

ATTACHMENT 6
RESPONSES TO COMMENTS
CARGO SOLUTIONS TRUCK WAREHOUSE AND TRUCK STOP
HESPERIA, CA



Prepared for:

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Project No. 7187

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ATTACHMENTS

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1.0 INTRODUCTION

This Responses to Comments (RTC) document, in conjunction with the Draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments on the proposed Cargo Solutions Warehouse and Truck Stop (project). While the State of California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments received during the public review period for an Initial Study/Mitigated Negative Declaration,¹ to provide further disclosure about the proposed project the City of Hesperia (City) is making available responses to the comments it received during the public review process.

1.1 Background of Environmental Review Process for the Project

The IS/MND, along with a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI, see **Attachment A**), was released for public and agency review on June 18, 2025, with a 30-day review period ending on July 21, 2025. In addition, the NOI was posted on the State Clearinghouse on June 19, 2025. See **Attachment B**.

The NOI was also posted at the San Bernardino County Clerk-Recorder on or around June 2, 2025 (see **Attachment C**), and copies of the IS/MND were made available for review at the following locations:

- City of Hesperia Website: <https://www.cityofhesperia.us/1466/Environmental-Documents>
- City of Hesperia Planning Division, 9700 Seventh Avenue, Hesperia, CA 92345

A hard copy of the NOI was mailed to:

- Residents and property owners, located within 500 feet of the project site.

A hard copy of the NOI was sent via US Mail on July 18, 2025 to the following entities:

- Oak Hills Prop. Assoc.
- CEQA Reviewer; Mojave Water Agency
- Mitchell M. Tasi Law
- CEQA Reviewer; Mojave Desert AQMD
- Department of Water Resources
- CEQA Reviewer; City of Victorville
- CEQA Reviewer; City of Apple Valley
- Native American Heritage Commission
- CEQA Reviewer; San Bernardino County Fire
- CEQA Reviewer; Sheriff
- 306459104 KAUR RAJINDER
- Angel Esparza; (SW Carpenters)
- Oscar Ocastaneda
- Richard Drury, Komalpreet Toor, Stacey Osborne; Lozeau Drury LLP
- CEQA Reviewer; Southern California Edison
- France Tinney; Center for Biological Diversity

¹ CEQA only requires the lead agency to respond to comments that are received in response to an environmental impact report (Title 14, California Code of Regulations, § 15088, Evaluation of and Response to Comments).

- Kevin Johnston; Requestor
- Alexandra McCleary; San Manuel Band of Mission Indians
- CEQA Reviewer; City of San Bernardino
- James Brownyard; Requestor
- 306463103 TIGER PAW LAND LLC
- CEQA Reviewer; Snowline Joint Unified School District
- Jeff Modrzejewski; Creed LA
- Sean Silva; CARE CA
- 306459114 LITTLE SISTER'S CALIFORNIA REALTY LL
- Rick Engineering Company
- Adams Broadwell Joseph & Cardozo
- 306464124 GARTIZ PROPERTIES LLC
- CEQA Reviewer; County of San Bernardino
- Jacquelyn Barnum; Cabazon Band of Mission Indians
- Planning Division; City of Hesperia
- Adam Salcido; Requestor
- Golden State Environmental Justice Alliance
- State Water Resources Control Board, Division of Drinking Water
- Alicia Reed; Torres Martinez Desert Cahuilla Indians
- Center for Community Action and Environmental Justice
- Hesperia Rec/Park Dist
- Blum Collins LLC; Golden State Environmental Justice Alliance
- Aria Soeprono; Advocates for the Environment

1.2 Tribal Consultation

The City of Hesperia (the lead agency) initiated AB 52 outreach to three local tribes for the Cargo Solutions Truck Warehouse Project on or around September 2022, pursuant to Public Resources Code § 21074. (see **Attachment D**) The City prepared letters to these tribes on their list for AB 52 contact, informing them of the project. The letters were sent by Ryan Leonard, AICP, Senior Planner, on September 22, 2022 via email to the following tribes:

- San Manuel Band of Mission Indians
- Cabazon Band of Mission Indians
- Torres Martinez Desert Cahuilla Indians

The City received one response from the San Manuel Band of Mission Indians. The City contacted the Tribe's representative directly. After consultation occurred, Tribal Cultural Resources (TCR) mitigation measures were included to address the tribe's concerns and to include the tribal monitoring measures. With these actions, AB 52 consultation was concluded in January 2023. **Section 4.18** of the Initial Study documents all consultation held between the City and Native American Tribes.

1.3 Responses to Comments

This document provides a response to comments received on the IS/MND. Several comment letters were received during the public review period. (see **Attachment E**) These letters are in **Section 2.0**, Public Comment Letters.

1.4 Intended Uses of this IS/MND

The IS/MND will be used by the City in considering approval of the proposed project. In accordance with CEQA Guidelines § 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the proposed project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

- (a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.*
- (b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.*
- (c) When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*
- (d) When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.*
- (e) A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.*
- (f) When a non-elected official or decision-making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision-making body, if one exists. For example, adoption of a negative declaration for a project by a city's planning commission may be appealed to the city council. A local lead agency may establish procedures governing such appeals.*

Upon review and consideration of the IS/MND, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City has prepared this IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures.

2.0 PUBLIC COMMENT LETTERS

The following agencies and entities submitted written comments on the IS/MND, during the public review period. The comment letters are provided in **Attachment E** of this document.

Letter	Agency, Organization, or Individual	Date
A	Mojave Water Agency	June 23, 2025
Comment A-1	This confirms that the Mojave Water Agency has no conflict with this project.	
Response A-1	Comment noted. No further action.	
B	Lozeau Drury	June 23, 2025
Comment B-1	<p>We hereby request that the City of Hesperia (“City”) send by electronic mail, if possible, or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:</p> <ul style="list-style-type: none"> • Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091. • Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to: <ul style="list-style-type: none"> • Notices of any public hearing held pursuant to CEQA. • Notices of determination that an Environmental Impact Report (“EIR”) is required for the Project, prepared pursuant to Public Resources Code Section 21080.4. • Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9. • Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092. • Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations. • Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law. • Notices of any addenda prepared to a previously certified or approved EIR. • Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law. • Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law. • Notice of any Final EIR prepared pursuant to CEQA. • Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152. 	

Letter	Agency, Organization, or Individual	Date
	Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.	
Response B-1	The City acknowledges receipt of the commenter's request for notice pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092. This request has been forwarded to the appropriate City staff and will be included in the City's records for this Project. The City will provide the commenter with all future notices concerning the project as required by CEQA and the California Planning and Zoning Law, including but not limited to notices of public hearings and notices of CEQA determinations. No further response to this comment is required under CEQA.	
C	SoCalGas	June 26, 2025
Comment C-1	SoCalGas Distribution does not appear to have a conflict with this project. Please note on case to have Developer contact 811 / USA at DigAlert Utility Locating California Underground Wire & Cable Locator prior to any excavation / demolition activities so we can Locate & Mark out our facilities.	
Response C-1	Comment noted. Applicant will contact prior to excavation.	
Comment C-2	If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at https://www.socalgas.com/foryour-business/builder-services .	
Response C-2	Comments noted. Applicant will contact if a new gas line will be installed.	
Comment C-3	Please notify Southern California Gas Company 4 months prior to start of Pavement projects for the gas company to complete leak survey & repair leaks if found.	
Response C-3	Comment noted. Applicant will contact SoCalGas four months prior to the pavement process.	
Comment C-4	Please provide Southern California Gas Company with your signed designed Plans with gas company facilities posted on your design plans, 4-6 months prior to start of construction for possible relocation of SCG medium pressure facilities and 9-12 months for possible relocation of SCG high pressure facilities.	
Response C-4	Comment noted. Applicant will provide SoCalGas with plans four to six months prior to the start of construction.	
D	Mojave Desert Air Quality Management District	July 9, 2025
Comment D-1	<p>We have reviewed the project as proposed and based on the information available to us at this time, the District requires that the owner/operator obtain a Dust Control Plan (DCP) for the planned project. The most current Dust Control Plan Requirements and Dust Control Plan Submission Form are available at https://www.mdaqmd.ca.gov/permitting/compliance-forms. Other District requirements include:</p> <ul style="list-style-type: none"> • Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction. • Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible 	

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	<p>fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.</p> <ul style="list-style-type: none"> • All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing. • All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion. • Obtain District permits for any miscellaneous process equipment that may be required under District Rule 219 including, but not limited to: Internal Combustion Engines with a manufacturer's maximum continuous rating greater than or equal to 50 brake horsepower. • Comply with all applicable provisions listed in Rule 403 – Fugitive Dust Control. 	
Response D-1	Comment noted. The project would incorporate a dust plan that would incorporate all these outlined steps that would be consistent with Rule 403.	
E	California Department of Fish and Wildlife	July 11, 2025
Comment E-1	<p>Mohave ground squirrel (<i>Xerospermophilus mohavensis</i>) Section #4.4 Biological Resources, Page #72-73 Issue: The Project has the potential to result in take of Mohave ground squirrel, a CESA listed species, and in the permanent loss of potential habitat for the species. 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”. Specific impact: Mohave ground squirrel was identified by the MND to have a low potential to occur within the biological study area (BSA), but no focused surveys were conducted, nor were any species-specific avoidance or mitigation measures included in the MND.</p> <p>Why impact would occur: The Project would permanently impact 20.32 acres of open space through grading, staging, construction of two large warehouses, and installation of parking lots. CDFW is concerned that the Project may impact Mohave ground squirrel considering that the MND mentions the presence of burrows and creosote bush (<i>Larrea tridentata</i>), which are known to provide habitat for Mohave ground squirrel and no focused surveys to determine presence/absence of Mohave ground squirrel were conducted.</p> <p>Evidence impact would be significant: The MND mentions that Mohave ground squirrel has a low potential to occur onsite and that the BSA offers minimal habitat value for fossorial species, such as Mohave ground squirrel. Thus,</p>	

Letter	Agency, Organization, or Individual	Date
	<p>considering that the Project site offers some habitat value and there is vegetation suitable for Mohave ground squirrel (i.e., creosote bush), CDFW is concerned that mitigation measures were not included in the MND to ensure impacts to Mohave ground squirrel are mitigated to a level of less than significant. Furthermore, California Natural Diversity Database (CNNDB) indicates the Project is within the Mohave ground squirrel distribution range and Mohave ground squirrel occurs within 2.5 miles of the Project site. In fact, burrows were detected onsite, which the MND attributes to belonging to an unknown ground squirrel species.</p> <p>Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following measure for inclusion in the final MND:</p> <p>Mitigation Measure Biological Resources 6 (MM-BIO-6) (New): Mohave ground squirrel</p> <p>Visual surveys for Mohave ground squirrel shall be conducted by a qualified biologist prior to ground disturbing activities. Visual surveys shall be conducted between March 15 and April 15 according to the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines (CDFW 2023). Visual surveys shall be conducted on the Project site during daylight hours by a qualified biologist who can readily identify Mohave ground squirrel and white-tailed antelope squirrel (<i>Ammospermophilus leucurus</i>). If the survey or monitoring throughout the duration of the Project confirms presence of Mohave ground squirrel, the Project proponent shall fully avoid impacts to Mohave ground squirrel or should obtain an Incidental Take Permit (ITP) for Mohave ground squirrel if impacts are unavoidable.</p>	
Response E-1	<p>The Project applicant will incorporate and comply with this recommended mitigation measure addition. As MM BIO-6 and MM BIO-7 are existing mitigation measures, this new mitigation measure will be incorporated as MM BIO-8 to reduce confusion of changed mitigation measures.</p>	
Comment E-2	<p>Western Joshua tree (<i>Yucca brevifolia</i>) Section #2.3.4 Environmental Setting, 4.4 Biological Resources, Page #25, 67, 72, 73, 77, 80-81, 191</p> <p>Issue: The Project may impact western Joshua tree; a candidate species protected under CESA and Fish and Game Code section 1927.</p> <p>Specific impact: The Project, as described, will result in the lethal take of western Joshua trees present onsite. In fact, the MND confirms that direct and indirect take of western Joshua tree is likely to occur.</p> <p>Why impact would occur: Project activities, such as grubbing and grading may result in removal of western Joshua tree or may impact their root system. Under Fish and Game Code section 1927, the take of western Joshua trees and parts thereof, including roots, is prohibited. Damage to roots can lead to the death of the tree.</p>	

Letter	Agency, Organization, or Individual	Date
	<p>Evidence impact would be significant: The MND is not clear regarding how many western Joshua trees are present on site, but states that there are between 1 to 6 western Joshua trees present and CDFW confirmed the presence of western Joshua trees onsite through aerial imagery. The MND also does not provide information regarding the extent that the Project may impact the species but in BIO-1 (see below) discusses the need for an Incidental Take Permit (ITP) under Fish and Game Code section 2081. Please note that the Project may also receive an ITP under Fish and Game Code section 1927 through the Western Joshua Tree Conservation Act (WJTCA), which will require a census of all trees dead or alive within the Project site and a 50-foot buffer. For further information please visit Western Joshua Tree Conservation Permitting.</p> <p>Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-1 for inclusion in the final MND (edits are in strikethrough and bold):</p> <p>MM-BIO-1 (Revised): Section 2081 FGC Incidental Take Permit</p> <p>Western Joshua trees are a state candidate for listing under CESA and will require a § 2081 FGC Incidental Take Permit (ITP) with compensatory mitigation for impacts, in addition to the surveys that are recommended in the discussion of MM BIO-6. The exceptions and permitting process under the California Desert Native Plants Act and the separate exceptions under the Native Plant Protection Act will not apply to western Joshua tree in any manner. For projects where take is incidental to carrying out an otherwise lawful activity, an ITP may be obtained from CDFW. The Project may also obtain take authorization through § 1927 of the Western Joshua Tree Conservation Act (WJTCA).</p> <p>Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. (4) CDFW may require the permittee to relocate one or more of the western Joshua trees.</p>	

