

**CITY OF HESPERIA INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
ND-2009-09**

PROJECT DESCRIPTION

1. **Project Title:** Hesperia Recycling Market Development Zone
2. **Lead Agency Name:** City of Hesperia and Hesperia Community Redevelopment Agency
Address: 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Persons:** Lisette Sánchez-Mendoza, Assistant Planner
(760) 947-1651.
4. **Project Location:** The Hesperia Recycling Market Development Zone (RMDZ) includes the entire incorporated area of the City of Hesperia. The RMDZ program would assist industrial properties generally located adjacent to the Interstate 15 (I-15), along Main Street, Hesperia Road, and south side of Bear Valley Road, the industrial corridor between Santa Fe Avenue and "I" Avenue (north of Main), and the Hesperia Airport and lands to the south of the airport. See Exhibit "A"
5. **Project Sponsor:** Same as Lead Agency
6. **General Plan Designations:** Rural Estate, Very Low, Low, Medium High, and High Residential Density; Commercial, Office-Professional, Industrial, Industrial/Commercial, Public, Open Space, Special Development, and Planned Mixed Use (Main Street and Freeway Corridor Specific Plan).
7. **Zoning:** Limited Agricultural, General Agricultural, Administrative/Professional Office, Neighborhood Commercial (C-2), General Commercial, Service Commercial, Floodway, Limited Manufacturing, General Manufacturing, Light Industrial, Restricted Manufacturing, and Public-Institutional, Single-family Residential (R-1), Multifamily Residential, Rural Residential. In the Main Street and Freeway Corridor Specific Plan, zones include Rural, Very Low, Low, Medium, and High Density Residential Zone, Mixed-Use, Regional Commercial, Auto Sales Commercial, Office Park, Office Commercial, Pedestrian Commercial, Neighborhood Commercial, Commercial Industrial Business Park, and General Industrial.

Description of project: The Recycling Market Development Zone (RMDZ) program combines recycling with economic development to fuel new businesses, expand existing ones, create jobs, and divert waste from landfills. The State of California allows 40 authorized zones to be designated as a Recycling Market Development Zone. The City's zone would cover approximately 75 square miles. The Recycling Market Development Zone program would run for 10 years beginning in 2009 and ending in 2019. The program provides attractive loans, technical assistance, and free product marketing to businesses that use waste material to manufacture their products. Businesses in the Recycling Market Development Zone are eligible for exclusive state incentives and programs including: potential assistance provided by local zone administrators and the California Integrated Waste Management Board. The RMDZ program provides direct loans to businesses and nonprofits that are located in a Recycling Market Development Zone. The purpose of these loans is to promote market development for waste materials.

Eligible projects must increase diversion of nonhazardous solid waste from California landfills and must also incorporate one of the three following points:

1. Result in a meaningful net reduction in the amount of solid waste created from the production of a product.
2. Produce a new product from a finished product that has served its useful life.
3. Manufacture with recycled materials or produce a recycled material that can be used as a raw material in manufacturing.

