

# ATTACHMENT 5

PLANNING DIVISION  
9700 Seventh Avenue, Hesperia, California 92345  
(760) 947-1224 FAX (760) 947-1304

NEGATIVE DECLARATION ND-2017-03  
Preparation Date: July 11, 2017

Name or Title of Project: Specific Plan Amendment SPLA17-00002

Location: Generally bounded by Maple Avenue to the east, Tamarisk Avenue to the east, and Yucca Street to the north (APNs: 3057-131-36 through 57)

Entity or Person Undertaking Project: City of Hesperia

Description of Project: Consideration of a Specific Plan Amendment from Very Low Density Residential (VLR) to Medium Density Residential (MDR) on 49.5 gross acres.

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

Mitigation Measure:

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

Public Review Period: July 17, 2017 through August 7, 2017

Public Hearing Date: August 10, 2017

Adopted by the City Council: September 19, 2017

Attest:

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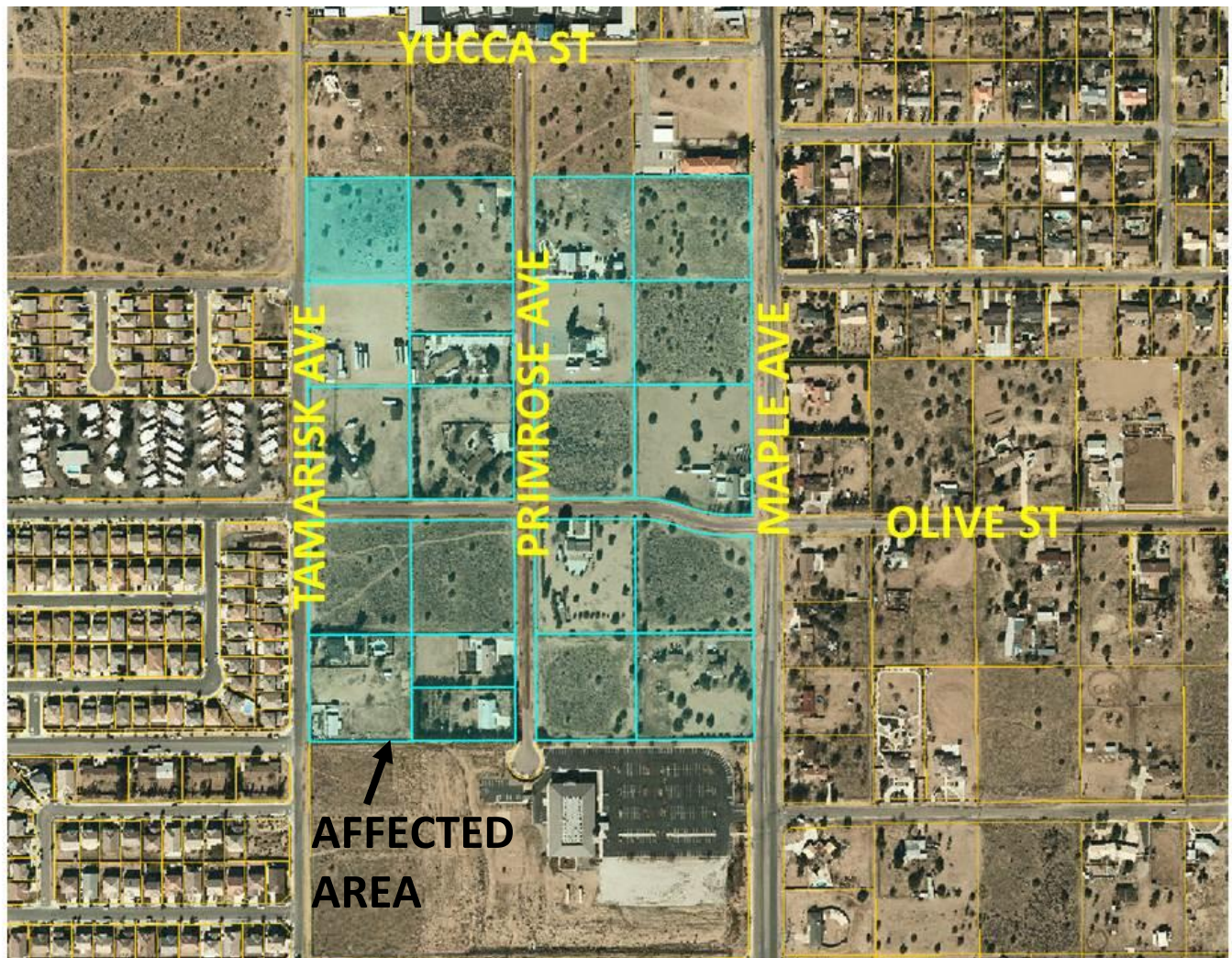
DAVE RENO, AICP, PRINCIPAL PLANNER