Letter	Agency, Organization, or Individual	Date
Response E-2	<p>The Project applicant will incorporate and comply with this recommended mitigation measure revision. Revisions were made in the biology section of the MND. After review of the Section 2.3.4 of the Environmental Setting, there was no indication of the take of Joshua tree; the subsection simply stated there were Joshua Trees on the project site and therefore, no revisions to this section.</p>	
Comment E-3	<p>Burrowing owl (<i>Athene cunicularia hypugaea</i>) Section #4.4 Biological Resources, Page #68, 73, 76-77</p> <p>Issue: The Project has the potential to significantly impact burrowing owl; a candidate species protected under CESA.</p> <p>Specific impact: The Project may result in take of burrowing owl through Project activities such as mass grading. Additionally, the Project may lead to the permanent elimination of habitat for burrowing owls from warehouse development.</p> <p>Why impact would occur: The MND states that suitable habitat is present onsite for burrowing owl; for example, sparse vegetation, burrows, and suitable soils. As a result, the MND included BIO-2 (see below). CDFW appreciates that BIO-2 considers focused surveys for burrowing owls and is in line with previous guidance provided by CDFW. However, CDFW would like to note that since burrowing owl became a CESA candidate species in March 2024, CDFW cannot accept relocation plans outside of a CESA ITP. Instead, BIO-2 should consider obtaining an ITP if burrowing owls are detected and impacts cannot be avoided. Thus, the change in regulatory status for burrowing owl requires changes to measure BIO-2 as recommended by CDFW below.</p> <p>Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-2 for inclusion in the final MND (edits are in strikethrough and bold):</p> <p>MM-BIO-2 (Revised): Focused Burrowing Owl Survey Although BUOW was not observed on site during the general wildlife survey, the BSA contains suitable habitat to potentially support BUOW in the future. A qualified biologist shall conduct a focused BUOW survey in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW, 2012).</p> <p>Following the completion of the survey, the biologist shall prepare a letter report summarizing the results of the survey. The report would be submitted to the CDFW and the City prior to initiating any ground disturbance activities.</p> <p>If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from Environmental Management Division of the San Bernardino County Department of Public Works (County EMD) and CDFW, project activities may begin and no further mitigation would be required.</p>	

Letter	Agency, Organization, or Individual	Date
	If BUOW or signs of BUOW are observed during the survey, the site shall be considered occupied and the Project proponent shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts are unavoidable.	
Response E-3	The Project applicant will incorporate and comply with this recommended mitigation measure revision.	
Comment E-4	<p>Nesting Birds Section #4.4 Biological Resources, Page #68, 69, 72, 73, 75-77</p> <p>Issue: The Project has the potential to impact nesting birds, including CDFW Species of Special Concern (SSC), and common birds that are subject to Fish and Game Code Sections 3503, 3503.5, and 3513, and the Migratory Bird Treaty Act of 1918.</p> <p>Specific Impact: Project implementation could result in the loss of nesting and/or foraging habitat for (non-)passerine and raptor species.</p> <p>Why impact would occur: Nesting avian species could be directly or indirectly impacted during construction and for the life of the Project through the removal of potential foraging habitat, loss of and/or modification of habitat features, construction of warehouses, installation of new artificial lighting, creation of noise and vibration, and the removal of vegetation. Nest destruction, nest abandonment, behavioral disturbance, increased risk of predation, and degradation of suitable habitat could also lead to significant impacts to nesting avian species and local populations.</p> <p>The MND indicates that pre-construction nesting bird surveys would only occur during February-August. However, CDFW recommends the completion of nesting bird survey regardless of time of year to ensure compliance with all applicable laws pertaining to nesting and to avoid take of nests. This is in consideration that the timing of the bird nesting season varies greatly depending on several factors, such as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have also observed that changing climate conditions may result in the nesting bird season occurring earlier and/or later in the year than historical nesting season dates.</p> <p>Evidence impact would be significant: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto.</p>	

Letter	Agency, Organization, or Individual	Date
	<p>Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-5 for inclusion in the final MND (edits are in strikethrough and bold):</p> <p>MM-BIO-5 (Revised): Pre-Construction Breeding Bird Survey To maintain compliance with the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.</p> <p>Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.</p> <ul style="list-style-type: none"> • A qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted within 72 hours prior to the onset of scheduled activities, such as mobilization and staging. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and the qualified biologist determines they will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. 	

Letter	Agency, Organization, or Individual	Date
	<ul style="list-style-type: none"> • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency, including CDFW, to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency, including CDFW. • Birds or their active nests will not be disturbed, captured, handled or moved. 	
Response E-4	The Project applicant will incorporate and comply with this recommended mitigation measure revision.	
F	Lozeau Drury	July 16, 2025
Comment F-1	SAFER is concerned that the IS/MND is improper under the California Environmental Quality Act due to the IS/MND's failure to adequately assess and mitigate the Project's potentially significant environmental impacts. SAFER requests that an environmental impact report be prepared for the Project rather than an MND because there is a fair argument that the Project may have adverse environmental impacts. An EIR will ensure that potentially significant impacts of this Project are fully disclosed, analyzed, and mitigated.	
Response F-1	<p>The commenter asserts, in general terms, that the Initial Study/Mitigated Negative Declaration (IS/MND) is inadequate under the California Environmental Quality Act (CEQA) and that an Environmental Impact Report (EIR) should be prepared. However, the commenter has not identified any specific substantial evidence in the record that demonstrates that the Project would result in potentially significant impacts that cannot be mitigated to less than significant levels.</p> <p>The IS/MND prepared for the project includes a comprehensive analysis of the project's potential impacts on the environment, consistent with the requirements of CEQA. Where potentially significant impacts were identified, feasible mitigation measures have been incorporated into the project to reduce those impacts to a less than significant level. The IS/MND therefore appropriately concludes that no significant unavoidable impacts would occur with implementation of the identified mitigation measures.</p> <p>Under CEQA, preparation of an EIR is only required when there is substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment that cannot be mitigated. No such evidence has been provided by the commenter. Therefore, an MND is the appropriate level of environmental review for the Project.</p> <p>The IS/MND complies with CEQA's requirements to disclose, analyze, and mitigate the project's potential environmental impacts.</p>	
G	Caltrans	July 21, 2025
Comment G-1	<p>Safety Reviews:</p> <p>The proposed project will generate additional trips on the State Highway System on US-395 and I-15. Please provide a Safety Analysis Report for I-15 and US-395 facilities affected by the proposed project. The Safety Analysis Report shall follow the attached guidance. See the attached guidance: Local Development Review (LDR) Safety Review Practitioner's Guidance. Please follow the steps below:</p>	

Letter	Agency, Organization, or Individual	Date
	<p>a. To request crash data on the State Highway System, please submit your request via our California Public Records Act (CPRA) portal at mycusthelp.com.</p> <p>b. Please analyze the existing crash data and discuss project's impact on safety as needed.</p> <p>c. Provide appropriate countermeasures to mitigate/reduce project's impact as needed.</p>	
Response G-1	<p>As shown in Table 4-1 of the May 23, 2025 traffic study, the project is forecast to generate a small amount of trips (i.e., 34 AM and 36 PM PCE peak hour trips). Once assigned to the network, these trips are even less at all nearby Caltrans facilities. As such, based on engineering judgement, the project's impact on adjacent Caltrans facilities is considered nominal and as such, a safety review is unnecessary.</p>	
Comment G-2	<p>Per previous review, the project is in the vicinity of I-15 facility on Main Street. Please include study area intersections for I-15 ramp/Main Street intersections, and street intersections leading to the project site in the TIA (for example, Mesa Linda St/Main St Intersection).</p>	
Response G-2	<p>As shown in Exhibit 4-7 (total project traffic volumes) of the most recent version of the traffic study (dated May 23, 2025), only approximately 12 AM peak hour trips and 14 PM peak hour trips are forecast to travel north/south along Mesa Linda Street to/from Main Street/I-15 Freeway. Of these vehicles, none of these trips are truck trips. Per the City of Hesperia's truck route map, Main Street (between the I-15 and Highway 395) is not an identified truck route, and as such, no trucks have been assigned along Main Street.</p> <p>Additionally, per the City of Hesperia's TIA Guidelines, the study area shall include any intersection of "Collector" to higher classification street, with "Collector" or higher classification, shown on Hesperia Circulation Element, at which the proposed project will add 50 or more A.M. or P.M. peak hour trips. In addition, all freeway links with 100 or more peak-hour project trips (two-way); and CMP roadways with 50 or more peak-hour project trips. Based on these considerations, the addition of these intersections along Main Street are not required and the project's impact can be considered nominal.</p>	
Comment G-3	<p>Please include Northbound and Southbound I-15 off-ramp to Main St in the queuing analysis of the report.</p>	
Response G-3	<p>Please see Response #1 above. The project is forecast to add a nominal amount of traffic at the Northbound and Southbound I-15 off-ramp intersections along Main Street. As such, the addition of these intersections along Main Street are not required and the project's impact can be considered nominal. As such, RK does not recommend updating the TIA based on this comment.</p>	
Comment G-4	<p>Please consider using the Intersection Safety and Operational Assessment Process (ISOAP) evaluation for recommending improvements at the proposed traffic signal intersection of US-395 and Poplar Street (refer to the attached ISOAP memo dated September 10, 2024).</p>	
Response G-4	<p>As directed by the City of Hesperia during the TIA scoping process, this traffic study utilizes the data/approach/methodology from the recently completed traffic study for the I-15 Industrial Project (located adjacent to the project site on the north side of Poplar Street). As such, this traffic study recommends the installation of a traffic signal at the intersection of US-395 and Poplar Street which is consistent with the recommendations from the I-15 Industrial Project</p>	

Letter	Agency, Organization, or Individual	Date
	<p>TIA. Installing a traffic signal at this location does not propose any safety concerns (e.g., spacing with other nearby traffic signals, layout/geometry, etc.). Additionally, given the amount of trucks that will utilize this intersection, a roundabout would not be feasible. Recommendations to signalize this intersection have already been made in past TIA's without utilizing the ISOAP evaluation.</p> <p>RK concurs with these past traffic studies that the installation of a traffic signal at this location will provide the safest and most efficient solution. As such, RK does not recommend updating the TIA based on this comment.</p>	
Comment G-5	Truck Services specialist should review and concur with truck-related items in the report.	
Response G-5	Comment noted. No changes to the TIA are required.	
Comment G-6	A 2% per year growth rate is applied to background traffic, but there's no reference to SCAG, SBCTA, or Caltrans sources. Using a generic rate without justification can lead to inaccurate forecasts. Recommend supporting the growth assumption with data from a regional travel demand model or Caltrans resources.	
Response G-6	<p>Per the City of Hesperia's TIA Guidelines, for project opening day analysis, "<i>Use accepted growth rates provided by the jurisdictions in which the analysis is to take place. Each jurisdiction's growth rates should be used for intersections and segments within that jurisdiction.</i>" A two percent (2%) annual ambient growth rate is typical for the City of Hesperia and was confirmed during the scoping process. Additionally, this growth rate is consistent with the rate utilized in the I-15 Industrial Project TIA. Furthermore, the addition of cumulative projects within the area were manually assigned to the study area in addition to the ambient growth rate. As such, RK does not recommend updating the TIA based on this comment.</p>	
Comment G-7	Although the project description includes a truck stop with 8 fueling stations, the TIA only analyzes two warehouses. This may underestimate traffic impacts. Recommend updating the TIA to include truck stop traffic or confirming its removal from the project.	
Response G-7	The project is no longer proposing a truck stop. The description used in the TIA is what the project is currently proposing. As such, no changes to the TIA are necessary.	
Comment G-8	<p>Although the TIA models area-wide traffic impacts, it does not confirm whether or how project-generated trips utilize Caltrans facilities such as US-395 or the I-15 ramps. The trip description states that approximately 60 percent of vehicle trips will come from or go to the Main Street ramps. However, the TIA does not include the Main Street ramps or the Main Street and Mesa Linda Street intersection in the list of analyzed intersections. This omission is concerning, as these are key access points to the regional transportation network. Additionally, based on the provided trip distribution figures, it is difficult to accept the assumption that no trucks associated with the project will use the Main Street ramps. It is recommended that the TIA clearly identify which Caltrans facilities will carry project traffic, quantify the number of trips expected to use each route, and include the relevant intersections in the traffic analysis. This information is critical for a transparent and complete assessment of potential impacts on state facilities.</p>	

Letter	Agency, Organization, or Individual	Date
Response G-8	Please see Response #2 above. The project is forecast to add a nominal amount of traffic at the Northbound and Southbound I-15 off-ramp intersections along Main Street. As such, the addition of these intersections along Main Street are not required and the project's impact can be considered nominal.	
Comment G-9	The background traffic volumes on US-395 and I-15 appear to be escalated from nearby local studies, but the TIA does not provide a complete reference to the source studies or include the full reports or trip count sheets. Additionally, these background volumes are not cross validated against Caltrans Performance Measurement System (PeMS) data or Caltrans traffic count station data. For consistency and transparency, recommend including the complete local study report or at minimum the relevant traffic count sheets used for background traffic estimation. Also recommend validating existing and future traffic volumes on Caltrans facilities using Caltrans PeMS or count station data to ensure alignment with actual observed trends and to support defensible forecasting.	
Response G-9	The referenced study is the <i>I-15 Industrial Park Project Transportation Impact Analysis</i> , prepared by Dudek, dated October 2022. At the time of initial scoping, this study had just been completed and City of Hesperia staff directed that the traffic analysis for this project be based on the information contained within this Dudek study (for consistency between both sites). The I-15 Industrial Park TIA, completed by Dudek, will be provided to Caltrans for reference.	
Comment G-10	The TIA should address the horizon year assumption. The selected 2040 horizon is only 14 years beyond the project opening year (2026), not the typical 20- year planning horizon recommended for long-range traffic analysis.	
Response G-10	In May 2023, a scoping agreement was submitted to and ultimately approved by the City of Hesperia. Per the direction of the City, traffic volumes (including existing, opening year, and horizon year) were to be utilized from the recently completed traffic study for the I-15 Industrial Project (located adjacent to the project site on the north side of Poplar Street). Based on these considerations, no changes to the traffic study are recommended.	
Comment G-11	The project affects Caltrans intersections (e.g., US-395), but the IS/MND and TIA do not state whether work will occur in Caltrans right-of-way or if an encroachment permit is needed. Recommend clarifying this and identifying any required Caltrans permits.	
Response G-11	As concluded in the traffic impact analysis, improvements have been identified for all operationally deficient intersections consistent with the <i>I-15 Industrial Park Project Transportation Impact Analysis</i> , prepared by Dudek, dated October 2022. The project's responsibility for all identified off-site intersections are in the form of fair share contributions. The traffic impact analysis does not indicate that the project will perform any direct work on any Caltrans right-of-way. However, an encroachment permit will be obtained if ultimately the project is required to work within any Caltrans right-of-way.	
Comment G-12	The TIA explains that a traffic signal at US-395 and Poplar Street must be installed by either this project or another (I-15 Industrial Park), depending on timing. The IS/MND does not clearly state who is responsible if Cargo Solutions is built first. Recommend adding a clear condition of approval that defines signal installation responsibility and reimbursement terms.	