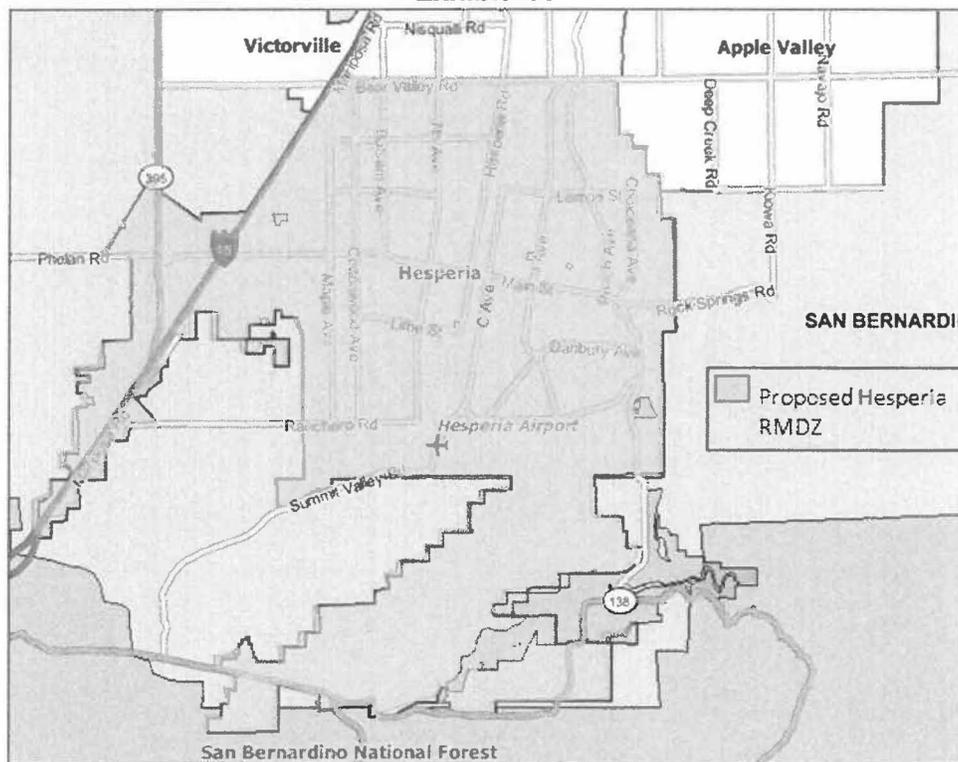
Although the Hesperia Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zones including the Light Industrial, Restricted Manufacturing, Limited Manufacturing, General Manufacturing, Commercial Industrial Business Park, and General Industrial. The projected growth within the industrial area is anticipated to create one industrial manufacturer on land up to 5 acres per year through the ten years of the zone’s lifespan. The City has approximately 3,085 acres of industrially zoned property. No new development is expected in residential areas. Although no development is anticipated within the commercial zone, the impact of any proposed development within this zone has already been considered within the Main Street and Freeway Corridor Specific Plan EIR and General Plan EIR.

The subsequent sections of this initial study include a discussion of potential impacts of Implementation of the Recycling Market Development Zone program.

9. Surrounding land uses and setting: Land Uses surrounding the Recycling Market Development Zone vary greatly, and include residential, commercial, industrial, and open space. Surrounding land uses and settings are similar to lands in the project area. The undeveloped areas include undisturbed native vegetation and some land is particularly covered with debris. The City of Victorville and Spring Valley Lake (County of San Bernardino) are located to the north. The City of Victorville is also located to the west and northwest. Additional land within the County of San Bernardino as well as Rancho Las Flores and Summit Valley Ranch are located to the south. The City is bounded by the Mojave River the east. The Town of Apple Valley and additional land within the County of San Bernardino are located on the east side of the Mojave River to the east. The Community of Oak Hills, also part of the County of San Bernardino, is located to the west and southwest.

10. Other public agency whose approval is required: California Integrated Waste Management Board.

Exhibit “A”



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

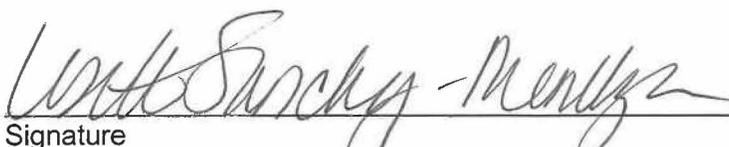
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (Completed by the Lead Agency)

On the basis of this initial evaluation:

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


 Signature
 Lisette Sánchez-Mendoza, Assistant Planner, Hesperia Planning Division


 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista (1)?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (1)?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings (1, 2 & 3)			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (1, 2, 3 & 26)?			X	

Comments: Although the Hesperia Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zones including the Light Industrial, Restricted Manufacturing, Limited Manufacturing, General Manufacturing, Commercial Industrial Business Park, and General Industrial. The projected growth within the industrial area is anticipated to create industrial development up to 5 acres per year through the ten years of the zone’s lifespan. The City has approximately 3,085 acres of industrially zoned property. No new development is expected in residential areas. The impact of any new development within this zone has already been considered within the Main Street and Freeway Corridor Specific Plan EIR and General Plan EIR.

Development is subject to design standards in the Main Street and Freeway Corridor Specific Plan, and Title 16 zone district regulations of the Development Code (2, 3 & 4), which limit the building height and provide for minimum yard and lot coverage standards as implemented through the planning and building permit review process. Further, new development will be consistent with the goals and objectives of the General Plan. Consequently, development of the area will not degrade the existing visual character or quality of the area and its surroundings. These impacts were analyzed by the Hesperia General Plan’s Program Environmental Impact Report (PEIR) and Main Street and Freeway Corridor Specific Plan EIR. Therefore, development within the project area would have a less than significant impact upon aesthetics.

