Victorville General Plan

PROJECT IMPACTS AND MITIGATION MEASURES

a) **Less than Significant Impact.** The City's General Plan Circulation Element (City of Victorville 2008b, p. 5.15-57) identifies that level of service (LOS) D should be maintained at intersections, except in certain high activity areas designated by the Planning Commission, where LOS E is acceptable. The results of the Old Town Traffic Study performed by Albert Grover and Associates in May 2018 (attached) indicate that currently the transportation facilities in the project area are operating with limited amounts of congestion (LOS C or better). It identifies that the primary traffic operations constraint is 'D' Street be-

[1] Estimated based on approximately 26,000 linear feet of roadway network times 2 (parking on both sides) divided by 25 feet per parked car.

tween I-15 and Apple Valley and further identifies improvements to the roadways intersecting 'D' Street as well as a 'road diet' for Seventh Street to improved pedestrian safety, the relocation of the at-grade railroad crossing to improve circulation and accessibility and improvements at Staoddard Wells road. Further, the OTSP does identify the project area as a high activity area and therefore acceptable to operate at LOS E (OTSP Implementation Action LU-10). The proposed OTSP does not identify any specific development proposals within the project area, but rather proposes to update the City's 1995 OTSP to allow for the intensification of land uses within the Specific Plan boundary beyond what currently exists. However, all intersections and roadway segments are expected to operate at LOS E or better after buildout of the OTSP with the proposed improvements. As the proposed OTSP includes identifying the OTSP project area as a high activity area and adopting an LOS E to support pedestrian activity in the project area, the proposed OTSP would not conflict with the General Plan and impacts would be **less than significant**.

b) **Less than Significant Impact.** The Traffic study for the OTSP did not analyze the project by Vehicle Miles Travelled but by Level of Service. However, the general goal and improvements proposed for Old Town are to increase walkability, slow traffic down, improve circulation and provide for a mixed-use live, work, shop environment. This alone will reduce vehicle trips and reduce miles travelled by residents. The project is also located at both a major transit stop and an existing high quality transit corridor and is therefore presumed to be a **less than significant** transportation impact.

c) **Less than Significant Impact.** The proposed OTSP is guided by the vision that bicyclists and pedestrians can easily and safely navigate Old Town. As such, the OTSP focuses on both enhancing and expanding bicycle and pedestrian facilities and designing appropriate crossings for pedestrians and bicycles. For example, the OTSP requires the City to implement roadway cross sections in order to enhance the walking environment in Old Town. Policy 7-7 requires that traffic calming measures focus on managing traffic speeds through the core area, which would increase safety for pedestrians in the OTSP project area. Therefore, the OTSP would not be expected to substantially increase hazards due to a design feature and this impact is **less than significant.**

d) **Less than Significant Impact.** Future development under the proposed OTSP would be constructed consistent with City standards, including requirements for adequate emergency access. Furthermore, the OTSP project area is an urbanized area with existing streets. The General Plan Circulation Element contains a plan, roadway cross sections, and objectives and policies that are designed to reduce hazards, promote design features for local roadways consistent with City standards, and accommodate projected traffic at all local intersections including those located in the OTSP project area. Therefore, impacts would be considered **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resorce to a California Native American Tribe?	☐	☒	☐	☐

Tribal Historical Resources

Currently there are no listed Historical Resources within the project area. Locally listed historical resources are currently not subject to any restrictions. Should Route 66 become a National Historical Trail and/or should any Local Historical points of interest become protected or listed or any future Tribal Resources become listed or eligible, Codes and Laws would come into effect. However currently there is a **less than significant impact** for the creation of the OTSP regulatory document.

a) Less than Significant Impact. See the above discussion.