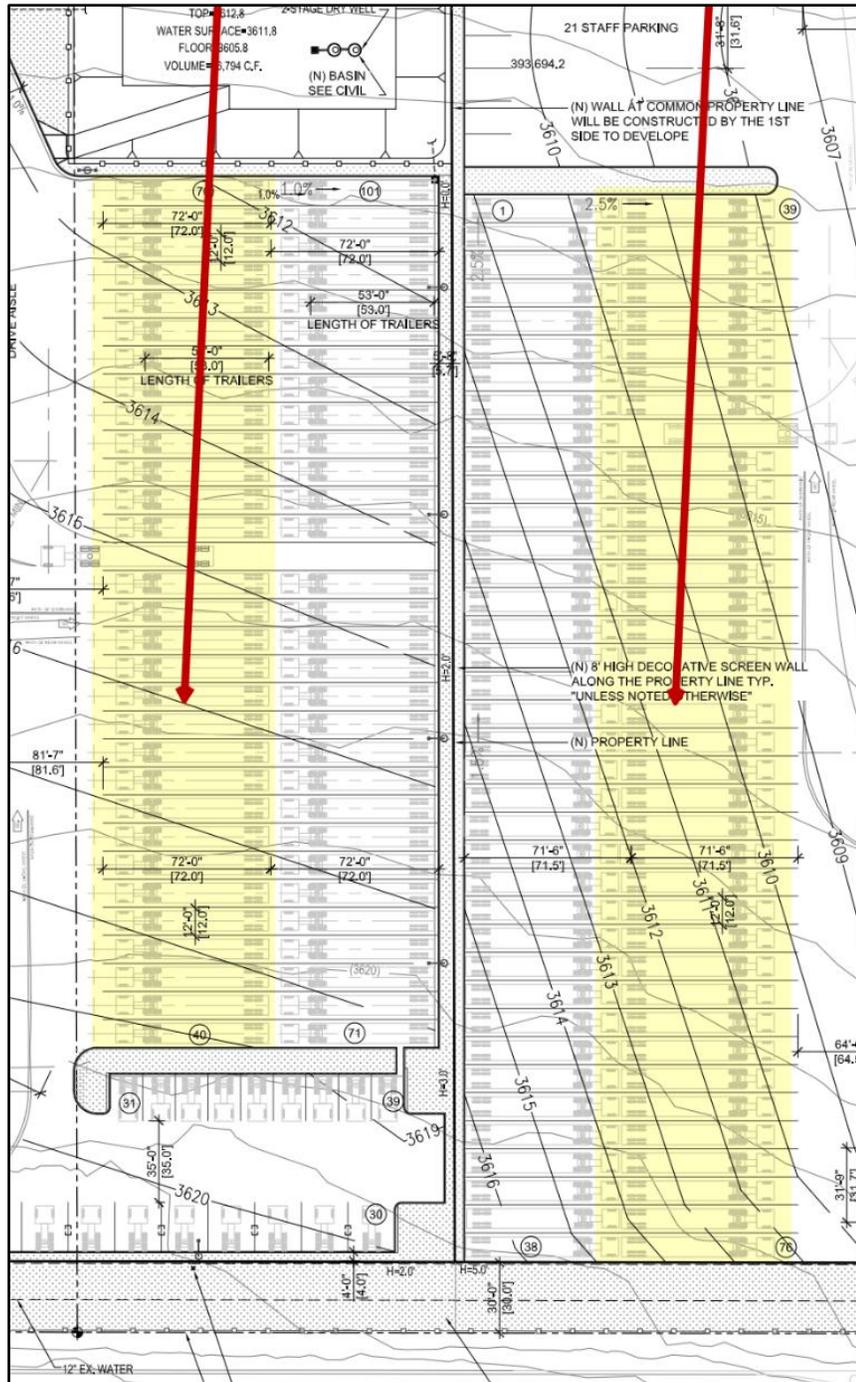
Letter	Agency, Organization, or Individual	Date
Response G-12	The IS/MND will clearly state that if the proposed Cargo Solutions project is built prior to the installation of a traffic signal at the intersection of US-395 & Poplar Street, the proposed Cargo Solutions project shall construct this signal and be reimbursed for the total costs less their fair share contribution. The traffic signal shall be constructed prior to issuance of Certificate of Occupancy.	
Comment G-13	While the VMT screening memo is referenced in the appendix, the IS/MND briefly says the site is in a “low VMT area” without explaining why or how that was determined. Recommend including a brief explanation or summary of the VMT screening criteria and findings in the IS/MND’s transportation section.	
Response G-13	<p>The VMT section in the IS/MND will be expanded to include the following additional language from Chapter 10 of the traffic impact analysis explaining why/how the project is located within a low VMT area:</p> <p>Per the City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment, dated July 2020: “Residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area.”</p> <p>To identify if the project is in a low VMT-generating area, the San Bernardino County Transportation Authority (SBCTA) VMT screening tool was utilized to compare the project’s baseline TAZ VMT to the County’s baseline VMT metric. Since the project is exclusively an industrial use (i.e., warehousing), the “PA VMT Per Worker” metric was utilized for evaluation. Based on the results of the SBCTA VMT screening tool, the proposed project’s TAZ VMT was calculated to be 16.0 PA VMT Per Worker which does not exceed the County VMT threshold of significance of 16.9 VMT Per Worker. Therefore, the proposed project does satisfy the Low VMT Generating Area Screening and may be presumed to have a less than significant impact on VMT under CEQA.</p>	
Comment G-14	<p>Equitable Access</p> <p>If any Caltrans facilities are impacted by the project, they must comply with the American Disabilities Act (ADA) Standards upon project completion. Additionally, the project must ensure the maintenance of bicycle and pedestrian access throughout the construction phase. These access considerations align with Caltrans’ equity mission to provide a safe, sustainable, and equitable transportation network for all users.</p>	
Response G-14	Comment acknowledged. As previously mentioned, the project does not intend to directly perform work on any Caltrans facilities, but will comply with ADA Standards if any work on Caltrans facilities is ultimately required. The project will also ensure the maintenance of bicycle and pedestrian access throughout the construction phase.	
Comment G-15	<p>Caltrans Encroachment Permit</p> <p>Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans’ Right-of-Way (R/W) requires a Caltrans-issued encroachment permit.</p>	

❖ RESPONSES TO COMMENTS ❖

Letter	Agency, Organization, or Individual	Date
Response G-15	Comment acknowledged. Any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (R/W) will require a Caltrans-issued encroachment permit.	

3.0 ERRATA

The City has requested from the Project Applicant to remove the tandem tractor/trailer parking in these areas shown below from the site plan to adhere to City regulations. Additionally, the City requested double or hairpin striping for the parking spots.



Previous Site Plan - Parking Summary			
Buildings	Type of Parking	Stalls	Total
Building 1	Employee/Guest	123	551
	Tractor/Trailer	101	
	Tractor Only	59	
Building 2	Employee/Guest	141	
	Tractor/Trailer	76	
	Tractor Only	51	
Current Site Plan - Parking Summary			
Building 1	Employee/Guest	123	482
	Tractor/Trailer	70	
	Tractor Only	59	
Building 2	Employee/Guest	141	
	Tractor/Trailer	38	
	Tractor Only	51	

COMPARISON OF ENVIRONMENTAL EFFECTS

The following matrix provides a list of topical issues that were analyzed in the Initial Study. Based on the minor changes to the tandem tractor/trailer parking requested by the City, the results of those changes are noted below.

Environmental Issue	IS/MND Conclusions	Minor Modified Project Conclusions	Minor Modified Project in Comparison to the IS/MND
Aesthetics	Less than Significant	Less than Significant	Net Benefit/Less Impact
Agriculture and Forestry Resources	No Impact	No Impact	Net Benefit/Less Impact
Air Quality	Less than Significant	Less than Significant	Net Benefit/Less Impact
Biological Resources	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated	Net Benefit/Less Impact
Cultural Resources	Less than Significant with Mitigation Incorporated	Less than Significant Impacts/No Change	Net Benefit/Less Impact
Energy	Less than Significant	Less than Significant	Net Benefit/Less Impact
Geology and Soils	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated	Net Benefit/Less Impact
Greenhouse Gas Emissions	Less than Significant	Less than Significant	Net Benefit/Less Impact
Hazardous Materials	Less than Significant with Mitigation Incorporated	Less Than Significant Impact/No Change	Net Benefit/Less Impact
Hydrology/Water Quality	Less than Significant	Less than Significant	Net Benefit/Less Impact

Environmental Issue	IS/MND Conclusions	Minor Modified Project Conclusions	Minor Modified Project in Comparison to the IS/MND
Land Use & Planning	Less than Significant	Less than Significant	Net Benefit/Less Impact
Mineral Resources	Less than Significant	Less than Significant	Net Benefit/Less Impact
Noise	Less than Significant	Less than Significant	Net Benefit/Less Impact
Population and Housing	Less than Significant	Less than Significant	Net Benefit/Less Impact
Public Services	Less than Significant	Less than Significant	Net Benefit/Less Impact
Recreation	No Impact	No Impact	Net Benefit/Less Impact
Traffic/Transportation	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated	Net Benefit/Less Impact
Tribal Cultural Resources	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated	Net Benefit/Less Impact
Utilities	Less than Significant	Less than Significant	Net Benefit/Less Impact
Wildfire	No Impact	No Impact	Net Benefit/Less Impact
Mandatory Findings of Significance	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated	Net Benefit/Less Impact

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

The Final Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a MND or an EIR. The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MMs that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Hesperia in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

**Table 4.0-1
FINAL MITIGATION MONITORING AND REPORTING PROGRAM**

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
<p>Threshold 4.4a)</p> <p>Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p>MM BIO-1: Section 2081 CFGC Incidental Take Permit</p> <p>Western Joshua trees are a state candidate for listing under CESA and will require a 2081 Incidental Take Permit (ITP) with compensatory mitigation for impacts, in addition to the surveys that are recommended in the discussion of MM BIO-7. The exceptions and permitting process under the California Desert Native Plants Act and the separate exceptions under the Native Plant Protection Act will not apply to western Joshua tree in any manner. For projects where “take” is incidental to carrying out an otherwise lawful activity, an ITP may be obtained from CDFW. The Project may also obtain take authorization through § 1927 of the Western Joshua Tree Conservation Act (WJTCA).</p> <p>Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity</p>	Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During project design, during project construction activities, and during operation

	<p>Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.</p> <ul style="list-style-type: none"> • A qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted within 72 hours prior to the onset of scheduled activities, such as mobilization and staging. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and the qualified biologist determines they will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency, including CDFW, to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency, including CDFW. 			
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	<ul style="list-style-type: none"> Birds or their active nests will not be disturbed, captured, handled or moved. 			
<p>Threshold 4.4b)</p> <p>Have 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 US Fish and Wildlife Service?</p>	<p>MM BIO-6: Mitigation for Impacts to Western Joshua Tree and California Juniper Woodlands</p> <p>Avoidance and Minimization Measures</p> <p>The entirety of the project area is currently planned for development. Approximately 19 acres is California juniper woodland. The California juniper woodland is a sensitive natural community, as such, impacts as a result of the project, shall be mitigated so that all impacts to these habitats are mitigated on acreage and tree basis.</p> <p>Proposed project activities including the construction phase, operations, and maintenance phase shall be designed to avoid California juniper woodland (and Joshua tree) habitat to the full extent practicable. If the California juniper (or associated Joshua trees) are removed as a result of project activities, then compensatory mitigation is required, as follows.</p> <p>The preferred compensatory mitigation is through an in-lieu fee to a qualified mitigation bank within the service area of the site, ideally within the same watershed. The project proponent shall coordinate with CDFW to identify appropriate mitigation banks and number of required mitigation credits to fully offset site impacts at a minimum of a 2:1 replacement to impact ratio.</p> <p>However, applicant-responsible compensatory mitigation is acceptable through preparation of a Habitat Preservation and Protection Plan, to be approved by CDFW prior to project approval.</p> <p>Habitat Preservation and Protection Plan</p> <p>For applicant-responsible compensatory mitigation, then the project proponent shall enter into a binding legal agreement regarding the preservation of offsite lands describing the terms of the acquisition, enhancement, and management of those lands. Fee title to acquired habitat lands, or a conservation easement over these lands, shall be transferred to CDFW or to an entity approved by CDFW, along with financial assurances (funds) for preservation, rehabilitation, and enhancement of the land, and an endowment for permanent management of the lands.</p>	<p>Applicant</p>	<p>Field Verification</p>	<ol style="list-style-type: none"> City of Hesperia Planning Department City of Hesperia Planning Department During project design, during project construction activities, and during operation

