

CITY OF VICTORVILLE DEVELOPMENT DEPARTMENT
14343 Civic Drive, Victorville, California 92392
(760) 955-5135 FAX (760) 245-8250

MITIGATED NEGATIVE DECLARATION
Preparation Date: November 10, 2022

Name or Title of Project: A Site Plan to allow for the development of an approximately 816,000 square foot warehouse and distribution center on a vacant 40-acre parcel of land Case No. PLAN22-00014 (Amrapur Stoddard Wells)

Location: The project site is in the northwestern portion of Victorville in San Bernardino County. Victorville is located along Interstate 15 (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. The approximately 40.81-acre vacant project site consists of desert land and is void buildings, structures, or improvements. The site is generally situated on the southwest corner of Stoddard Wells Road and Abbey Way which is generally on the west side of Stoddard Wells Road, south of the Abbey Lane, east of the Mojave River, and approximately 0.24-mile northwest of Interstate 15 (I-15). The Project comprises Assessor Parcel Number (APNs): 0472-181-11, 0472-181-12, 0472-181-13, 0472-181-43, 0472-181-44, 0472-181-47, 0472-181-72

Entity or Person Undertaking Project: Suraj Victorville, LLC, 1560 E. 6th Street, Corona, CA 92879

Description of Project: Suraj Victorville, LLC (Applicant) proposes to develop a 815,470 square foot (SF) industrial building within 40.81 gross acres of vacant lands along Stoddard Wells Road, south of Abbey Lane, designed to house one or more tenants, which have not been designated at this time, and will include an 16,950 SF mezzanine, a 798,470 SF warehouse, 43,260 SF of office space, 92 total truck dock positions, four grade doors, 219 trailer stalls, 379 auto parking stalls, and related site landscaping, drainage, and includes 1 acre of street dedication. The warehouse and mezzanine areas of the building will be constructed as a "gray shell" whereby tenant(s) would perform the final improvements, while the proposed project would fully build the office spaces. Project development requires City approval of a site plan review, and adoption of a mitigated negative declaration.

Statement of Findings: The City of Victorville Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no adverse environmental impacts to either the man-made or physical environmental setting if the following mitigation measures are implemented in conformance with the Mitigation Monitoring Policy and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

A copy of the Initial Study and other applicable documents used to support the proposed Negative Declaration is available for review at the City of Victorville Planning Division.

Mitigation Measures:

Air Quality Measures:

1. **(AES-1) Prior to issuance of grading permits, the Project developer shall provide evidence to the City that all on-parking lot lighting would be of a color temperature and/or contains that timers are included that would control the lighting to minimize light spill onto adjacent lots and to protect the night sky. Low intensity energy efficient parking lot lighting should be used. Parking lot lights should be secondary to the illumination of buildings and landscaped features.**

Low level, direct lighting on pedestrian walkways should be used. Refer to the lighting guidelines identified in the Southern California Logistics Airport Specific Plan for possible standards and alternatives.

- 2. (AES-2) Prior to issuance of grading permits, the Project developer shall provide evidence to the City that any temporary nighttime lighting installed for security purposes during construction shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.**
- 3. (BIO-1) For any Western Joshua Trees that would be removed, the Project applicant shall obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) under CDFW under §2081 of the California Endangered Species Act (CESA), prior to the relocation, removal, or take (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”).**

Mitigation would consist of purchase of credits from an approved conservation bank at an agreed upon ratio with CDFW that fully mitigates impacts to Joshua tree. The project applicant will prepare and process a Section 2081 ITP with CDFW and will purchase credits out of an approved conservation bank prior to project implementation.

For any Joshua Tree that would remain, an area of 30 feet around the Joshua Tree at will be identified with a highly visible barrier (e.g., orange snow fencing) that will represent an Environmentally Sensitive Area (ESA). The fencing is to be installed by the contractor, as directed by the monitoring biologist, around the tree and maintained during construction. No grading or fill activity of any type will be permitted within the ESA. In addition, no construction activities, materials, or other equipment will be allowed within the ESA. All construction equipment will be operated in a manner to prevent accidental damage to nearby preserved areas. No structure of any kind or incidental storage equipment will be allowed within the protected zone. Silt fence barriers will be installed at the ESA boundary to prevent accidental deposition of cut or fill material in areas adjacent to the ESA.