Development within the Hesperia Recycling Market Development Zone will increase lighting in and around the project area. Lighting impacts will be generated by on-site parking lot and facilities lighting, vehicle lighting, and landscaping and signage lighting. However, any light or glare produced would be subject to the City’s Development Code and Main Street and Freeway Corridor Specific Plan, which limits the amount of light produced at the boundary of the site (26). Even after all applicable mitigations have been applied, the General Plan and Main Street and Freeway Corridor Specific Plan EIRs determined lighting and glare impacts to be significant and unavoidable. Development of the project would not have an overall additional negative impact upon aesthetics that has not already been considered by these EIRs.

According to the Conservation Element of the Hesperia General Plan, the City has two historic structures. In 1915 Roy Walters constructed a store located on Hesperia Road and Juniper Street, which still stands. Another historic building is the old school house, built in 1891 located on Main Street near the railroad. As new development occurs throughout the Recycling Market Development Zone, the City will determine on the project-by-project basis whether an individual development may impact historical buildings. No scenic highways exist in the Recycling Market Development Zone. As a result, the Recycling Market Development Zone impacts upon scenic resources, historic buildings, or a scenic highway will be less than significant.

According to the Main Street and Freeway Corridor Specific Plan, future development will alter the existing rural visual character, including open space with natural topography and vegetation, and sweeping vistas, with retail, office, industrial urban development. To protect the existing visual resources, the goal of the Urban Design Framework is to develop the Specific Plan area as a system of spaces, structures, and pathways rather than as linear strips of unrelated buildings and undefined streetscapes. The Urban Design Framework connects open space areas, including parks and schools, with a network of landscape corridors along Main Street, Sultana Street, and Live Oak Street. With incorporation of the goals, policies, and features of the Specific Plan, including the Urban Design Framework, the impact to aesthetics will be less than significant (2).

The land use plan within the General Plan and Specific Plan identifies large areas where future residential, commercial and industrial development will occur. The Hesperia General Plan's Final EIR and the Main Street and Freeway Corridor Specific Plan EIR analyzed the impacts on aesthetics. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with cumulative impacts (43 & 44). Inasmuch as this project is within the limitations of the adopted land use plan, no additional impact beyond that identified within these EIRs would occur.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use (4)?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (5)?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use (5)?				X

Comments: According to the U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland." The project is located within an urbanized area which, according to the SCS, is not considered prime farmland.

The Hesperia Recycling Market Development Zone includes approximately 74 acres of prime farmland of which 26 acres are currently used for alfalfa farming, 41 acres of Farmland of Statewide Importance, and 78 acres of Unique Farmland. Although the Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zones. No new development is expected in any prime farmland.

The Hesperia Recycling Market Development Zone includes residential properties zoned Limited Agriculture (A-1) and General Agricultural (A-2)(5). However, land zoned A-1 and A-2 are intended for single-family residences, and are allowed to have livestock and operate horticultural uses. These lands are not subject to a Williamson Act contract and not considered significant farmland. Therefore, the Recycling Market Development Zone will not have an impact upon agricultural resources.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan (6) ?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation (6) ?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) (6) ?			X	
d) Expose sensitive receptors to substandard pollutant concentrations (1, 2, 3 & 5) ?			X	
e) Create objectionable odors affecting a substantial number of people (2) ?				X

Comments: The build out of the Hesperia Recycling Market Development Zone is required to be consistent with the current General Plan land use designations. These land use designations have been, and will continue to be, the basis for air quality management planning undertaken by the Mojave Desert Air Quality Management District (MDAQMD). As a result, it is expected that the build out of the Recycling Market Development Zone will be consistent with the air quality plans in place at this time, or which may be developed during the life of the project. The Mohave Desert Air Basin’s air quality management plan utilized the City’s local planning documents to develop the measures which should be implemented to achieve the air quality attainment goals. Since the development that occurs in the Recycling Market Development Zone is allowed by local land use plans, it is considered compatible with air quality management plans **(6)**.

Both short-term (construction) and long-term (operational) emissions associated with the development were considered. Short-term airborne emissions will occur during the construction phase related to demolition, site preparation, land clearance, grading, excavation, and building construction; which will result in fugitive dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. Construction activities generally do not have the potential to generate a substantial amount of odor. The primary source of odor associated with construction activities are generated from the combustion petroleum products by equipment. However, such odor is part of the ambient odor environment of urban areas. In addition, the contractor will be required to obtain all pertinent operating permits from the MDAQMD for any equipment requiring such permits.