	<p>A formal Habitat Preservation and Protection Plan to detail methods for site preservation, restoration, monitoring, and protection shall be written. The plan will include permanent photo documentation points from the pre-restoration stage to the conclusion of the monitoring requirement. Photo documentation shall occur on a quarterly and annual basis or as required by CDFW. The number of western Joshua and California juniper trees existing onsite, transplanted, installed as container stock, will be recorded and qualitatively assessed quarterly and quantitatively assessed on an annual basis until performance criteria and/or contingency criteria are successfully attained. A final monitoring report will be provided at the conclusion of the post-construction restoration phase. The project proponent shall provide the final monitoring report to CDFW for approval of completion for the project.</p>			
<p>Threshold 4.4e) Have 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 US Fish and Wildlife Service?</p>	<p>MM BIO-7: Native Desert Vegetation Survey and Protected Plant Preservation Plan A Preservation Plan will be prepared and submitted to the City, which is required by City Municipal Code. A native desert vegetation survey must be conducted to produce findings that will guide the formation of this plan. The survey objective is to evaluate the health and general condition of the western Joshua trees and creosote bush present on the project site. A project-specific plan will provide further guidance regarding the transplant and/or preservation of the western Joshua trees and protection for creosote rings “10 feet or greater in diameter” as per § 16.24.150 of City Municipal Code. Transplant suitability of the western Joshua trees will be determined by the results of the survey. This survey shall be conducted by a qualified City-approved biologist or arborist. The plan will incorporate survey data, identify and outline preconstruction survey methods for the native desert vegetation on the project site, describe preconstruction and construction-phase biological monitoring and transplant methods that are applicable, or outline any identified CDFW permit and Memorandum of Understanding requirements for active relocation, if either is necessary. The Plan should be referred to for a detailing of protective actions regarding the western Joshua trees on the project site.</p>	Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During project design, during project construction activities, and during operation
	<p>Mitigation Measure Biological Resources 8 (MM-BIO-8) (New): Mohave ground squirrel Visual surveys for Mohave ground squirrels shall be conducted by a qualified biologist prior to ground disturbing activities. Visual surveys shall be conducted between March 15 and April 15 according to the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines (CDFW 2023). Visual surveys shall be conducted on the Project site during daylight hours by a qualified biologist who can readily identify Mohave ground squirrel and white-tailed antelope squirrel (<i>Ammospermophilus</i></p>	Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During project design, during project

	leucurus). If the survey or monitoring throughout the duration of the Project confirms presence of Mohave ground squirrel, the Project proponent shall fully avoid impacts to Mohave ground squirrel or should obtain an Incidental Take Permit (ITP) for Mohave ground squirrel if impacts are unavoidable.			construction activities, and during operation
4.5 Cultural Resources				
Threshold 4.5b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	MM CUL 1 If archaeological resources are discovered during construction activities, the contractor will halt construction activities in the immediate area of the find (within a 60-foot buffer) and notify the City of Hesperia. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to assess the find. Work on the other portions outside the buffer area may continue during this assessment period. The archaeologist will also be afforded the necessary time and resources to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.	Qualified Archaeologist and Project Contractor	Field Verification	1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities
	MM CUL 3 If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	Qualified Archaeologist and Project Contractor	Field Verification	1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities
Threshold 4.5c): Disturb any human remains, including	MM CUL 2 If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the San Bernardino	Project Construction Contractor	Field Verification	1. City of Hesperia Planning Department

those interred outside of formal cemeteries.	County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).			<ol style="list-style-type: none"> 2. City of Hesperia Planning Department 3. During project construction activities
4.7 Geology and Soils				
Threshold 4.7f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	MM GEO 1 Before the beginning of project construction, the project applicant shall retain a qualified paleontologist to remain on-call for the duration of project ground disturbance activities. If paleontological resources are uncovered during project construction, the contractor shall halt construction activities in the immediate area and notify the City. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover and analyze the finds and curate the find(s) with an accredited repository for paleontological resources. Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction on the project site	Project Applicant, Qualified Paleontologist	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities
4.9 Hazards and Hazardous Materials				
Threshold 4.9a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	MM HAZ-1 In the event that the future tenant will handle hazardous materials above the reportable quantity threshold, the lease agreement with the future tenant shall require the tenant to submit a Hazardous Materials Business Plan which would include an inventory of all hazardous materials used, stored, or otherwise managed onsite to the County of San Bernardino County Fire Department – Hazardous Materials Division and the Fontana Fire Protection District. The recommendations of the Hazardous Materials Business Plan would be included in the lease agreement (signed by the tenant) as mandatory measures required to be implemented by the tenant MM HAZ-2 In the event that the future occupant will handle hazardous materials above the reportable quantity threshold, the occupancy agreement shall require the occupant, in coordination with the San Bernardino County Fire Department, to identify routes along which hazardous materials may routinely be transported. If essential facilities such as schools, hospitals, child care centers, or other facilities with special	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During project design, during project construction activities, and during operation

	evacuation needs are located along these routes, the future occupant shall develop an emergency response plan that can be implemented in the event of an unauthorized release of hazardous materials. The recommendations of the Emergency Response Plan would be included in the occupancy agreement (signed by the future occupant) as mandatory measures required to be implemented by the future occupant.			
Threshold 4.9b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Refer to MM HAZ-1 and MM HAZ-2 under Threshold 4.9a) .			
Threshold 4.9f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Refer to MM TRANS-3 under Threshold 4.17c) .			
4.17 Transportation				
Threshold 4.17a) Would the project conflict with a program plan, ordinance or policy addressing circulation system, including transit, roadway, bicycle and pedestrian facilities?	<p>MM TRANS-1 The Project Applicant would be required to implement operational improvements detailed in section 11.7 of the Traffic Impact Analysis (TIA) report to ensure that all affected intersections by project buildout would have an adequate level of service (LOS).</p> <p>MM TRANS-2 The Project Applicant would be required to contribute to fair-share contributions for intersection operational improvements in the project area. The contributions are identified in section 11.8 of the Traffic Impact Analysis (TIA) report.</p>	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia 2. City of Hesperia 3. Before construction
	<p>MM TRANS-3 Prior to construction, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of Hesperia. The</p>	City of Hesperia and Construction Manager	Field Verification	<ol style="list-style-type: none"> 1. City of Hesperia 2. City of Hesperia 3. During

<p>Threshold 4.17c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>	<p>Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:</p> <ul style="list-style-type: none"> ● The Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work. ● Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material. ● Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any surrounding parking availability. ● Identification of how emergency access to and around the project site will be maintained during project construction. ● Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods. ● Provide pedestrian and bicycle connections around the project site and designate safe crossing locations for all pedestrian detours. ● Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with the lighting requirements of the City of Hesperia. ● If temporary lane closures are necessary for the installation of utilities, emergency access should be maintained at all times. ● Flag persons and/or detours shall be provided as needed to ensure safe traffic operations. ● Construction signs shall be posted to advise of reduced construction zone speed limits. ● The project design shall include entry/exit gates for first responders' vehicles to gain access to the project site. 			Construction
--	---	--	--	--------------

Threshold 4.17d) Would the project result in inadequate emergency access?	MM TRANS-3. Refer to Threshold 4.17c).	City of Hesperia and Construction Manager	Construction Management Plan	1. City of Hesperia 2. City of Hesperia 3. During Construction
4.18 Tribal Cultural Resources				
Threshold 4.18b): cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?	MM TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM 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 all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.	Qualified Archaeologist and Project Contractor	Field Verification	1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities
	MM 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. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.	Qualified Archaeologist and Project Contractor	Field Verification	1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities
	MM TCR-3 As specified by California Health and Safety Code § 7050.5, if human remains are found on the project site during construction or during archaeological work, the San Bernardino County Coroner’s office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. The Coroner would determine within two working days of being notified, if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage	Qualified Archaeologist and Project Contractor	Field Verification	1. City of Hesperia Planning Department 2. City of Hesperia Planning Department 3. During construction activities

	Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.			

ATTACHMENTS

ATTACHMENT A: NOTICE OF INTENT



City of Hesperia

Notice of Intent to Adopt a Mitigated Negative Declaration

To: Agencies, Organizations, and Interested Parties
From: City of Hesperia
Subject: Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the Cargo Solutions Truck Warehouse Hesperia Project

The City of Hesperia ("City") is the Lead Agency under the California Environmental Quality Act (CEQA) for the proposed project identified below. The City has prepared an Initial Study to determine the environmental effects of the proposed project and finds issuance of a Mitigated Negative Declaration is the appropriate level of CEQA environmental review.

AGENCIES: The City requests that your agency review the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project, in accordance with California Code of Regulations, Title 14, Section 15086(a).

ORGANIZATIONS AND INTERESTED PARTIES: The City requests your comments and concerns regarding the environmental issues associated with the proposed project.

Project Title: Cargo Solutions Truck Warehouse Hesperia Project

Project Description: The City of Hesperia (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of a truck warehouse development (project) at the southeast intersection of Poplar Street and Three Flags Avenue in the City of Hesperia in San Bernardino County, California (APNs: 3064-591-17, -18, -12, and -13 and 3064-631-01). The project proposes development of two truck warehouse buildings and a surface parking lot on an approximately 20.32-acre site.

The City's General Plan Land Use and zoning designation for the project site is Com/Ind Business Park (CIBP) within the Main Street and Freeway Corridor Specific Plan. The CIBP zoning designation is to create employment-generating uses in a business park setting. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings, which will produce only a small environmental impact, such as noise, vibration, air pollution, glare or waste disposal. Permitted uses include commercial storage facilities, manufacturing, offices, repair shops, warehousing and wholesale distribution centers, and other similar uses. Additionally, the CIBP zoning designation would allow vehicle wash facilities with a conditional use permit (CUP). The entire 20.32-acre project site is currently undeveloped land. The project site is located in a semi-rural, lightly developed portion of the city with undeveloped land to the north; industrial, commercial, and undeveloped land uses to the south; the Interstate 15 (I-15) freeway to the east; and commercial and undeveloped land uses to the west.

Project Location: Southeast intersection of Poplar Street and Three Flags Avenue in the City of Hesperia in San Bernardino County, California (APNs: 3064-591-17, -18, -12, and -13 and 3064-631-01)

Significant Environmental Effects: The IS/MND concludes that no significant unavoidable environmental effects would occur as a result of the proposed project. Potentially significant impacts related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, transportation, tribal cultural resources, and mandatory findings of significance would be mitigated to a less than significant level.

Public Review Period/Responses and Comments: The IS/MND will be available for public review and comment pursuant to California Code of Regulations, Title 14, Section 15087. The City will accept responses and comments for 30 days, starting on **June 18, 2025 to July 21, 2025**. All comments must be submitted in writing; either in a letter or email. Please indicate a contact person for your agency or organization and send your responses or comments to:

City of Hesperia Planning Department
Attn: Ryan Leonard, Senior Planner
9700 Seventh Avenue
Hesperia, CA 92345
Email: rleonard@cityofhesperia.us

DOCUMENT AVAILABILITY: This IS/MND and associated materials are available for review during regular business hours at the following location:

- City of Hesperia Planning Department, 9700 Seventh Avenue, Hesperia, CA 92345

The document is available online on the City's website at: <https://www.cityofhesperia.us/1466/Environmental-Documents>

ATTACHMENT B: NOI POSTING AT THE STATE OF CALIFORNIA, OFFICE OF PLANNING AND RESEARCH CLEARINGHOUSE

6/19/25, 2:32 PM

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Summary

SCH Number

2025060948

Lead Agency

City of Hesperia

Document Title

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Document Type

MND - Mitigated Negative Declaration

Received

6/19/2025

Present Land Use

The City's General Plan Land Use and Zoning designations for the project site are Com/Ind Business Park (CIBP) under the Main Street and Freeway Corridor Specific Plan.

Document Description

The City of Hesperia (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of two truck warehouses (project) on an approximately 20.32-acre site located at the southeast intersection of Poplar Street and Three Flags Avenue in the City of Hesperia in San Bernardino County, California (APNs: 3064-591-17, -18, -12, -13, and 3064- 631-01). The project proposes to develop Truck Warehouse Building 1 with an associated parking lot on the western portion of the project site on an approximately 10.52-acre lot, and Truck Warehouse Building 2 with an associated parking lot on the eastern portion of the project site on an approximately 9.8-acre lot. The City is the Lead Agency for the purposes of the CEQA. The entire approximately 20.32-acre project site is currently undeveloped land. The project site is located in a semi-rural, lightly developed portion of the city with undeveloped land to the north and east; industrial, commercial, and undeveloped land uses to the south; and commercial and undeveloped land uses to the west (Google Earth Pro, 2024). The City's General Plan Land Use and zoning designation for the project site is Com/Ind Business Park (CIBP) within the Main Street and Freeway Corridor Specific Plan (City of Hesperia, 2023; City of Hesperia, 2010). The CIBP zoning designation is to create employment-generating uses in a business park setting. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings, which will produce only a small environmental impact, such as noise, vibration, air pollution, glare or waste disposal. Permitted uses include commercial storage facilities, manufacturing, offices, repair shops, warehousing and wholesale distribution centers, and other similar uses (The Arroyo Group, 2021, p. 196-197). Additional details on the land use and planning can be found in Section 4.11 of this document.

<https://ceqanet.lci.ca.gov/2025060948>

1/5

6/19/25, 2:32 PM

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Contact Information

Name

Ryan Leonard

Agency Name

City of Hesperia

Job Title

Principal Planner

Contact Types

Lead/Public Agency

Address

9700 Seventh Avenue
Hesperia, CA 92345

Phone

(760) 947-1651

Email

rleonard@cityofhesperia.us

Name

Betsy Lindsay

Agency Name

UltraSystems Environmental

Job Title

Principal Project Manager

Contact Types

Consulting Firm

Address

16431 Scientific Way
Irvine, CA 92618

Phone

(949) 788-4900 ext. 227

Email

blindsay@ultrasystems.com

Name

Bobby Kang

Agency Name

Cargo Solutions Express Inc.

Job Title

Owner

Contact Types

<https://ceqanet.lci.ca.gov/2025060948>

2/5

Other Location Info

Canyon Ridge High School, approximately 0.47 mile southeast of the project site. Mission Crest Elementary School, approximately 0.66 miles southeast of the project site. Cedar Middle School, approximately 1.13 mile southeast of the project site. Mesquite Trails Elementary School, approximately 1.41 mile southeast of the project site. Oak Hills High School, approximately 1683 mile southeast of the project site.