**CITY OF HESPERIA INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**

**PROJECT DESCRIPTION**

1. **Project Title:** Specific Plan Amendment SPLA17-00002
2. **Lead Agency Name:** City of Hesperia Planning Division  
**Address:** 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Daniel S. Alcayaga, AICP, Senior Planner  
**Phone number:** (760) 947-1330.  
  
**Project Location:** Generally bounded by Maple Avenue to the east, Tamarisk Avenue to the east, and Yucca Street to the north (APNs: 3057-131-36 through 57)
4. **Project Sponsor:** City of Hesperia  
**Address:** 9700 Seventh Avenue  
Hesperia, CA
5. **General Plan & zoning:** Very Low Density Residential (VLR) zone of the Main Street and Freeway Corridor Specific Plan.
6. **Description of project:**  
A Specific Plan Amendment from VLR to Medium Density Residential (MDR)
7. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.)  
  
The properties to the north are within the Medium Density Residential (MDR) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The land to the south is zoned Single-Family Residence (R1). The land to the east is zoned Limited Agricultural (A1). The properties to the west are within the Low Density Residential (LDR) Zone of the Specific Plan. The land to the north includes vacant land and an apartment complex. A church exists to the south. To the east, on the opposite side of Maple Avenue, a neighborhood of single-family residences exist on half-acre, one acre, as well as 2 ½ acre lots. A mobile home park and single-family subdivisions with lot sizes below 7,200 square feet exist to the west.
8. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.)  
  
Review and approval is required from the City.

Exhibit 'A' - Aerial Photo



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

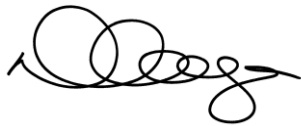
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

**DETERMINATION:** (Completed by the Lead Agency)

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	"De minimis"
<input type="checkbox"/>	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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
<input type="checkbox"/>	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 the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
<input type="checkbox"/>	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 project, nothing further is required.	



7-11-17

Signature

Date

Daniel S. Alcayaga, AICP, Senior Planner, Hesperia Planning Division

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. 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 (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
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 as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<b>I. AESTHETICS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista <b>(1)</b> ?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway <b>(1 &amp; 2)</b> ?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings <b>(1, 2 &amp; 3)</b> ?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area <b>(6)</b> ?			X	

**Comments.**

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The General Plan Update Environmental Impact Report (GPUEIR) addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands **(3)**. The properties associated with the proposed specific plan amendment are not located in a sensitive environment. Given the existing land uses nearby, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. The project is not considered a scenic vista or resources, nor is any local roadways or highways considered a scenic road way. A state scenic highway does not traverse the City **(2)**. State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. The City does not contain any registered historic buildings.

Any future development will be subject to development standards of the Specific Plan **(5)**, which limit the building height and provide for minimum yard, maximum floor area ratio and architectural standards as implemented through the development process. The Development Code requires that any light created by any development not exceed 0.5 foot-candle illumination at the site boundary abutting a street **(6)**. Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant **(8)**. Based upon these regulations, any development will not adversely affect day or nighttime views in the area. Therefore, approval of the proposed specific plan amendment will not have a significant negative impact upon aesthetics.

<b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest 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:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use <b>(9)</b> ?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract <b>(10 &amp; 11)</b> ?				X
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) <b>(12)</b> ?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use <b>(12)</b> ?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use <b>(11 &amp; 12)</b> ?				X

**Comments.**

The General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County do not designate the properties as prime farmland, unique farmland, or farmland of statewide importance. There is no record of past agricultural activities on the site. The City contains only few sites with agricultural uses and only two properties within a Williamson Act contract. The project site is not one of these properties. The proximity of existing developments does not make this site viable for agriculture.