TRIBAL RESOURCES

The OTSP is located in an area of high sensitivity for archaeological resources (City of Victorville 2008b, p. 5.5-26) as indicated by the confidential cultural records survey conducted by the SCCC in May 2018 for the Old Town boundary and out 1-mile. This search identified many confidential cultural resources within the search area. The five interested area Tribes were notified of the project per the AB52 process, which resulted in one request for tribal consultation and one denial for consultation. However, the request for consultation came outside the AB52 time period. Consequently, the City allowed for consultation but, the requesting Tribe did not consult. With the AB52 consultation process complete, it is the City's determination that the proper time for consultation will occur at the project level, not during the creation of the regulatory document.

Because there will be new construction projects occurring within the OTSP project area that are either exempt from CEQA or not subject to CEQA, tribal resources may still be discovered due to the location of the project area near the Mojave River. Therefore,

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

State Laws and Regulations

- AB52 Tribal Consultation

PROJECT IMPACTS AND MITIGATION MEASURES

b) Less than Significant with Mitigation Incorporated. See the above discussion.

Mitigation Measures

MM 18b-1: If human remains or funerary objects are encountered during any grading activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Timing/Implementation: *During any grading operations*

Enforcement/Monitoring: *City of Victorville Development Department*

MM 18b-2: In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and the retained SOI-qualified archaeologist shall assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period.

Timing/Implementation: *During any grading operations*

Enforcement/Monitoring: *City of Victorville Development Department*

Adherence to mitigation measure **MM 18b-1** and **MM 18b-2** would mitigate potential impacts associated with tribal resources within the OTSP project area that would otherwise not be subject to CEQA and/or Tribal Consultation. Therefore, impacts would be considered **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably forseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

EXISTING SETTING

Water Supply

The City of Victorville is located within and draws all of its water supply from the Alto (or Upper Mojave) sub-basin of the Mojave River Groundwater Basin. The city and the OTSP project area are within the service area of the Mojave Water Agency/Watermaster (MWA), which is one of 29 state water contractors in the State of California. In 1963, the MWA entered into a contract with the California Department of Water Resources to purchase a maximum annual entitlement of 50,800 acre-feet from the State Water Project (SWP) for all regions within MWA jurisdiction (City of Victorville 2008b, p 5.16-4). On March 26, 1996, the MWA approved a water transfer of 25,000 acre-feet per year of SWP entitlement from the Berrenda Mesa Water District in Kern County, thereby increasing the entitlement within the MWA jurisdiction to 75,800 acre-feet per year (City of Victorville 2008b, p 5.16-4). The MWA has several projects that are using SWP water and has two additional projects under design that will bring additional water into the Victor Valley.

Wastewater Collection and Treatment

The Victor Valley Water Reclamation Authority (VVWRA) was originally formed by the Mojave Water Agency to help meet the requirements of the federal Clean Water Act and provide wastewater treatment for the city. The original treatment plant, with supporting pipelines and infrastructure, began operating in 1981, providing tertiary level treatment for up to 4.5 million gallons per day. The VVWRA is now a joint powers authority and public agency of the State of California. Over the years, VVWRA has completed treatment plant upgrades and several capacity increases. The regional treatment plant, the Victor Valley Water Reclamation Plant, is currently capable of treating a portion of the flow to a tertiary level and the remaining flow to a secondary level for percolation. A majority of the highly treated wastewater is discharged into the Mojave River Basin, and a smaller amount is currently used to irrigate landscaping at the treatment plant and the nearby Westwinds (closed at this time) Golf Course (City of Victorville 2008b, p. 5.16-1).

The VVWRA owns and maintains 40.5 miles of interceptor sewer lines on the VVWRA easements, and the City owns and maintains all other trunk lines in Victorville. The VVWRA treats water from five different areas: Town of Apple Valley, City of Hesperia, City of Victorville, Area 42 (Oro Grande), and Area 64 (Spring Valley Lake). The VVWRA also has two pump stations and a projected 18-million-gallons-per-day Regional Wastewater Reclamation Plant (City of Victorville 2008b, p. 5.16-1).

Solid Waste

Nonhazardous solid and liquid waste generated in the OTSP project area is currently deposited in the Victorville Landfill, which is operated by the County of San Bernardino Public Works Department, Solid Waste Management Division (City of Victorville 2008b, p 5.16-9). A private contractor, Burrtec Waste Industries, operates the landfill under contract to San Bernardino County. This landfill is located at 17080 Stoddard Wells Road in the northeastern quadrant of the city.