The United States Environmental Protection Agency and the California Air Resources Board have designated portions of the District non-attainment for a variety of pollutants, and some of those designations have an associated classification. Please refer to Table 1 for a chart of these designations and classifications.

Table 1
Non-attainment Designations and Classification Status

	State	Federal
Ozone (1-hour)	Attainment/moderate	Vacated
Ozone (8-hour)	Non-attainment	Non-attainment/moderate
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment/unclassified	Attainment/unclassified
Particulate Matter (PM10)	Non-attainment	Non-attainment/moderate
Particulate Matter (PM2.5)	Non-attainment	Attainment/unclassified
Nitrogen Dioxide	Attainment/unclassified	Attainment/unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, November 2007

Long-term emissions refer to those air quality impacts that occur after construction has been completed and these impacts will continue over the operational life of the development. The long-term air quality impacts associated with this project is mainly associated with mobile emissions created by motor vehicles. New development in the Hesperia Recycling Market Development Zone must be consistent with the City’s General Plan and Main Street and Freeway Corridor Specific Plan. The environmental impact reports for the General Plan and Specific Plan considered the impacts of new development and if they would violate or contribute substantially to any air quality standard (6). It also discussed the development’s impact on a cumulatively net increase of all criteria pollutants for federal or state non-attainment areas (Table 1) under an applicable ambient air quality standard. It was determined that impacts were significant and unavoidable. Since development promoted by the project’s impacts are no greater than those previously analyzed and discussed, the impacts of air pollutants are considered no greater than those considered in the environmental impact reports for the General Plan and Specific Plan.

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

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. Impacts to sensitive receptors were previously analyzed and discussed in the environmental impact reports for the City’s General Plan and Main Street and Freeway Corridor Specific Plan. Mitigation measures adopted by the EIRs will continue to be implemented in the Recycling Market Development Zone. The impacts to sensitive receptors in the Recycling Market Development Zone are less than significant.

Assembly Bill 32, effective as of January 1, 2007, requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California’s greenhouse gas emissions to 1990 levels by 2020. CARB has yet to adopt mandatory monitoring and reporting rules for significant sources of greenhouse gases or adopt a plan indicating how emission reductions will be achieved from significant greenhouse gas sources via regulations, market mechanisms and other actions. CARB is required to establish rules and standards by January 1, 2010. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines “for the mitigation of greenhouse

gas emissions or the effects of greenhouse gas emissions...” OPR has until July 1, 2009 to the State Resources Agency, which in turn has until January 1, 2010 to certify and adopt the regulations prepared by OPR. Similarly, CEQA provides no new guidance on significance criteria. Therefore, it is not possible to make a definitive determination on the significance of a project’s greenhouse gas emissions.

The development created as result of implementation of the Recycling Market Development Zone will be consistent with the current General Plan and zoning. Development in the General Plan was considered as part of the General Plan EIR. Inasmuch as new development is within the limitations, which was been analyzed under the EIR, no additional impact upon air quality beyond that analyzed in the EIR would occur.

The land use plan within the General Plan and Specific Plan identifies large areas where future residential, commercial and industrial development will occur. The Hesperia General Plan’s Final Environmental Impact Report and Main Street and Freeway Corridor Specific Plan EIR analyzed the impacts of air quality. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with cumulative impacts (43 & 44). Inasmuch as this project is consistent with the adopted land use plan, no additional impact beyond that identified within the General Plan and Main Street and Freeway Corridor Specific Plan EIRs would occur.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (1, 7 & 34)?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service (1, 7 & 34)?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (1 & 34)?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (1 & 34)?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (8 & 34)?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (8 & 34)?			X	

Comments: The Hesperia Recycling Market Development Zone includes vacant and developed lands. The General Plan and Main Street and Freeway Corridor Specific Plan EIR previously discussed the potential impacts of new development upon biological resources. This included candidate, sensitive, and special status species. It also discussed if new development would interfere or impede with fish and wildlife corridors, and potentially conflict with conservation plans. It discussed jurisdictional waters

and wetlands of the United States as defined by Section 401 and 404. It was determined that impacts to biological resources were less than significant (34). Therefore, project impacts to biological resources are less than significant.