The soil at this location is identified as Hesperia loamy fine sand, zero to five percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." Therefore, this specific plan amendment will not have an impact upon agricultural resources.

The City and its Sphere of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(14)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(15)**. The project site is primarily located in the western portion of the City in an urban area and is surrounded by urban development. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(12)**. Local timber production has not occurred since that time. Therefore, this specific plan amendment will not have an impact upon forest land or timberland.

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan <b>(16, 17 &amp; 18)</b> ?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation <b>(16, 17 &amp; 18)</b> ?				X



c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) <b>(16, 17 &amp; 18)?</b>				X
d) Expose sensitive receptors to substandard pollutant concentrations <b>(7, 16 &amp; 17)?</b>				X
e) Create objectionable odors affecting a substantial number of people <b>(1, 7, 16 &amp; 17)?</b>				X

**Comments.**

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residences abutting the properties; however, no development is being proposed at this time. Any future development and its impacts on to sensitive receptors would need to be further evaluated during the development review process. This specific plan amendment will not violate any air quality standards or expose residences to substandard pollutant concentrations.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards **(16 & 17)**.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the GPUEIR, the impact of residential development to the maximum allowable intensity permitted by the Land Use Plan was analyzed. Further, the specific plan amendment does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**.

<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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>(20 &amp; 24)?</b>				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service <b>(1 &amp; 20)?</b>				X



c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means <b>(1 &amp; 20)</b> ?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites <b>(1, 20 &amp; 24)</b> ?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance <b>(20 &amp; 21)</b> ?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan <b>(22)</b> ?				X

**Comments.**

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(23)**. The desert tortoise is also not expected to inhabit the site, given its proximity to development **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Rancho Las Flores Specific Plan and adjacent areas **(24)**.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located within a developed portion of the City. Consequently, approval of the specific plan amendment will not have an impact upon biological resources.

<b>V. CULTURAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 <b>(26)</b> ?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 <b>(26)</b> ?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature <b>(27)</b> ?				X
d) Disturb any human remains, including those interred outside of formal cemeteries <b>(28)</b> ?				X

**Comments.**

The site is not on the list of previously recorded cultural resources **(26)**. This list, which was compiled as part of the 2010 General Plan Update, was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County. Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records found at the Archaeological Information Center located at the San Bernardino County Museum. Based upon this review, paleontological resources are not expected to exist on the project

site. The Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources **(27)**. Consequently, approval of the specific plan amendment is not expected to have an impact upon cultural resources.

In the event that human remains are discovered during future grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(29)**.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 <b>(31, 32 &amp; 33)</b> .				X
ii) Strong seismic ground shaking <b>(30 &amp; 34)</b> ?				X
iii) Seismic-related ground failure, including liquefaction <b>(13 &amp; 30)</b> ?				X
iv) Landslides <b>(30)</b> ?				X
b) Result in substantial soil erosion or the loss of topsoil <b>(13)</b> ?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse <b>(13 &amp; 30)</b> ?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property <b>(13)</b> ?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater <b>(13)</b> ?				X

#### Comments.

No large hills or mountains are located within the project site. According to Exhibit SF-1 of the General Plan Safety Element, no active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(31)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(31 & 32)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(33)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(31 & 32)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

Any new development must be built in compliance with the Hesperia Municipal Code and the Building Code **(35)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, there will be no impact upon geology and soils associated with the proposed specific plan amendment.

<b>VII. GREENHOUSE GAS EMISSIONS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment <b>(36)</b> ?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases <b>(36, 37 &amp; 38)</b> ?			X	

#### Comments.

Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(39)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**. Any new development will need to be consistent with the City's CAP. Consequently, the impact upon GHG emissions associated with the proposed specific plan amendment is less than significant.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials <b>(39)</b> ?				X

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment <b>(39)</b> ?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area <b>(10)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area <b>(40)</b> ?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan <b>(41)</b> ?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands <b>(1 &amp; 7)</b> ?				X