Notice of Completion

State Review Period Start

6/19/2025

State Review Period End

7/21/2025

State Reviewing Agencies

California Air Resources Board (ARB), California Department of Conservation (DOC), California Department of Fish and Wildlife, Inland Deserts Region 6 (CDFW), California Department of Forestry and Fire Protection (CAL FIRE), California Department of Parks and Recreation, California Department of Pesticide Regulation (DPR), California Department of Toxic Substances Control (DTSC), California Department of Transportation, District 8 (DOT), California Department of Water Resources (DWR), California Fish and Game Commission (CDFGC), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Regional Water Quality Control Board, Lahontan Victorville Region 6 (RWQCB), Colorado River Board, Department of Food and Agriculture (CDFA), Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, State Water Resources Control Board, Division of Drinking Water, District 13, State Water Resources Control Board, Division of Drinking Water, District 27, State Water Resources Control Board, Division of Water Quality

Development Types

Industrial (Sq. Ft. 378059, Acres 8.68, Employees 448)

Local Actions

Site Plan

Project Issues

Aesthetics, Air Quality, Biological Resources, Cumulative Effects, Drainage/Absorption, Flood Plain/Flooding, Growth Inducement, Land Use/Planning, Mineral Resources, Noise, Recreation, Schools/Universities, Septic System, Sewer Capacity, Solid Waste, Vegetation, Wetland/Riparian, Agricultural Land, Archeological/Historical, Forest Land/Fire Hazard, Geologic Seismic, Soil Errosion/Compaction/Grading, Toxic/Hazardous, Traffic Circulation, Water Quality, Water Supply/Groundwater, Public Services/Facilities, Population/Housing Balance,

Public Review Period Start

6/17/2025

Public Review Period End

7/21/2025

Attachments

Draft Environmental Document [Draft IS, NOI_NOA_Public notices, OPR Summary Form, Appx,]

6/19/25, 2:32 PM

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Project Applicant

Address

14587 Valley Boulevard
Fontana, CA 92335

Phone

(909) 350-1644 ext. 346

Email

bobby@cargosolutionsexpress.com

Location

Coordinates

34°24'53.59"N 117°23'33.79"W

Cities

Hesperia

Counties

San Bernardino

Regions

Citywide

Cross Streets

Southeast intersection of Three Flags Avenue and Poplar Street

Zip

92345

Total Acres

20.32

Jobs

1

Parcel #

3064-591-17,-18,-12, and -13 and 3064-631-01

State Highways

U.S. 395 and I-15

Township

4N

Range

5W

Section

22

Base

San Bern

6/19/25, 2:32 PM

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project

Appendices **PDF** **137856 K** Cargo Solutions Truck Warehouse IS-MND **PDF** **18280 K** NOI **PDF** **192 K**
Summary Form **PDF** **490 K**

Notice of Completion [NOC] Transmittal form

NOC **PDF** **2638 K**

Disclaimer: The Governor’s Office of Land Use and Climate Innovation (LCI) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. For more information, please visit [LCI’s Accessibility Site](#).

ATTACHMENT C: SAN BERNARDINO COUNTY CLERK-RECORDER NOI POSTING

CLERK OF THE
BOARD OF SUPERVISORS
2025 JUL -2 AM 11:05
SAN BERNARDINO COUNTY
CALIFORNIA



CLERK OF THE BOARD
Received on: 7-2-25
Remove on: 7-22-25

City of Hesperia

Notice of Intent to Adopt a Mitigated Negative Declaration

To: Agencies, Organizations, and Interested Parties
From: City of Hesperia
Subject: Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the Cargo Solutions Truck Warehouse Hesperia Project

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City of Hesperia Planning Department
Attn: Ryan Leonard, Senior Planner
9700 Seventh Avenue
Hesperia, CA 92345
Email: leonard@cityofhesperia.us

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**ATTACHMENT D: AB 52 TRIBAL CONSULTATION LETTER TO THE
TORRES MARTINEZ DESERT CAHUILLA INDIANS**



City of Hesperia

Gateway to the High Desert

September 22, 2022

Alesia Reed
Cultural Resources Coordinator
Torres Martinez Desert Cahuilla Indians
66-725 Martinez Road
Thermal, CA 92274

RE: Notification required under AB-52 Native American: California Environmental Quality Act for Local Government Tribal Consultation for CUP22-00016 - Cargo Solutions Truck Warehouse.

Dear Ms. Reed:

The City of Hesperia is engaged in writing environmental compliance documents associated with the following project, which requires that consultation be considered pursuant to Section 21080.3.1 of the California Public Resources Code (aka AB-52). This is a formal request for consultation pursuant to Government Code Section 65352.3. The Project Site is located in Section 22, Township 4 North, Range 5 West, SBB&M, California USGS 7.5-minute quadrangle an aerial photo is shown on page 2 of this letter.

Project description: The proposed project consists of the development of a two-phase project with two warehouse buildings and associated parking. The site is currently high desert open space.

Two warehouse buildings totaling a combined square footage of 95,089 with onsite truck storage and a 9,094 square foot truck wash building on 20.3 gross acres within the Commercial Industrial Business Park zone of the Main Street and Freeway Corridor Specific Plan located at the southeast corner of Poplar Street and Tree Flags Avenue. Fire lanes will be established around the perimeter of the building as required by City Code. Stormwater detention facilities will be provided in the north of the parcel. The parking areas will be paved with asphalt, with concrete truck dock aprons.

Small strips of irrigated landscaping will be installed on the north side of the project. Small strips of natural landscape will be retained on the north, east and west sides of the Project. The Project will be fully fenced.

The Project Site is part of the Main Street and Freeway Corridor Specific Plan and has a zoning designation of Commercial/Industrial Business Park (CIBP).

*Brigit Bennington, Mayor
Bill Holland, Mayor Pro Tem
Cameron Gregg, Council Member
Rebekah Swanson, Council Member
Lary Bird, Council Member*

Nils Bentson, City Manager

*9700 Seventh Avenue
Hesperia, CA 92345*

*760-947-1000
TD 760-947-1119*

www.cityofhesperia.us



CUP22-00016 AB-52 Letter
September 22, 2022
Page 2 of 2

Location: The project site is in Section 22, Township 4 North, Range 5 West, as shown on the Hesperia, California USGS 7.5-minute quadrangle. The project site is located on the south side of Poplar, east of Three Flags Avenue. APNs: 3064-591-12, -13, -17, -18 & 3064-4631-01.

Following legislation guidelines, you have 30 days after receipt of this letter to request a consultation with the city. If you wish consultation, you must identify a lead contact. You are also afforded the right to respond with a “no effect” statement. If you have any questions, feel free to contact me at (760) 947-1651 or by e-mail at leonard@cityofhesperia.us.

Sincerely,

Ryan Leonard, AICP
Senior Planner

PROJECT LOCATION



**ATTACHMENT D: AB 52 TRIBAL CONSULTATION LETTER TO THE
CABAZON BAND OF MISSION INDIANS**



City of Hesperia

Gateway to the High Desert

September 22, 2022

Jacquelyn Barnum
Environmental Director
Cabazon Band of Mission Indians
84-245 Indo Springs Parkway
Indio, CA 92203

RE: Notification required under AB-52 Native American: California Environmental Quality Act for Local Government Tribal Consultation for CUP22-00016-Cargo Solutions Truck Warehouse.

Dear Ms. Barnum:

The City of Hesperia is engaged in writing environmental compliance documents associated with the following project, which requires that consultation be considered pursuant to Section 21080.3.1 of the California Public Resources Code (aka AB-52). This is a formal request for consultation pursuant to Government Code Section 65352.3. The Project Site is located in Section 22, Township 4 North, Range 5 West, SBB&M, California USGS 7.5-minute quadrangle an aerial photo is shown on page 2 of this letter.

Project description: The proposed project consists of the development of a two-phase project with two warehouse buildings and associated parking. The site is currently high desert open space.

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*Brigit Bennington, Mayor
Bill Holland, Mayor Pro Tem
Cameron Gregg, Council Member
Rebekah Swanson, Council Member
Larry Bird, Council Member*

Nils Bentsen, City Manager

*9700 Seventh Avenue
Hesperia, CA 92345*

*760-947-1000
TD 760-947-1119*

www.cityofhesperia.us



CUP22-00016 AB-52 Letter
September 22, 2022
Page 2 of 2

Location: The project site is in Section 22, Township 4 North, Range 5 West, as shown on the Hesperia, California USGS 7.5-minute quadrangle. The project site is located on the south side of Poplar, east of Three Flags Avenue. APNs: 3064-591-12, -13, -17,-18 & 3064-4631-01.

Following legislation guidelines, you have 30 days after receipt of this letter to request a consultation with the city. If you wish consultation, you must identify a lead contact. You are also afforded the right to respond with a “no effect” statement. If you have any questions, feel free to contact me at (760) 947-1651 or by e-mail at leonard@cityofhesperia.us.

Sincerely,

Ryan Leonard, AICP
Senior Planner

PROJECT LOCATION



**ATTACHMENT D: AB 52 TRIBAL CONSULTATION LETTER TO THE
SAN MANUEL BAND OF MISSION INDIANS**



City of Hesperia

Gateway to the High Desert

September 22, 2022

Jessica Mauck
Director of Cultural Resources Management
San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: Notification required under AB-52 Native American: California Environmental Quality Act for Local Government Tribal Consultation for CUP22-00016- Cargo Solutions Truck Warehouse.

Dear Ms. Mauck:

The City of Hesperia is engaged in writing environmental compliance documents associated with the following project, which requires that consultation be considered pursuant to Section 21080.3.1 of the California Public Resources Code (aka AB-52). This is a formal request for consultation pursuant to Government Code Section 65352.3. The Project Site is located in Section 22, Township 4 North, Range 5 West, SBB&M, California USGS 7.5-minute quadrangle an aerial photo is shown on page 2 of this letter.

Project description: The proposed project consists of the development of a two-phase project with two warehouse buildings and associated parking. The site is currently high desert open space.

Two warehouse buildings totaling a combined square footage of 95,089 with onsite truck storage and a 9,094 square foot truck wash building on 20.3 gross acres within the Commercial Industrial Business Park zone of the Main Street and Freeway Corridor Specific Plan located at the southeast corner of Poplar Street and Tree Flags Avenue. Fire lanes will be established around the perimeter of the building as required by City Code. Stormwater detention facilities will be provided in the north of the parcel. The parking areas will be paved with asphalt, with concrete truck dock aprons.

Small strips of irrigated landscaping will be installed on the north side of the project. Small strips of natural landscape will be retained on the north, east and west sides of the Project. The Project will be fully fenced.

The Project Site is part of the Main Street and Freeway Corridor Specific Plan and has a zoning designation of Commercial/Industrial Business Park (CIBP).

*Brigit Bennington, Mayor
Bill Holland, Mayor Pro Tem
Cameron Gregg, Council Member
Rebekah Swanson, Council Member
Larry Bird, Council Member*

Nils Bentsen, City Manager

*9700 Seventh Avenue
Hesperia, CA 92345*

*760-947-1000
TD 760-947-1119*

www.cityofhesperia.us



CUP22-00016 AB-52 Letter
September 22, 2022
Page 2 of 2

Location: The project site is in Section 22, Township 4 North, Range 5 West, as shown on the Hesperia, California USGS 7.5-minute quadrangle. The project site is located on the south side of Poplar, east of Three Flags Avenue. APNs: 3064-591-12, -13,-17,-18 & 3064-4631-01.

Following legislation guidelines, you have 30 days after receipt of this letter to request a consultation with the City. If you wish consultation, you must identify a lead contact. You are also afforded the right to respond with a "no effect" statement. If you have any questions, feel free to contact me at (760) 947-1651 or by e-mail at leonard@cityofhesperia.us.

Sincerely,

Ryan Leonard, AICP
Senior Planner

PROJECT LOCATION



ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER A - MOJAVE WATER AGENCY



Comment Letter A

June 23, 2025

City of Hesperia, Planning Department
Ryan Leonard, Senior Planner
9700 Seventh Ave.
Hesperia, CA. 92345

Regarding: Cargo Solutions Truck Warehouse Hesperia Project

Dear Ryan,

This confirms that the Mojave Water Agency has no conflict with this project.

A-1

Sincerely,
Christy Huiner
Senior Water Resource Analyst
Mojave Water Agency
chuiner@mojavewater.org
760-946-7066

13846 Conference Center Drive
Apple Valley, CA 92307
Phone: (760) 946-7000 | Fax: (760) 240-2642
WWW.MOJAVEWATER.ORG

ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER B - LOSEAU DRURY



Comment Letter B

T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
rebecca@lozeaudrury.com

VIA EMAIL

June 23, 2025

Ryan Leonard, Senior Planner
Development Services Department
Planning Division
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
rleonard@hesperiac.gov

Michael Hearn, Deputy Community Development Director
Development Services Department
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
developmentservices@cityofhesperia.us

Melinda Sayre, Deputy City Manager/City Clerk
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
cityclerk@cityofhesperia.us

Re: CEQA and Land Use Notice Request for Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project (SCH 2025060948)

Dear Mr. Leonard, Mr. Hearn, and Ms. Sayre,

I am writing on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the project known as Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project (SCH 2025060948), including all actions referring or related to the proposed development of two truck warehouses on an approximately 20.32-acre site located at the southeast intersection of Poplar Street and Three Flags Avenue on Accessor’s Parcel Numbers: 3064-591-17, -18, -12, -13, and 3064- 631-01 in the City of Hesperia (“Project”).

We hereby request that the City of Hesperia (“City”) send by electronic mail, if possible, or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report (“EIR”) is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.

B-1

June 23, 2025

CEQA and Land Use Notice Request for Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project (SCH 2025060948)

Page 2 of 2

- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

↑
B-1

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail, if possible, or U.S. Mail to:

Leslie Reider
Amy Lipkind
Chase Preciado
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
leslie@lozeaudrury.com
emy@lozeaudrury.com
chase@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Leslie Reider
Lozeau | Drury LLP

ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER C - SOCALGAS

Comment Letter C

From: [SCG_SF_Region_Redlands_UTILITY_Request](#)
To: [Ryan_Leonard](#)
Cc: [SoCalGasTransmissionUtilityRequest](#)
Subject: 6/26/25-Cargo Solutions Truck Warehouse Hesperia Project
Date: Thursday, June 26, 2025 10:30:05 AM
Attachments: [Cargo_Solutions_Truck_Warehouse_Hesperia_Project.pdf](#)

You don't often get email from scgsregionredlandsutilityrequest@semprautilities.com. [Learn why this is important](#)

This is a SoCalGas Distribution response. I am including SoCalGas Transmission SoCalGasTransmissionUtilityRequest@semprautilities.com as they have facilities in the area and will need to review this project.