As part of the land use application, the City requires that the project applicant to submit a biological report to determine if the site contains any state or federally listed endangered species pursuant legislation to protect the habitats of listed species as well as the species itself. If a listed endangered species is determined to be present, the proposed project may be revised to avoid or minimize effects to the species. The Hesperia Recycling Market Development Zone project area is not expected to support the Mohave Ground squirrel given the very low population levels of the species in the region. Due to the unpredictability of the presence of the burrowing owl, the City requires a pre-construction survey to be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.

The Hesperia Recycling Market Development Zone is located in areas listed as Category 0 and 3 habitat for the desert tortoise by the United States Bureau of Land Management (9). Class 3 habitat indicates that the probability of tortoise occurring is low, but that the area is still within the historic range. Class 0 habitat indicates that the area is considered outside of the historical range of the species and thus is not expected to occur. If development falls within Class 3, biological reports will be required for individual projects to determine if the tortoise is present.

A protected plant plan is also required whenever native plants exist on the property. This ensures that individual plants protected under the City’s Native Plant Protection Ordinance (8) which are capable of being transplanted, will be protected in place or relocated. The protected plant plan will require that these trees be transplanted within the project site, to be used as part of its on-site landscaping, or transplanted at an off-site location as part of a City approved adoption program.

If the circumstances surrounding a particular species or biological resource during the life of the Hesperia Recycling Market Development Zone should cause biological resource impacts to be deemed significant in the future, subsequent environmental documentation will be prepared and reviewed by the appropriate state agencies and/or federal agencies with jurisdiction.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 (9)?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (9)?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (9)?				X
d) Disturb any human remains, including those interred outside of formal cemeteries (9)?			X	

Comments: According to the Hesperia General Plan Conservation Element, the Hesperia Recycling Market Development Zone has a low potential for paleontological resources. Therefore, no impacts to paleontological resources exist. According to Figure CN-5 of the City’s General Plan there are areas known or suspected of containing sensitive cultural resources. The environmental impact reports for the City’s General Plan and Main Street and Freeway Corridor Specific Plan discussed and analyzed impacts upon cultural resources. As a result, it was previously determined that impacts to cultural

resources were less than significant with mitigation. As new development occurs throughout the Hesperia Recycling Market Development Zone, the City will determine on a project-by-project basis whether an individual development will require a historical and archaeological monitor present during grading.

No known active cemeteries occur within the Hesperia Recycling Market Development Zone. As such, no buried remains are expected to be found. However, should such remains be identified during the development of any project, California law requires that all activities cease, and that the appropriate law enforcement authorities be contacted. Further, should the remains be believed to be Native American, consultation with appropriate tribal representatives is required. This existing state law assures that the potential impacts which could result from implementation of the Recycling Market Development Zone will be mitigated to less than significant levels.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 (10).			X	
ii) Strong seismic ground shaking (11)?			X	
iii) Seismic-related ground failure, including liquefaction (4 & 12)?			X	
iv) Landslides (13)?				X
b) Result in substantial soil erosion or the loss of topsoil (4 & 13)?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (4 & 12)?			X	
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property (4 & 12)?			X	

Comments: According to Figure S-2 of the City of Hesperia General Plan, no active faults are known or suspected to occur within the Hesperia Recycling Market Development Zone. No Alquist-Priolo Special Studies Zones occur within the project area. As a function of obtaining a building final, new development will be built in compliance with the Hesperia Municipal Code and the Building Code (14), which ensures that the buildings will adequately resist the forces of an earthquake. Prior to issuance of a grading permit, a soil study is required to be provided, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be provided in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, the impact upon geology and soils associated with the proposed development is considered less than significant.

For any development project disturbing more than one acre of land area, the applicant is required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to the start of ground disturbing activities. Issuance of these permits

require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts.

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (2 & 3)?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (2 & 3)?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (1, 2 & 3)?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment (1)?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area (15)?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area (15)?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (16)?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (1 & 17)?				X

Comments: Development in the Hesperia Recycling Market Development Zone must comply with the City’s General Plan and development standards (2 & 3). Further, the transport, storage and use of hazardous materials and wastes are controlled by state and local regulations and laws that have been deemed adequate to reduce the potential for risk of hazardous conditions associated with these materials to a less than significant level. Any development as result of the Hesperia Recycling Market Development Zone will be reviewed for consistency with the Hesperia Emergency Evacuation Plan (16). Consequently, there is no impact upon hazards and hazardous materials associated with the proposed Hesperia Recycling Market Development Zone.