### Comments.

The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List [www.epa.gov/superfund/sites/query/basic.htm](http://www.epa.gov/superfund/sites/query/basic.htm). List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.
- Site Mitigation and Brownfields Reuse Program Database [www.dtsc.ca.gov/database/Calsites/Index.cfm](http://www.dtsc.ca.gov/database/Calsites/Index.cfm). This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System [www.epa.gov/enviro/html/rcris/rcris\\_query\\_java.html](http://www.epa.gov/enviro/html/rcris/rcris_query_java.html). Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (<http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm>). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (<http://www.ciwmb.ca.gov/SWIS/Search.asp>). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.
- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (<http://geotracker.waterboards.ca.gov/search/>). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen

LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.

- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia.  
Formerly Used Defense Sites

<http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html>.

No development is proposed at this time; however, any use which includes hazardous waste as part of its operations will be prohibited within 500 feet of a school **(43)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects. The specific plan amendment will not pose a significant health threat to any existing or proposed schools.

Approval of the specific plan amendment will not conflict with air traffic nor emergency evacuation plans. The site is not near Hesperia Airport, and is therefore, not within a restricted use zone associated with air operations **(44)**. Consequently, implementation of the amendment will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(41)** and will not interfere with emergency evacuation plans.

The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity to the San Bernardino National Forest **(45 & 46)**. Consequently, approval of the specific plan amendment will not have any impact upon or be affected by hazards and hazardous materials.

<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements <b>(47 &amp; 48)</b> ?					X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) <b>(49 &amp; 50)</b> ?					X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site <b>(45)</b> ?					X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site <b>(7 &amp; 45)</b> ?					X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff <b>(52)</b> ?					X
f) Otherwise substantially degrade water quality <b>(52)</b> ?					X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map <b>(7, 53 &amp; 61)</b> ?					X

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows <b>(7, 45 &amp; 61)</b> ?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam <b>(10 &amp; 45)</b> ?				X
j) Inundation by seiche, tsunami, or mudflow <b>(31)</b> ?				X

**Comments.**

If future development disturbs more than one-acre of land area, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(54)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(54)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

Any future development at this site may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(7)**. These developments are required to retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. The site is also not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(61)**. The retention facility required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(10)**. The areas most affected by a dam failure are located in the low lying areas of southern Rancho Las Flores, most of the Antelope Valley Wash, and properties near the Mojave River. The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(30)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins **(30)**. In addition, the water table is significantly more than 50 feet from the surface. The area north of Summit Valley contains steep slopes which have the potential to become unstable during storm events **(55)**. However, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP indicates that the City is currently using available water supply, which is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the specific plan amendment is considered less than significant.

<b>X. LAND USE AND PLANNING.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community <b>(1)</b> ?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect <b>(10)</b> ?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan <b>(25)</b> ?				X

#### Comments.

This specific plan amendment will change the zoning of the property from Very Low Density Residential (VLR) to Medium Density Residential (MDR). No development proposal is associated with this specific plan amendment. Any new development will be evaluated as part of the City's development process and will be subject to CEQA. Such development must be consistent with the Main Street and Freeway Corridor Specific Plan and the City's General Plan. The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Tapestry Specific Plan and vicinity **(25)**. The project site is located approximately six miles north of this specific plan within the developed portion of the City. Although portions of this area are occupied with single-family residences, a significant part of the affected area may be developed at higher density consistent with existing zoning to the north and west. Therefore, the specific plan amendment would have a less than significant impact upon land use and planning.

<b>XI. MINERAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state <b>(57)</b> ?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan <b>(57)</b> ?				X



**Comments.**

According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(57)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Consequently, the proposed specific plan amendment would not have an impact upon mineral resources.

<b>XII. NOISE.</b> Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies <b>(1, 7 &amp; 58)</b> ?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels <b>(58 &amp; 59)</b> ?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels <b>(10 &amp; 44)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels <b>(44)</b> ?				X

**Comments.**

According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(58)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with any new residential development will be from traffic caused by arriving and departing vehicles (employees, customers, and vehicle service), especially semi-trucks; however, no development is proposed at this time.

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, equipment, bull-dozers, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. Any future development must adhere to the requirements of the City of Hesperia Noise Ordinance **(58)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive uses are single-family residences adjacent to the site; however, no development is proposed at this time.