Hello,

I just reviewed the documents regarding: **Cargo Solutions Truck Warehouse Hesperia Project**

SoCalGas Distribution does not appear to have a conflict with this project. Please note on case to have Developer contact 811 / USA at [DigAlert | Utility Locating California | Underground Wire & Cable Locator](#) prior to any excavation / demolition activities so we can Locate & Mark out our facilities.

If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at <https://www.socalgas.com/for-your-business/builder-services>.

To avoid delays in processing requests and notifications, please have all Franchise correspondence sent to our Utility Request inbox, at SCGSERegionRedlandsUtilityRequest@semprautilities.com

I cover the **Southeast Region – Redlands**

SCGSERegionRedlandsUtilityRequest@semprautilities.com would be your contact for requests in the southeastern ends of LA County, Riverside County, San Bernardino & Imperial Counties.

Southeast Region - Anaheim office which is all of Orange County and the southern ends of Los Angeles County; therefore, any Map and/or Will Serve Letter requests you have in these areas please send them to AtlasRequests/WillServeAnaheim@semprautilities.com

Northwest Region – Compton HQ For West and Central LA County, your Map Request and Will Serve Letters, will go to SCG-ComptonUtilityRequest@semprautilities.com

Northwest Region - Chatsworth

C-1

C-2

For any requests from the northern most parts of LA County all the way up to Visalia, San Luis Obispo, Fresno and Tulare you would contact NorthwestDistributionUtilityRequest@semprautilities.com

Transmission

For Transmission requests, please contact SoCalGas Transmission, at SoCalGasTransmissionUtilityRequest@semprautilities.com

READ MORE

MINOR STREET IMPROVEMENT PROJECTS: (CHIP SEAL, SLURRY SEAL, GRIND & OVERLAY)

Please notify Southern California Gas Company 4 months prior to start of pavement projects for the gas company to complete leak survey & repair leaks if found.

C-3

MAJOR STREET IMPROVEMENT PROJECTS: (PROJECTS REQUIRING EXCAVATIONS GREATER THAN 9 INCHES, WIDENING OF EXISTING STREETS, INSTALLING NEW CURBS & GUTTERS, BUS PADS, TRAFFIC SIGNALS, REALIGNMENT, GRADE SEPARATION, ETC.) & PIPELINE PROJECTS: (STORM DRAIN, WATERLINE, WATER, SEWER, ELECTRICAL, TELECOMMUNICATIONS, ETC.)

Please provide Southern California Gas Company with your signed designed plans with *gas company facilities posted* on your designs plans, 4-6 months prior to start of construction for possible relocation of SCG medium pressure facilities and 9-12 months for possible relocation of SCG high pressure facilities.

C-4

This time is needed to analyze plans and to design required alterations to any conflicting SCG gas facilities. Please keep us informed of any and all pre-construction meetings, construction schedules, etc., so that our work can be scheduled accordingly.

Potholing may be required to determine if a conflict exists between the proposed development and our facilities. If, for any reason, there are SCG facilities in conflict, and a request to be relocated is needed, it is important to send the request in writing. Please include all required information below:

- **A Signed “Notice to Owner” request on Official Letterhead from the City, County, and/or company.**
- **Name, Title and Project Number.**
- **Address, Location, Start Date, Parameters & Scope of Entire Job/Project.**
- **Copy of Thomas Guide Page and/or Google Map Screenshot Highlighting Project Area.**
- **Requestor Company’s Contact Name, Title, Phone Number, Email, and other pertinent information.**

Thank you,
Josh Rubal
Lead Planning Associate
Distribution Planning & Project Management
Redlands HQ - Southeast Region
(213) 231-7978 Office
SCGSERegionRedlandsUtilityRequest@semprautilities.com

ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER D - MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

Comment Letter D

Mojave Desert Air Quality Management District

Brad Poiriez, Executive Director
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2022
www.MDAQMD.ca.gov • @MDAQMD



July 09, 2025

Edgar Gonzales, Assistant Planner
City of Hesperia, Planning Department
9700 Seventh Avenue
Hesperia, CA 92345

Project: Hesperia Cargo Solutions Trucking Warehouse

Dear Mr. Gonzales:

The Mojave Desert Air Quality Management District (District) has reviewed the Project Notice/Initial Study for the Cargo Solutions Trucking Facility Project in Hesperia. The project proposes the development of two truck warehouses (project) on an approximately 20.32-acre site located at the southeast intersection of Poplar Street and Three Flags Avenue in the City of Hesperia. The project proposes to develop Truck Warehouse Building 1 with an associated parking lot on the western portion of the project site on an approximately 10.52-acre lot, and Truck Warehouse Building 2 with an associated parking lot on the eastern portion of the project site on an approximately 9.8-acre lot. The City is the Lead Agency for the purposes of the CEQA. The entire approximately 20.32-acre project site is currently undeveloped land. The project site is located in a semi-rural, lightly developed portion of the city with undeveloped land to the north and east; industrial, commercial, and undeveloped land uses to the south; and commercial and undeveloped land uses to the west.

We have reviewed the project as proposed and based on the information available to us at this time, the District requires that the owner/operator obtain a Dust Control Plan (DCP) for the planned project. The most current Dust Control Plan Requirements and Dust Control Plan Submission Form are available at <https://www.mdaqmd.ca.gov/permitting/compliance-forms>.

Other District requirements include:

- Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction.
- Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

D-1

- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.
- Obtain District permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to: Internal Combustion Engines with a manufacture's maximum continuous rating greater than or equal to 50 brake horsepower.
- Comply with all applicable provisions listed in Rule 403 – *Fugitive Dust Control*.

D-1

Thank you for the opportunity to review this project. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 1846, or Bertrand Gaschot at extension 4020.

Sincerely,



Chris Anderson
Planning and Air Monitoring Supervisor

CA/bg

Hesperia Cargo Solutions Truck Warehouse 2025 09 Jul

**ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER E - CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE**

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Comment Letter E

July 11, 2025
Sent via email

Ryan Leonard
Principal Planner
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345

Dear Ryan Leonard:

Cargo Solutions Truck Warehouse and Truck Stop Hesperia Project (PROJECT)
Mitigated Negative Declaration (MND)
SCH# 2025060948

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the City of Hesperia (City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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Ryan Leonard, Principal Planner
City of Hesperia
July 11, 2025
Page 2

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Bobby Kang

Objective: The objective of the Project is to develop two warehouse buildings and associated parking lots and utilities across five Assessor Parcel Numbers (APNs) (see Project location below for APNs). The warehouses are intended for truck storage and will encompass 20.32 acres. Truck Warehouse 1 will encompass 10.52 acres and include a 75,894-square foot (sf) warehouse with office and grade level doors, 121,975 sf of surface parking space for passenger vehicles and truck/trailer parking, and 26,864 sf of landscaping. Truck Warehouse 2 will encompass 9.8 acres and include a 75,894-sf warehouse with office and grade level warehouse space, 143,708 sf surface parking lot for passenger vehicles and truck/trailer parking, and 58,389 sf of landscaping. Utilities including domestic water, sewer lines, fire suppression, irrigation lines, gas, and electricity will be needed across the Project site for both warehouses. The Project will also include interior and exterior lighting and the installation of an 8-foot-tall wall and an 8-foot-tall iron fence separating the two warehouses. The Project intends to operate 24 hours a day, 7 days a week, and is estimated to result in employing 448 staff for both warehouses.

Location: The Project is located in the City of Hesperia in the southeast corner of Three Flags Avenue and Poplar Street, County of San Bernardino, State of California. The Project will occur on APNs 3064-591-12, -13, -17, -18 and 3064-631-01. The Project is centered at Latitude 34.4148905 and Longitude -117.3926335.

Timeframe: The Project is expected to occur in one phase and is estimated to commence October 2025 and be completed in November 2026.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

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Ryan Leonard, Principal Planner
City of Hesperia
July 11, 2025
Page 3

COMMENT #1: Mohave ground squirrel (*Xerpermophilus mohavensis*)

Section #4.4 Biological Resources, Page #72-73

Issue: The Project has the potential to result in take of Mohave ground squirrel, a CESA listed species, and in the permanent loss of potential habitat for the species. 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”.

Specific impact: Mohave ground squirrel was identified by the MND to have a low potential to occur within the biological study area (BSA), but no focused surveys were conducted, nor were any species-specific avoidance or mitigation measures included in the MND.

Why impact would occur: The Project would permanently impact 20.32 acres of open space through grading, staging, construction of two large warehouses, and installation of parking lots. CDFW is concerned that the Project may impact Mohave ground squirrel considering that the MND mentions the presence of burrows and creosote bush (*Larrea tridentata*), which are known to provide habitat for Mohave ground squirrel and no focused surveys to determine presence/absence of Mohave ground squirrel were conducted.

Evidence impact would be significant: The MND mentions that Mohave ground squirrel has a low potential to occur onsite and that the BSA offers minimal habitat value for fossorial species, such as Mohave ground squirrel. Thus, considering that the Project site offers some habitat value and there is vegetation suitable for Mohave ground squirrel (i.e., creosote bush), CDFW is concerned that mitigation measures were not included in the MND to ensure impacts to Mohave ground squirrel are mitigated to a level of less than significant. Furthermore, California Natural Diversity Database (CNNDDB) indicates the Project is within the Mohave ground squirrel distribution range and Mohave ground squirrel occurs within 2.5 miles of the Project site. In fact, burrows were detected onsite, which the MND attributes to belonging to an unknown ground squirrel species.

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following measure for inclusion in the final MND:

Mitigation Measure Biological Resources 6 (MM-BIO-6) (New): Mohave ground squirrel

Visual surveys for Mohave ground squirrel shall be conducted by a qualified biologist prior to ground disturbing activities. Visual surveys shall be conducted between March 15 and April 15 according to the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines

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Ryan Leonard, Principal Planner
City of Hesperia
July 11, 2025
Page 4

(CDFW 2023). Visual surveys shall be conducted on the Project site during daylight hours by a qualified biologist who can readily identify Mohave ground squirrel and white-tailed antelope squirrel (*Ammospermophilus leucurus*). If the survey or monitoring throughout the duration of the Project confirms presence of Mohave ground squirrel, the Project proponent shall fully avoid impacts to Mohave ground squirrel or should obtain an Incidental Take Permit (ITP) for Mohave ground squirrel if impacts are unavoidable.

COMMENT #2: Western Joshua tree (*Yucca brevifolia*)

Section #2.3.4 Environmental Setting, 4.4 Biological Resources, Page #25, 67, 72, 73, 77, 80-81, 191

Issue: The Project may impact western Joshua tree; a candidate species protected under CESA and Fish and Game Code section 1927.

Specific impact: The Project, as described, will result in the lethal take of western Joshua trees present onsite. In fact, the MND confirms that direct and indirect take of western Joshua tree is likely to occur.

Why impact would occur: Project activities, such as grubbing and grading may result in removal of western Joshua tree or may impact their root system. Under Fish and Game Code section 1927, the take of western Joshua trees and parts thereof, including roots, is prohibited. Damage to roots can lead to the death of the tree.

Evidence impact would be significant: The MND is not clear regarding how many western Joshua trees are present on site, but states that there are between 1 to 6 western Joshua trees present and CDFW confirmed the presence of western Joshua trees onsite through aerial imagery. The MND also does not provide information regarding the extent that the Project may impact the species but in BIO-1 (see below) discusses the need for an Incidental Take Permit (ITP) under Fish and Game Code section 2081. Please note that the Project may also receive an ITP under Fish and Game Code section 1927 through the Western Joshua Tree Conservation Act (WJTCA), which will require a census of all trees dead or alive within the Project site and a 50-foot buffer. For further information please visit [Western Joshua Tree Conservation Permitting](#).

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-1 for inclusion in the final MND (edits are in ~~strikethrough~~ and **bold**):

MM-BIO-1 (Revised): Section 2081 FGC Incidental Take Permit

Western Joshua trees are a state candidate for listing under CESA and will require a § 2081 FGC Incidental Take Permit (ITP) with compensatory mitigation for impacts,

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Ryan Leonard, Principal Planner
City of Hesperia
July 11, 2025
Page 5

in addition to the surveys that are recommended in the discussion of MM BIO-6. The exceptions and permitting process under the California Desert Native Plants Act and the separate exceptions under the Native Plant Protection Act will not apply to western Joshua tree in any manner. For projects where take is incidental to carrying out an otherwise lawful activity, an ITP may be obtained from CDFW. **The Project may also obtain take authorization through § 1927 of the Western Joshua Tree Conservation Act (WJTCA).**

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

COMMENT #3: Burrowing owl (*Athene cunicularia hypugaea*)

Section #4.4 Biological Resources, Page #68, 73, 76-77

Issue: The Project has the potential to significantly impact burrowing owl; a candidate species protected under CESA.

Specific impact: The Project may result in take of burrowing owl through Project activities such as mass grading. Additionally, the Project may lead to the permanent elimination of habitat for burrowing owls from warehouse development.

Why impact would occur: The MND states that suitable habitat is present onsite for burrowing owl; for example, sparse vegetation, burrows, and suitable soils. As a result, the MND included BIO-2 (see below). CDFW appreciates that BIO-2 considers focused surveys for burrowing owls and is in line with previous guidance provided by CDFW. However, CDFW would like to note that since burrowing owl became a CESA candidate species in March 2024, CDFW cannot accept relocation plans outside of a CESA ITP. Instead, BIO-2 should consider obtaining an ITP if

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Ryan Leonard, Principal Planner
 City of Hesperia
 July 11, 2025
 Page 6

burrowing owls are detected and impacts cannot be avoided. Thus, the change in regulatory status for burrowing owl requires changes to measure BIO-2 as recommended by CDFW below.

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-2 for inclusion in the final MND (edits are in ~~strike through~~ and **bold**):

MM-BIO-2 (Revised): Focused Burrowing Owl Survey

Although BUOW was not observed on site during the general wildlife survey, the BSA contains suitable habitat to potentially support BUOW in the future. A qualified biologist ~~shall would~~ conduct a focused BUOW survey in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW, 2012).