The City is entered into a Waste Disposal Agreement with San Bernardino County. It requires the City to deliver its controllable waste (waste collected under City control) to the county landfill. In 2006, Victorville's residents, businesses, and institutions delivered approximately 129,865.25 tons to the county landfill system—mostly to the Victorville Landfill (City of Victorville 2008b, p 5.16-9). Approximately 116,595.88 tons were disposed and 13,269 tons were diverted through a recycling program at the landfill (City of Victorville 2008b, p 5.16-9). Additional tonnage is taken directly to the county landfill by contractors, individuals, and businesses hauling their own trash. This tonnage is generated from within the city limits of Victorville but is not collected by the City's franchised hauler. San Bernardino County has implemented a landfill-based diversion program at the Victorville Landfill. The program targets inerts, concrete and asphalt, wood waste, corrugated cardboard, and scrap metal (City of Victorville 2008b, p 5.16-9).

The Victorville Landfill property area is approximately 491 acres in total, with an approximately 80-acre parcel currently in use for landfill operations. The 80-acre parcel includes 67 acres that are in active use for landfilling, a 7-acre expansion area that was formerly used as septic ponds, and 6 acres of former "borrow pit" (excavation area), which had been used to generate daily cover for refuse (City of Victorville 2008b, p 5.16-10). The Victorville Landfill primarily serves the Victor Valley region. In 2006, approximately 422,375 tons of solid waste were delivered to the landfill. The landfill is currently accepting approximately 1,180 tons per day (City of Victorville 2008b, p 5.16-10).

Current expansion plans increase the landfill "footprint" from the current 67 acres to approximately 341 acres, increase the maximum elevation of the landfill to 3,182 feet, and increase peak flow to 3,000 tons per day (City of Victorville 2008b, p 5.16-10). This planned expansion extends the anticipated life of the landfill to the year 2047 and provides capacity for approximately 37 million tons of refuse (City of Victorville 2008b, p 5.16-10).

REGULATORY FRAMEWORK

The following state and local regulations, plans, programs, and guidelines are applicable to the proposed OTSP:

State Laws and Regulations

- Urban Water Management Planning Act
- Porter-Cologne Water Quality Act
- Waste Discharge Requirements Program
- California Integrated Waste Management Act (AB 939)

Local Laws, Regulations, and Policies

- Lahontan Regional Water Quality Control Board
- Resource Element of the City of Victorville General Plan (Policies 1.1.1, 1.1.2, and 1.1.3) and Land Use Element of the City of Victorville General Plan (Policy 3.1.1)

PROJECT IMPACTS AND MITIGATION MEASURES

a–c) Less than Significant Impact. Future development in the OTSP project area would require adequate municipal wastewater service and adequate domestic municipal water service, including adequate water supplies and wastewater treatment capacity. Increases in demand for wastewater and water service can also result in exceedance of wastewater treatment requirements and the need for new water or wastewater treatment facilities or expansion of existing facilities. The proposed OTSP is designed to describe allowed land uses and densities in order to establish the nature, character, and intensity of development that is needed to create a successful downtown. The proposed project does not include any specific development proposals, nor does it grant any entitlements for development. All future development occurring within the OTSP project area would be required to be in accordance with local regulations, including the City's General Plan. As required by the General Plan, environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

According to the City's General Plan, all future development projects within the city, including the OTSP project area, are required to comply with the Lahontan Regional Water Quality Control Board requirements for adherence to best management practices (BMPs) to ensure cleaner water sources and a cleaner environment. Under the supervision of City staff, any future development under the proposed OTSP must comply with these requirements and the Municipal Code to ensure that the project would not violate

any water quality standards or waste discharge requirements. Also, the City's Municipal Code contains provisions for collection of storm drainage fees, connections to sewers, water conservation, installation of reclaimed water lines in new developments, and appropriate design for drainage and flood prevention. These provisions would ensure adequate water supplies and wastewater treatment capacity for all future development.