The project site is not in proximity to the Hesperia Airport. The project is not impacted by any safety zones associated with this private airport **(44)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(19)**. The noise impact generated by this specific plan amendment is not significant.

<b>XIII. POPULATION AND HOUSING.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) <b>(7)</b> ?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X

#### Comments.

Establishment of the specific plan amendment will not create a direct increase in the demand for housing. The site is in close proximity to water and other utility systems **(63)**. As a result, future development of the site would not require significant extension of major improvements to existing public facilities. The affected area has vacant parcels, as well as parcels developed with single-family residences. The project will not displace any existing housing, necessitating the construction of replacement housing elsewhere. The specific plan amendment would have no impact upon population and housing.

<b>XIV. PUBLIC SERVICES.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services <b>(64)</b> :			X	
Fire protection? <b>(64)</b>			X	
Police protection? <b>(64)</b>			X	
Schools? <b>(64)</b>			X	
Parks? <b>(64)</b>				X
Other public facilities? <b>(64)</b>			X	

**Comments.**

The affected area is served by water lines **(63)**, and sewer is available along Tamarisk and Maple Avenues. Any development must construct full street improvements comprised of curb, gutter, and sidewalk along the project frontage as part of development of the use. Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site **(66)**. These fees are designed to ensure that appropriate levels of capital resources will be available to serve any future development. Therefore, the impact of the specific plan amendment upon public services is less than significant.

<b>XV. RECREATION.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated <b>(7)</b> ?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment <b>(7)</b> ?				X

**Comments.**

Approval of the specific plan amendment will not induce population growth, as the site is intended for commercial uses **(7)**. Therefore, the proposed amendment will not have an impact upon recreation.

<b>XVI. TRANSPORTATION / TRAFFIC.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit <b>(68)</b> ?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways <b>(69 &amp; 70)</b> ?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks <b>(40)</b> ?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) <b>(1)</b> ?			X	
e) Result in inadequate emergency access <b>(7)</b> ?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities <b>(71)</b> ?			X	

**Comments.**

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County (73). The CMP requires a minimum Level of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The following implementation policies from the General Plan Circulation Element establish the LOS standard in the City.

**Implementation Policy CI-2.1:** Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).

The project is located within the VLR Zone, which allows a density of 0.5 – 2 units per gross acre. A total of 45% of the lots are already developed, as 13 of 22 lots are developed with single-family residences. Based upon 20.25 undeveloped gross acres, the maximum allowable number of units possible under the VLR Zone is 41. The Institute of Transportation Engineers' (ITE) Trip Generation Manual estimates that 41 new single family residences would generate approximately 386 daily vehicle trips. This is based upon 9.52 vehicle trips per day for each unit.

In comparison, the MDR Zone allows a density of 8 – 15 units per gross acre. Based upon development of multi-family developments to the maximum allowable density on the 20.25 gross acres zoned MDR, a maximum of 304 units are allowed. The ITE Trip Generation Manual estimates that 304 new multi-family residences would generate approximately 2,020 daily vehicle trips. This is based upon 6.64 vehicle trips per day for each unit. The Amendment would result in 1,634 new daily vehicle trips.

Land Use	Trips per day
VLR (45 Units)	386
MDR (338 Units)	2,020
New Trips	1,634

At build-out, Maple Avenue will be constructed as an arterial. A traffic analysis will be required during the land use application process to evaluate the specific impacts of a project associated with this Amendment. The project would be conditioned to provide on-/off-site improvements to mitigate any traffic impacts generated by the project. Upon development of the parcels fronting Maple Avenue, such developments will be constructed with full half width street improvements. The existing Average Daily Traffic (ADT) along Maple Avenue is 5,599 and currently has a roadway capacity of 24,480 before being considered deficient. At build out, Maple Avenue will have an ADT capacity of 30,600. The future ADT of Maple Avenue is expected to be 28,600 and has the capacity to accommodate additional traffic as a result of this Specific Plan Amendment.