Following the completion of the survey, the biologist ~~shall would~~ prepare a letter report summarizing the results of the survey. The report would be submitted to the **CDFW and the City** prior to initiating any ground disturbance activities.

If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from Environmental Management Division of the San Bernardino County Department of Public Works (County EMD) and CDFW, project activities may begin and no further mitigation would be required.

If BUOW or signs of BUOW are observed during the survey, the site ~~shall would~~ be considered occupied **and the Project proponent shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts are unavoidable.** ~~The biologist would implement mitigation measure BIO-2 and contact the City of Hesperia, EMD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities. The list of potential measures to avoid and minimize impacts to BUOWs described below would be implemented.~~

~~BUOW Protection Measures~~

~~If BUOWs or signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City, EMD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures discussed below, prior to commencing project activities. If no BUOW or signs of BUOW are observed during the focused surveys, the components of this measure (discussed below) would not be applicable.~~

~~Planning BUOW Protection~~

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~~Grading, construction, and other project activities on all grassland habitat will be delayed until the qualified biologist has implemented burrow exclusion and closure. No ground disturbing activities within 165 feet of an active BUOW burrow will be permitted until burrow exclusion and closure have been implemented. No destruction of foraging habitat will be permitted until burrow exclusion and closure have been implemented.~~

~~Preconstruction BUOW Protection~~

~~Prior to the initiation of grading and construction activities, the biologist shall implement passive relocation of an active BUOW burrow by installing a one-way door and then permanently excluding the BUOW from returning once it is confirmed that no BUOW individuals remain in the burrow. A biological monitor will visit the site daily to verify that the burrow is empty by monitoring and scoping the burrow.~~

~~Construction BUOW Protection Measures~~

~~A biological monitor will be onsite to monitor any BUOW or signs of BUOW. If any BUOW are observed then the biologist will consult with the County EMD and CDFW to determine the appropriate measures.~~

Comment #4: Nesting Birds

Section #4.4 Biological Resources, Page #68, 69, 72, 73, 75-77

Issue: The Project has the potential to impact nesting birds, including CDFW Species of Special Concern (SSC), and common birds that are subject to Fish and Game Code Sections 3503, 3503.5, and 3513, and the Migratory Bird Treaty Act of 1918.

Specific Impact: Project implementation could result in the loss of nesting and/or foraging habitat for (non-)passerine and raptor species.

Why impact would occur: Nesting avian species could be directly or indirectly impacted during construction and for the life of the Project through the removal of potential foraging habitat, loss of and/or modification of habitat features, construction of warehouses, installation of new artificial lighting, creation of noise and vibration, and the removal of vegetation. Nest destruction, nest abandonment, behavioral disturbance, increased risk of predation, and degradation of suitable habitat could also lead to significant impacts to nesting avian species and local populations.

The MND indicates that pre-construction nesting bird surveys would only occur during February-August. However, CDFW recommends the completion of nesting bird survey regardless of time of year to ensure compliance with all applicable laws pertaining to nesting and to avoid take of nests. This is in consideration that the timing of the bird nesting season varies greatly depending on several factors, such

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as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have also observed that changing climate conditions may result in the nesting bird season occurring earlier and/or later in the year than historical nesting season dates.

Evidence impact would be significant: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto.

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less than significant: CDFW offers the following revisions to BIO-5 for inclusion in the final MND (edits are in ~~strike~~ and **bold**):

MM-BIO-5 (Revised): Pre-Construction Breeding Bird Survey

To maintain compliance with the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.

Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.

- ~~If project activities cannot be avoided during February 15 through September 15,~~ a **A** qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project

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disturbance. The survey will be conducted ~~at least seven days~~ **within 72 hours** prior to the onset of scheduled activities, such as mobilization and staging. ~~It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.~~

- If no breeding birds or active nests are observed during the pre-construction survey or they are observed and **the qualified biologist determines they** will not be impacted, project activities may begin and no further mitigation will be required.

- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.

- If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency, **including CDFW**, to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency, **including CDFW**.

- Birds or their active nests will not be disturbed, captured, handled or moved. ~~Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.~~

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The

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types of information reported to CNDDDB can be found at the following link:
<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Steven Recinos, Environmental Scientist at 909-731-5954 or by email at Steven.Recinos@wildlife.ca.gov.

Sincerely,

DocuSigned by:

6BBFAB19FE504F9...
For Alisa Ellsworth
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@lci.ca.gov

ATTACHMENTS

Attachment A: Mitigation Monitoring Reporting Plan

REFERENCES

California Department of Fish and Wildlife. 2023. Mohave Ground Squirrel Survey Guidelines.

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California Department of Fish and Game. 2003. CDFG [currently CDFW] unpublished guidelines. Mohave Ground Squirrel Survey Guidelines. January 2003; minor process and contact changes in July 2010). Sacramento, CA

California Department of Fish and Wildlife. 2019. Mohave Ground Squirrel Range-CWHR M073 [ds908]. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System.

California Natural Diversity Database (CNDDDB) Government [ds45]. 2024. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System.

Attachment A

Mitigation Monitoring and Reporting Plan

Biological Resources (BIO)		
Mitigation Measure (MM)	Implementation Schedule	Responsible Party
<p>MM BIO-6</p> <p>Visual surveys for Mohave ground squirrel shall be conducted by a qualified biologist prior to ground disturbing activities. Visual surveys shall be conducted between March 15 and April 15 according to the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines (CDFW 2023). Visual surveys shall be conducted on the Project site during daylight hours by a qualified biologist who can readily identify Mohave ground squirrel and white-tailed antelope squirrel (<i>Ammospermophilus leucurus</i>). If the survey or monitoring throughout the duration of the Project confirms presence of Mohave ground squirrel, the Project proponent shall fully avoid impacts to Mohave ground squirrel or should obtain an Incidental Take Permit (ITP) for Mohave ground squirrel if impacts are unavoidable.</p>	<p>Prior to initiation of all ground disturbing activities</p>	<p>Project proponent and Qualified Biologist</p>

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<p>MM BIO-1</p> <p>Western Joshua trees are a state candidate for listing under CESA and will require a § 2081 FGC Incidental Take Permit (ITP) with compensatory mitigation for impacts, in addition to the surveys that are recommended in the discussion of MM BIO-6. The exceptions and permitting process under the California Desert Native Plants Act and the separate exceptions under the Native Plant Protection Act will not apply to western Joshua tree in any manner. For projects where take is incidental to carrying out an otherwise lawful activity, an ITP may be obtained from CDFW. The Project may also obtain take authorization through § 1927 of the Western Joshua Tree Conservation Act (WJTCA).</p> <p>Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the Project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree through the payment of in lieu mitigation fees. For the current fees, please visit: Western Joshua Tree Conservation Act Incidental Take Permit. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. (4) CDFW may require the</p>	<p>Prior to initiation of all ground disturbing activities</p>	<p>Project proponent</p>
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<p>permittee to relocate one or more of the western Joshua trees.</p>		
<p>MM BIO-2</p> <p>Although BUOW was not observed on site during the general wildlife survey, the BSA contains suitable habitat to potentially support BUOW in the future. A qualified biologist shall conduct a focused BUOW survey in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW, 2012).</p> <p>Following the completion of the survey, the biologist shall prepare a letter report summarizing the results of the survey. The report would be submitted to the CDFW and the City prior to initiating any ground disturbance activities.</p> <p>If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from Environmental Management Division of the San Bernardino County Department of Public Works (County EMD) and CDFW, project activities may begin and no further mitigation would be required.</p> <p>If BUOW or signs of BUOW are observed during the survey, the site shall be considered occupied and the Project proponent shall fully avoid impacts to burrowing owl or should obtain a CESA ITP if impacts are unavoidable.</p>	<p>Prior to initiation of all ground disturbing activities</p>	<p>Project proponent and Qualified Biologist</p>
<p>MM BIO-5</p> <p>To maintain compliance with the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.</p>	<p>Prior to initiation of all ground disturbing activities</p>	<p>Project proponent and Qualified Biologist</p>

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<p>Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts to migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.</p> <ul style="list-style-type: none"> • A qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted within 72 hours prior to the onset of scheduled activities, such as mobilization and staging. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and the qualified biologist determines they will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more 		
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Ryan Leonard, Principal Planner
 City of Hesperia
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<p>tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.</p> <ul style="list-style-type: none"> • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency, including CDFW, to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency, including CDFW. • Birds or their active nests will not be disturbed, captured, handled or moved. 		
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ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER F – LOZEAU DRURY



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
kyleh@lozeaudrury.com

Comment Letter F

July 16, 2025

Via Email

Ryan Leonard, Senior Planner
Planning Department
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
rleonard@cityofhesperia.us

Re: Comment on Mitigated Negative Declaration, Cargo Solutions Truck Warehouses Hesperia Project (SCH 2025060948)

Dear Mr. Leonard:

This comment is submitted on behalf of Supporters Alliance For Environmental Responsibility (“SAFER”) regarding the Initial Study and Mitigated Negative Declaration (“IS/MND”) prepared for the Cargo Solutions Truck Warehouses Hesperia Project, which proposes the development of two truck warehouse buildings totaling 151,788 square-feet on an approximately 20.32-acre site at the southeast intersection of Poplar Street and Three Flags Avenue on Accessor’s Parcel Numbers 3064-591-17, -18, -12, and -13 and 3064-631-01 in the City of Hesperia (“Project”).

SAFER is concerned that the IS/MND is improper under the California Environmental Quality Act due to the IS/MND’s failure to adequately assess and mitigate the Project’s potentially significant environmental impacts. SAFER requests that an environmental impact report be prepared for the Project rather than an MND because there is a fair argument that the Project may have adverse environmental impacts. An EIR will ensure that potentially significant impacts of this Project are fully disclosed, analyzed, and mitigated.

F-1

SAFER reserves the right to supplement this comment throughout the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

A handwritten signature in black ink that reads "Kylah Staley".

Kylah Staley
Lozeau Drury LLP

**ATTACHMENT E: PUBLIC AGENCY COMMENT LETTERS: COMMENT LETTER G - CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 8
464 WEST 4TH STREET
SAN BERNARDINO CA, 92401
(909) 963-8604
www.dot.ca.gov

Comment Letter G



July 21, 2025

Route & Postmile #: I-15/32.945
Cross Street: Southeast intersection of Three Flags Ave and Polar St.
GTS ID: 35673

City of Hesperia
Planning Division
Attn: Ryan Leonard
9700 Seventh Avenue,
Hesperia, CA, 92345

Subject: Cargo Solution Truck Warehouse and Truck Stop Hesperia Project

The California Department of Transportation (Caltrans) Local Development Review (LDR) branch has completed its review of the Initial Study/Mitigated Negative Declaration (IS/MND) and related documents for the proposed Cargo Solution Truck Warehouse and Truck Stop Hesperia Project.

The proposed project involves the development of two truck warehouse buildings with associated parking and circulation improvements on an approximately 20.32-acre site located at the southeast intersection of Polar Street and Three flags Avenue in the City of Hesperia, California (APNs: 3064-591-17, -18, -12, -13, and 3064-631-01). The site is currently vacant and designated as Commercial/Industrial Business Park (CIBP) within the Main Street and Freeway Corridor Specific Plan. The proposed development includes Truck Warehouse Building 1 on the western portion of the site (approximately 10.52 acres) and Truck Warehouse Building 2 on the eastern portion (approximately 9.8 acres), with each building featuring a dedicated parking lot and circulation areas to accommodate truck and employee vehicle access.

Site improvements will include building construction, loading docks, landscaping, driveways connections, internal drive aisles, stormwater infrastructure, lighting, and utility connections. Access to the project site is proposed via new driveways along Polar Street and Three Flags Avenue. The project is anticipated to generate new vehicle and truck trips that may impact local and regional traffic operations, including potential indirect effects on the State Highway System, particularly Interstate 15 (I-15), which is located approximately 1.5 miles west of the site. A traffic Impact Analysis will be prepared to evaluate project trip generation, intersection operations, and any necessary mitigation measures.

Construction is expected to commence in mid-2026 and take approximately 12 to 18 months to complete. The project is designed to comply with the City's Zoning standard for the CIBP designation, with operations primarily conducted within enclosed buildings to minimize

environmental impacts such as noise, emission, and light spillover.

Based on the information provided in the environmental documents made available for public review, we are submitting the following comments and recommendations for your consideration.

General:

1. Please include responses to the comments in this memorandum for your next review submittal.
2. Please see the attached pages for additional comments.

Safety Reviews:

3. The proposed project will generate additional trips on the State Highway System on US-395 and I-15. Please provide a Safety Analysis Report for I-15 and US-395 facilities affected by the proposed project. The Safety Analysis Report shall follow the attached guidance. See the attached guidance: Local Development Review (LDR) Safety Review Practitioner's Guidance. Please follow the steps below:
 - a. To request crash data on the State Highway System, please submit your request via our California Public Records Act (CPRA) portal at mycusthelp.com.
 - b. Please analyze the existing crash data and discuss project's impact on safety as needed.
 - c. Provide appropriate countermeasures to mitigate/reduce project's impact as needed.

G-1

Traffic Analysis Report:

4. Per previous review, the project is in the vicinity of I-15 facility on Main Street. Please include study area intersections for I-15 ramp/Main Street intersections, and street intersections leading to the project site in the TIA (for example, Mesa Linda St/Main St Intersection).
5. Please include Northbound and Southbound I-15 off-ramp to Main St in the queuing analysis of the report. →
6. Please consider using the Intersection Safety and Operational Assessment Process (ISOAP) evaluation for recommending improvements at the proposed traffic signal intersection of US-395 and Poplar Street (refer to the attached ISOAP memo dated September 10, 2024).
7. Truck Services specialist should review and concur with truck-related items in the report. →
8. A 2% per year growth rate is applied to background traffic, but there's no reference to SCAG, SBCTA, or Caltrans sources. Using a generic rate without justification can lead to inaccurate forecasts. Recommend supporting the growth assumption with data from a regional travel demand model or Caltrans resources.
9. Although the project description includes a truck stop with 8 fueling stations, the TIA only analyzes two warehouses. This may underestimate traffic impacts. Recommend updating the TIA to include truck stop traffic or confirming its removal from the project.
10. Although the TIA models area-wide traffic impacts, it does not confirm whether or how project-generated trips utilize Caltrans facilities such as US-395 or the I-15 ramps. The trip description states that approximately 60 percent of vehicle trips will come from or go to the Main Street ramps. However, the TIA does not include the Main Street ramps or the Main Street and Mesa Linda Street intersection in the list of analyzed intersections. This omission is concerning, as these are key access points to the regional transportation network. Additionally, based on the provided trip distribution figures, it is difficult to accept the assumption that no trucks associated with the project will use the Main Street ramps. It is recommended that the TIA clearly identify which Caltrans facilities will carry project

G-2
G-3
G-4
G-5
G-6
G-7
G-8

traffic, quantify the number of trips expected to use each route, and include the relevant intersections in the traffic analysis. This information is critical for a transparent and complete assessment of potential impacts on state facilities.