The following are facilities within the Hesperia Recycling Market Development Zone identified on the County’s list of hazardous sites:

- 13105 W. Main Street, 92345 - Shell Service Station
- 15787 W. Main Street, 92345 - Goodyear Tire & Rubber
- 15853 Main Street, 92345 – Gas Station with Convenience Store
- 11612 Mariposa, 92345 - US Rentals

- 9531 E. Santa Fe Street, 92345 - Hesperia Towing

The Hesperia Airport is located within the Hesperia Recycling Market Development Zone. Implementation of the Hesperia Recycling Market Development Zone does not involve any alteration or enlargement of the Hesperia Airport. Any expansion of the facility is not feasible due to the steep topography to the south and existing development on all other sides. Any redevelopment of the airport or surrounding site is required to comply with the City's General Plan, Municipal Code, and the Comprehensive Land Use Plan (CLUP) (15). No safety hazards to people or air operations associated with implementation of the project can be identified.

The Hesperia Recycling Market Development Zone is located within an urbanized area. All new structures will be constructed to the latest building standards including applicable fire codes. On February 3, 2009, the City adopted the Fire Hazard Severity Zone map prepared by the California Department of Forestry and Fire Protection (Cal-Fire) (28). Cal-Fire designated two small areas on the south side of the City in Rancho Las Flores and Summit Valley Ranch, as Very High Fire Severity Zones. Although the Hesperia Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zones.

VIII. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements (2 & 18)?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) (2)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (1 & 2)?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (1 & 2)?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (2)?				X
f) Otherwise substantially degrade water quality (2)?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map (2 & 19)?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (2 & 20)?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (2 & 19)?				X
j) Inundation by seiche, tsunami, or mudflow (1 & 13)?				X

Comments: New development has the potential to change absorption rates and drainage patterns, as well as affect the amount of surface water runoff. All drainage created on-site beyond that which has occurred historically, would be detained within a drainage system in accordance with City of Hesperia Resolution 89-16. The City has also adopted the Master Plan of Drainage (MPD) to construct all necessary major and local drainage facilities in the City. Each development is subject to pay development impact fees (DIF), a portion of which is allocated for off-site drainage improvements. As part of the Capital Improvement Program, funds are used to construct storm drains consistent with the MPD.

The MPD includes the Oro Grande and Antelope Valley Washes, which drainage areas of the wash will remain unimproved. The Oro Grande Wash is located on both sides of the freeway. The Antelope Valley Wash is located on the southeast portion of the Hesperia Recycling Market Development Zone. At the bottom of the each wash is a drainage easement to prevent development from occurring. According to the FEMA Flood Insurance Rate Maps (FIRMs), properties located within the Antelope Valley Wash are within flood zone AE, which is in a floodplain. However, no development is allowed to occur as the land is zoned Floodway and designated, by the General Plan, as Open Space. The remaining areas of the Hesperia Recycling Market Development Zone are within flood zone X, which are outside the floodplain. Therefore, impacts to hydrology are less than significant.

As a condition of approval of new development, the developer is required to apply for the NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. The developer is also required to provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off collection during construction. The Mojave River is located along the east boundary of the Hesperia Recycling Market Development Zone. NPDES and SWPPP requirements assure impacts to the Mojave River are less than significant.

The project is located over 60 miles from the Pacific Ocean at elevations more than 2,500 feet above mean sea level. The project is not located within areas with any potential for impact from mudflow. No potential for inundation by seiche and tsunami will be associated with new development. Therefore, the impact upon hydrology and water quality associated with the Hesperia Recycling Market Development Zone is considered less than significant.

IX. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community (1)?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (2, 3, 5 & 18)?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan (21)?				X

Comments: Although the Hesperia Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zones including Light Industrial, Restricted Manufacturing, Limited Manufacturing, General Manufacturing, Commercial Industrial Business Park, and General Industrial. The projected growth within the industrial area is anticipated to create industrial development on up to 5 acres per year through the ten years of the zone’s lifespan.

The City has approximately 3,085 acres of industrially zoned property. No new development is expected in residential areas. The impact of any proposed development within this zone has already been considered within the Main Street and Freeway Corridor Specific Plan EIR and General Plan EIR.