The GPUEIR acknowledged that at build-out of the General Plan, traffic throughout the City would substantially increase. In the long term, the City will have to construct capital improvements consistent with the Circulation Element, including widening arterials and collectors to ultimate capacity, redesigning intersections to operate more efficiently, and synchronize signals along major roadways. New developments in the City will continue to construct street improvements necessary to make their projects work, as well as pay traffic impact fees. Traffic impact fees will be collected as development occurs, which will help fund the Capital Improvement Program.

The GPUEIR recommends annual adoption of a Capital Improvement Program (CIP) and establishment of Development Impact Fees (DIF). Accordingly, the City adopts a CIP every year and has an established Traffic Impact Mitigation Fee Program as part of the Development Impact Fee to fund the construction

of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. Any future developer will be required to pay all applicable City Development Impact Fees and fees will be used to fund the City's CIP.

The project site is under four miles from the Hesperia Airport and is not within an airport safety zone **(44)**. Consequently, the project will not cause a change in air traffic patterns, nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport, nor the Apple Valley Airport.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable intensity permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation and circulation impacts **(19)**.

<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board <b>(74)</b> ?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects <b>(75)</b> ?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed <b>(49 &amp; 50)</b> ?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments <b>(75)</b> ?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs <b>(56 &amp; 62)</b> ?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste <b>(76)</b> ?			X	

#### Comments.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City's Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution

stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere of Influence (SOI). The UWMP evidences that the City is currently using its available water supply and that supply is projected to match demand beyond the year 2030 **(50)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 75 percent of the solid waste within the City is being recycled **(56 & 62)**. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 1,500 tons per day in order to accommodate future development. Therefore, the specific plan amendment will not cause a significant negative impact upon utilities and service systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

#### Comments.

Based upon the analysis in this initial study, a Negative Declaration may be adopted. The specific plan amendment will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

#### XIV. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

The Certified General Plan Environmental Impact Report.

a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.

- b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
- a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

**The following mitigation measures are recommended as a function of this project. None**

**Authority:** Public Resources Code Sections 21103 and 21107.

## REFERENCES

- (1) Aerial photos of the City of Hesperia taken May 2016.
- (2) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (4) Not used
- (5) Section G of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 204 thru 209.
- (6) Section 16.20.085 of the Hesperia Municipal Code.
- (7) Specific Plan Amendment SPLA17-00002 application and related materials.
- (8) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- (9) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- (11) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2
- (12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- (13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- (15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- (16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
- (17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- (18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.



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- (19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
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- (20) Intentionally left blank
- 
- (21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- 
- (22) Section 3.4 of the 2010 City of Hesperia General Plan Update Biological Resources Element background technical report, page 30.
- 
- (23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
- 
- (24) Section 3.3.2 of the 2010 City of Hesperia General Plan Update Conservation Element background technical report, pages 14 thru 25.
- 
- (25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
- 
- (26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
- 
- (27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.
- 
- (28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- 
- (29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.
- 
- (30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
- 
- (31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
- 
- (32) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.
- 
- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- 
- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
- 
- (35) 2016 California Building Code.
- 
- (36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
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- (37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- 
- (38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
- 
- (39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
- 
- (40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
- 
- (41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
- 
- (42) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.
- 
- (43) California Health and Safety Code Section 25232 (b) (1) (A-E).
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- (44) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
- 
- (45) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.
- 
- (46) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
- 
- (47) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
- 
- (48) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
- 
- (49) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
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- (50) Mojave Water Agency letter dated March 27, 1996.
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- (51) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
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- (52) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.
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- (53) 1992 Victorville Master Plan of Drainage Volume I, identifying future drainage improvements for the area.
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- (54) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
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- (55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
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- (56) Quarterly data of the San Bernardino County Disposal Reporting System for 2014.
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- (57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
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- (58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
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- (59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.
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- (60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
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- (61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
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- (62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.
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- (63) Current Hesperia water and sewer line maps
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- (64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
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- (65) Intentionally left blank
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- (66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2013-47 on January 1, 2014.
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- (67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-17.
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- (68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.
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- (69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
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- (71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.
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- (72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.
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- (73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
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- (74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
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- (75) 2016 California Plumbing Code.
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- (76) California Integrated Waste Management Act (AB 939).
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- (77) 2012 Trip Generation Manual, Volume II, 9<sup>th</sup> Edition, Institute of Transportation Engineers.
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