↑
G-8

11. The background traffic volumes on US-395 and I-15 appear to be escalated from nearby local studies, but the TIA does not provide a complete reference to the source studies or include the full reports or trip count sheets. Additionally, these background volumes are not cross validated against Caltrans Performance Measurement System (PeMS) data or Caltrans traffic count station data. For consistency and transparency, recommend including the complete local study report or at minimum the relevant traffic count sheets used for background traffic estimation. Also recommend validating existing and future traffic volumes on Caltrans facilities using Caltrans PeMS or count station data to ensure alignment with actual observed trends and to support defensible forecasting.

G-9

12. The TIA should address the horizon year assumption. The selected 2040 horizon is only 14 years beyond the project opening year (2026), not the typical 20- year planning horizon recommended for long-range traffic analysis.

G-10

Initial Study/Mitigated Negative Declaration (IS/MND):

13. The project affects Caltrans intersections (e.g., US-395), but the IS/MND and TIA do not state whether work will occur in Caltrans right-of-way or if an encroachment permit is needed. Recommend clarifying this and identifying any required Caltrans permits.

G-11

14. The TIA explains that a traffic signal at US-395 and Poplar Street must be installed by either this project or another (I-15 Industrial Park), depending on timing. The IS/MND does not clearly state who is responsible if Cargo Solutions is built first. Recommend adding a clear condition of approval that defines signal installation responsibility and reimbursement terms.

G-12

15. While the VMT screening memo is referenced in the appendix, the IS/MND briefly says the site is in a "low VMT area" without explaining why or how that was determined. Recommend including a brief explanation or summary of the VMT screening criteria and findings in the IS/MND's transportation section.

G-13

Equitable Access

If any Caltrans facilities are impacted by the project, they must comply with the American Disabilities Act (ADA) Standards upon project completion. Additionally, the project must ensure the maintenance of bicycle and pedestrian access throughout the construction phase. These access considerations align with Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

G-14

Caltrans Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (R/W) requires a Caltrans-issued encroachment permit.

G-15

For information regarding the Encroachment Permit application and submittal requirements, contact:

Caltrans Office of Encroachment Permits
464 West 4th Street, Basement, MS 619
San Bernardino, CA 92401-1400
(909) 383-4526

D8.E-permits@dot.ca.gov

<https://dot.ca.gov/programs/traffic-operations/ep>

Important Note: All permit applications must now be submitted

through our CEPS Online Portal at: <https://ceps.dot.ca.gov/>

Currently, no further review from the Local Development Review (LDR) Branch is required. Please be advised that LDR's point of contact role will conclude upon the completion of the development entitlement process. Once the project is entitled, the Encroachment Permit Office will serve as the primary point of contact moving forward.

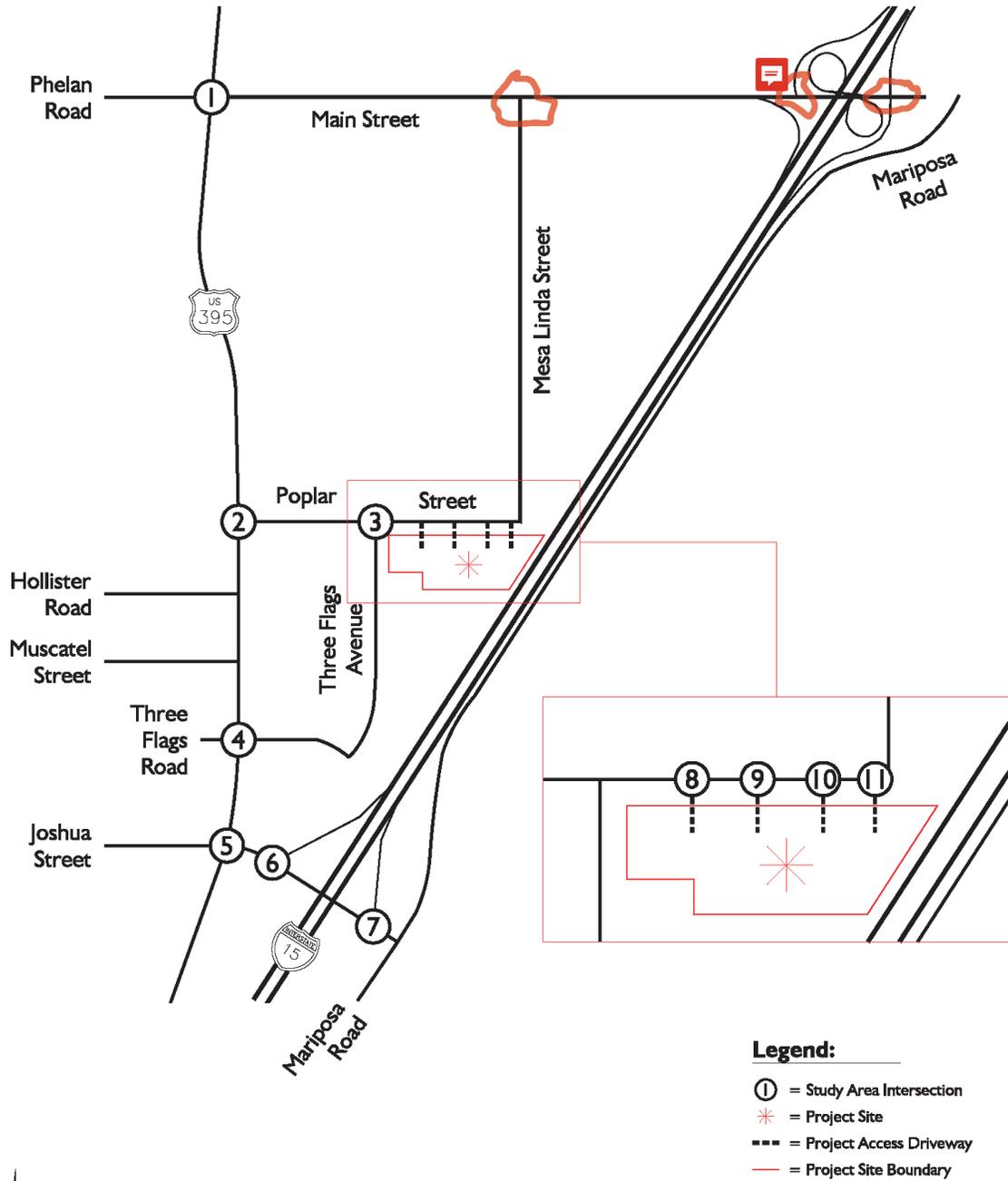
Thank you again for including Caltrans in the review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D8@dot.ca.gov or call 909-963-8604.

Sincerely,



Janki Patel
Branch Chief - Local Development Review
Division of Transportation Planning
Caltrans District 8

Exhibit I-1
Location Map



Legend:

- ① = Study Area Intersection
- * = Project Site
- = Project Access Driveway
- = Project Site Boundary



3.0 Existing Conditions & Circulation System

This section provides a discussion of existing study area conditions and traffic volumes.

3.1 Existing Traffic Controls & Intersection Geometrics

The *I-15 Industrial Park Project Traffic Impact Analysis*, dated October 2022, prepared by Dudek, is one of the most recently performed traffic impact analyses in the study area. The I-15 Industrial Park project is located south of Main Street, north of Poplar Street, and adjacent to the proposed Cargo Solution Express Warehouse Project.

To ensure consistency between the traffic impact analysis prepared by Dudek and within this analysis, the lane configurations and traffic controls illustrated in Figure 16 of the Dudek report have been utilized in this analysis and is shown in **Exhibit 3-1**.

One exception, however, is the intersection of Three Flags Avenue at Poplar Street (i.e., Int. #3). This study intersection has been identified in this analysis to be a three-legged intersection with south, east, and west legs. Figure 16 of the Dudek report denotes this intersection as a four-legged intersection. The north leg is proposed to be Lassen Road, a two-lane undivided arterial to be located between Poplar Street and Sultana Street. This roadway is not currently built and therefore the lane configurations have been adjusted accordingly.

Exhibit 3-1 identifies the roadway conditions, number of through traffic lanes, and intersection controls for the study area. The type of traffic control and number of lanes at an intersection are key inputs for the calculation of level of service.

3.2 Existing Traffic Volumes

Existing conditions traffic volumes are based on the 2021 peak hour traffic volumes displayed on Figure 17 of the Dudek report. A two percent (2%) annual growth rate has been applied for three (3) years (i.e., 6% total growth) to the 2021 peak hour traffic volumes to establish existing (2024) traffic volumes for the study intersection.

Existing Conditions (2024) weekday AM and PM peak hour volumes for the key study intersections are shown on **Exhibit 3-2**.

3.3 City of Hesperia General Plan Circulation Element

The City of Hesperia's Traffic Circulation Plan illustrates each roadway's street classification within the City of Hesperia and is shown in **Exhibit 3-3**.

Therefore, the cumulative analyses set forth below are conservative and could result in greater impacts than anticipated. Additionally, the analysis utilizes an ambient growth rate of two percent (2%) per year, which would already capture and account for most projects in the area. The growth rate methodology is considered conservative since it is applied to all movements in all the study intersections.

4.3 Planned Roadway Improvements

As documented in Section 5.1.1 of the *I-15 Industrial Park Project Traffic Impact Analysis*, dated October 2022, prepared by Dudek, several roadway improvements are planned as part of the I-15 Industrial Park development. However, to conservatively assess the level of service impacts associated with the proposed project, only roadway improvements that facilitate vehicular flow stemming from the I-15 Industrial Park project were considered (i.e., new legs to intersections). Consequently, roadway improvements aimed at improving intersection level of service (e.g., capacity improvements, traffic control devices, etc.) were not assumed. Additionally, the future year traffic analysis incorporates provisions for future traffic corridors to accommodate the flow of vehicles originating from adjacent cumulative projects. As a result, the following roadway improvements have been reviewed and incorporated in all future scenarios, (i.e., Project Opening Year (2026) Conditions and Horizon Year (2040) Conditions) as shown in **Table 4-3**:

**Table 4-3
Planned Roadway Improvements**

Study Intersection / Roadway	Planned Improvement
<u>Study Intersection #2</u> U.S. Route 395 (NS) at Poplar Street  (Dudek Intersection #13)	The west leg of U.S. Route 395 at Poplar Street will be built to consist of one left-turn pocket and one shared through/right-turn lane.
<u>Study Intersection #3</u> Three Flags Avenue (NS) at Poplar Street (EW) (Dudek Intersection #16)	Lassen Road is to be built to a half width, with the ultimate ROW and Curb-to-Curb buildout pending development east of the roadway. Vehicles would be able to travel northbound and southbound along Lassen Road.
Poplar Street	Poplar Street is to be built to a 100-foot ROW, with a 72-foot Curb-to-Curb width. It must be noted that these widths proposed with the development of the Project appear to match the arterial classification.

The planned and project-specific intersection and roadway improvements are shown in **Exhibit 4-9: Future Year Traffic Controls & Intersection Geometrics**.

Memorandum

To: DISTRICT DIRECTORS
DEPUTY DIRECTORS
DIVISION CHIEFS

Date: September 10, 2024

From: DAVID MAN *David S Man*
Chief, Division of Traffic Operations

RACHEL CARPENTER *Rachel Chowdhury*
Chief Safety Officer

LISA RAMSEY *Lisa Ramsey*
Acting Chief, Division of Design

Subject: **INTERSECTION SAFETY AND OPERATIONAL ASSESSMENT PROCESS (ISOAP)**

This memorandum updates the process the Department uses to evaluate proposed traffic control and design geometrics for intersections and other access improvements proposed on the State Highway System. Intersection Safety and Operational Assessment Process (ISOAP) is an update and renaming of Intersection Control Evaluation (ICE) and supersedes Traffic Operations Policy Directive 13-02 and the August 23, 2013, memorandum "Intersection Control Evaluation (ICE) and Design Guidance." ISOAP places a greater emphasis on road safety performance consistent with the strategic direction of the Department. Intersection geometry and traffic control shall be determined through a performance-based analysis that considers all users and supports the principles of the Safe System Approach.

The ISOAP Information Guide shall govern the procedures for the performance-based determination analysis, including data collection, parameter choice, analysis methodology and scenarios, performance measures, review process, and reporting format.

Any project that has started using the existing ICE procedures and guidance may continue to do so provided that district acceptance and approval is received by November 15, 2024. All other proposed intersection improvements shall follow the ISOAP procedures.

Projects initiated by others using the existing ICE procedures and guidance that have prior consultation or an encroachment permit submittal with Caltrans and completed environmental process by November 15, 2024, may continue to do so through completion.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

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September 10, 2024
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Any requests for exceptions to ISOAP must be approved by both Divisions of Safety Programs and Traffic Operations. The District ISOAP Coordinators will facilitate any proposed exception.

If you have questions about ISOAP, please contact Zifeng Wu, Chief of Transportation System Analysis Branch, at (916) 764-4074 or by email at <zifeng.wu@dot.ca.gov>.

c: Said Ismail, Deputy Division Chief, Division of Traffic Operations
Sri Balasubramanian, Deputy Division Chief, Division of Traffic Operations
Zhongren Wang, Chief, Office of Mobility and System Performance, Division of Traffic Operations
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Pyo Hong, Chief, Office of Standards and Procedures, Division of Design
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Zifeng Wu, Chief, Transportation System Analysis Branch, Division of Traffic Operations

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