The City's Municipal Code also contains extensive requirements for water conservation and recycling measures in Chapter 13, Code 13.60. Included are Chapter 13.60.040 – Prohibited water uses and water waste, Chapter 13.60.050 – Limitation on water intensive landscape and turf areas within new nonresidential facilities, and Chapter 13.60.060 – Limitations on model home and new residential development landscaping. Water conservation reduces water use and waste, and aids in maintaining groundwater resources. Furthermore, General Plan Resource Element Objective 1.1 requires the reduction of the rate of groundwater extraction for municipal water supply to no more than 80 percent of 2006 levels by 2012 and the maintenance of that level over the long term. To support this objective, Policy 1.1.1 requires water conservation measures for new development and major redevelopment, like that which will potentially result from implementation of the OTSP. This policy's implementation measures offer incentives for projects that demonstrate significant conservation or innovative techniques (Implementation Measure 1.1.1.1), revise development standards in city regulations and codes to include conservations measures to be incorporated into development (Implementation Measure 1.1.1.2), and maintain xerophytic plant information available to the public (Implementation Measure 1.1.1.3). General Plan Resource Element Policy 1.1.2 will penalize high volume wasteful water practices. Policy 1.1.3 supports conversions of wasteful water practices to water-conserving practices, and Implementation Measure 1.1.3.1 will convert City-owned landscaping to xerophytic palettes and replace inefficient irrigation systems. As stated above, water conservation reduces water use and wastewater generation. Adherence to these General Plan provisions would assist to ensure adequate water supplies and wastewater treatment capacity are available.

The proposed OTSP is consistent with the General Plan land use designation (Specific Plan), and the City of Victorville General Plan DEIR determined the buildout of the General Plan would have a less than significant contribution to wastewater and water supply-related impacts. Since future development that would be allowed under the OTSP in the project area is consistent with the development already anticipated under the City's General Plan, and wastewater and water supply-related impacts from implementation of the OTSP would not be any greater than those analyzed in the General Plan EIR, project impacts are considered to be **less than significant**.

d-e) **Less than Significant Impact**. As discussed under **a–c)** above, the proposed project does not include any specific development proposals, nor does it grant any entitlements for development or involve the construction or expansion of any residential or non-residential land uses. Any future development would increase the demand for solid waste services in the OTSP project area and would increase the amount of solid waste generated and sent to the local landfill. Solid waste collection and disposal for future development would be serviced by the city's franchise hauler . Assembly Bill 939 and the County Integrated Waste Management Plan, which require recycling programs that result in a 50 percent diversion away from landfills, would apply to new development.

The proposed OTSP is consistent with the General Plan land use designation (Specific Plan). Further, the City of Victorville General Plan DEIR determined the buildout of the General Plan would have a less than significant contribution to solid waste impacts. Since

future development that would be allowed under the OTSP in the project area is consistent with the development already anticipated under the City's General Plan, and solid waste impacts from implementation of the OTSP would not be any greater than those analyzed in the General Plan EIR, project solid waste impacts are considered to be **less than significant**.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
20. WILFIRE. If located in or near state responsiblility areas or lands classified as very high fire hazard severity zones, would the projectould the project: **Not within or near a state responsibility area according to the FRAP map.**				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) 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.)	☐	☐	☒	☐
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

a–c) This Initial Study found that the proposed project will potentially impact the environment in the areas of air quality, biological resources, geology, greenhouse gases and hazards and hazardous materials. The proposed project includes required mitigation measures. Potential impacts have been determined to be less than significant or will be minimized to a less than significant level with implementation of identified, specific mitigation measures as detailed in the corresponding environmental sections.

Coupled with previous and future development in accordance to the General Plan, the proposed project poses cumulative impacts that have been identified to be less than significant. Moreover, these effects will not be substantially adverse on human beings. Mitigation measures will be applied on the project, reducing impacts resulting from this project to a **less than significant** level.

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