- 4. (BIO-2) A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure that burrowing owls remain absent, and impacts do not occur to occupied burrows on or within 500 feet of the project site. In accordance with the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012), two (2) pre-construction clearance surveys should be conducted 14 – 30 days and 24 hours prior to any ground disturbance or vegetation removal activities.**
- 5. (BIO-3) A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure desert tortoise remain absent, and impacts do not occur to desert tortoise on the project site.**
- 6. (BIO-4) In order to avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for an implementing project are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate**

buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (nonlisted), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (nonlisted), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

7. **(BIO-5)** No less than 60 days prior to initiating Project activities, the Project biologist shall conduct a bat roosting habitat suitability assessment of any vegetation that may be removed, altered, or indirectly impacted by the Project activities. Any locations with potential to support roosting bats shall be surveyed by the Project biologist using an appropriate combination of structure inspection, sampling, exit counts, and acoustic surveys. Surveys shall be conducted during the appropriate time of day/night to ensure detection of bats. The results of the pre-construction bat surveys shall be submitted to CDFW for review no less than 30 days prior to the initiation of Project activities. If the presence of bats within the Project is confirmed, avoidance and minimization measures, including the designation of buffers based upon what bat species are found, and phased removal of trees, shall be developed and submitted to CDFW for review and approval. If the site supports maternity roosts, Applicant shall avoid disturbing those areas during the breeding season and shall compensate for impacts and losses to maternity roosts and/or special-status bat habitat through a mitigation strategy approved by CDFW.
8. **(CUL-1)** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN), and any other tribes noticed in accordance with AB52, shall be contacted, as detailed within Mitigation Measure TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
9. **(CUL-2)** If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN, and any other tribes noticed in accordance with AB52, for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
10. **(CUL-3)** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
11. **(GEO-1)** If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Victorville Planning Director. With direction from the Planning Director, a paleontologist certified by the County of San Bernardino shall evaluate the find prior to resuming ground disturbing activities in the immediate vicinity. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation

Program for the salvage and curation of identified resources.

- 12. (HYD-1) Prior to issuance of grading permits, the City of Victorville will ensure that the applicant has obtained permits from the California Department of Fish and Wildlife (CDFW) and the Regional Water Quality Control Board (RWQCB) relative to modifying the on-site drainage; alternatively, concurrence from these agencies that no permit is required may be provided.**
- 13. (TRAF-1) Prior to the final Project approval, the applicant will demonstrate to the City that the Victor Valley Transit Authority (VVTA) has been contacted regarding the Project implementation schedule for construction, operations and tenant occupancy. The VVTA will provide information to the Applicant and the City as to if the VVTA has plans for the future provision of bus routing in the project area that would require service enhancements such as additional bus stops, or improvements to existing bus stops at the project access points. If the VVTA determines service enhancements to serve the Project are necessary, including road improvements such as bus turnouts, the Applicant shall develop the necessary road improvements. VVTA shall be responsible for the construction and maintenance of the bus stop facilities. Any bus turnouts shall conform to VVTA design standards, including the design of the contact between sidewalk and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the Project.**
- 14. (TCR-1) The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN), and any other tribe notified in accordance with AB52, shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and any other tribe notified in accordance with AB52, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN, and any other tribe notified in accordance with AB52, for the remainder of the project, should YSMN elect to place a monitor on-site.**
- 15. (TCR-2) Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN, and any other tribe notified in accordance with AB52. The Lead Agency and/or applicant shall, in good faith, consult with YSMN, and any other tribe notified in accordance with AB52, throughout the life of the project.**

Public Review Period: November 11, 2022, to December 12, 2022.

Tentative Public Hearing Date: January 11, 2023