The EIRs for the City's General Plan and the Main Street and Freeway Corridor Specific Plan were developed during periods of considerably greater economic activity and population growth. Development assumptions used in these EIRs are greater than current or projected activity in the near future, due to the current recession. Therefore, any increase as a result of Recycling Market Development Zone project activities or programs will not accelerate development above what was previously considered in these EIRs.

As part of reviewing development projects, the City's review includes approval of site plans, building plans, and environmental evaluations to comply with CEQA. These approvals will include conditions of approval for projects. It is concluded that compliance with the terms and requirements of the City's Development Code and Main Street and Freeway Corridor Specific Plan is adequate mitigation to reduce the potential for land use conflicts associated with implementation of the project to a less than significant level.

Approval of the Recycling Market Development Zone is consistent with Land Use Goal No. L. G. 10, which promotes zoning and land use policies which ensure maximum utilization of existing facilities and infrastructure. The Recycling Market Development Zone is also consistent with Land Use Goal No. L.G.13, which encourages the management of land use so that development occurs in an orderly and beneficial manner, sensitive to opportunities and constraints imposed by the City's environmental, infrastructure, social and economic resources.

The Recycling Market Development Zone does not contain any known habitat or natural community conservation plans. No disruption or division of the physical arrangement of the established community will occur. Consequently, the overall impact upon land use associated with the Recycling Market Development Zone is considered less than significant.

The RMDZ will not create any new industrial zones near residential areas. Although the existing industrial area located north of Main Avenue between the BNSF Railroad and "I" Avenue is situated in the vicinity of residential areas, this zone pattern was established in the 1970's. These residential neighborhoods exist east of "I" Avenue and on the opposite side of the railroad to the west. However, these impacts were already considered as part of the EIRs for the General Plan and Main Street and Freeway Corridor Specific Plan. In terms of environmental justice, the social and economic statuses of the residents living here are similar to those in other residential areas in Hesperia and will not change as a result of implementation of the RMDZ. Therefore, the issues associated environmental justices have been considered and are determined to be less than significant.

The Land Use Plan within the General Plan, as well as the Specific Plan, identifies large areas where future residential, commercial and industrial development will occur. The Hesperia General Plan's Final Environmental Impact Report and Main Street and Freeway Corridor Specific Plan EIR analyzed the impacts of Land Use and Planning. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with cumulative impacts **(43)**. Inasmuch as this project is within the imitations of the adopted Land Use Plan, no additional impact beyond that identified within the General Plan and Main Street and Freeway Corridor Specific Plan EIRs would occur.

X. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (24)?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan (24)?				X

Comments: According to data in the Conservation Element of the City's General Plan, mineral resources have been identified within the project area, specifically Rancho Las Flores, the West Fork Mojave River.24). These resources are primarily located within wash areas and active stream channels. Although the Hesperia Recycling Market Development Zone includes the entire City of Hesperia, new development would occur primarily in the industrial zone. Consequently, no impact upon mineral resources is associated with new development proposed within the Hesperia Recycling Market Development Zone.

XI. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (2, 3, 15, & 25)?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (2, 3, & 25)?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (2, 3 & 25)?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (2 & 3)?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels (15)?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels (15)?				X.

Comments: Construction noise levels associated with any future construction activities would be slightly higher than the existing ambient noise levels in the Hesperia Recycling Market Development Zone. Noise generated by construction equipment, including trucks, graders, backhoes, well drilling equipment, bull-dozer, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. Development within the Hesperia Recycling Market Development Zone must adhere to the requirements of the City of Hesperia Noise Ordinance. Also, grading and construction activities are restricted to between 7:00 A.M. and 7:00 P.M., and prohibited on Sundays and federal holidays. Therefore, the short-term impact by construction activities is considered less than significant (2 & 3).

According to the City of Hesperia’s General Plan, the predominate noise sources are mobile sources which include motor vehicles and aircraft. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with new developments will be from traffic caused by arriving vehicles (employees, shoppers, and deliveries). The highest noise levels are located along the Interstate 15 freeway, Highway 395, Union Pacific and Burlington Northern and Santa Fe railroad lines, and arterial roadways, including Main Street, Bear Valley Road, Hesperia Road, and “I” Avenue. Noise levels around these facilities are projected to exceed 65 CNEL. Standard design treatments, such as insulation and doubled-paned windows, are readily available to ensure appropriate interior noise levels in residences and other noise-sensitive land uses. With implementation of mitigation from the environmental impact reports for the General Plan and Main Street and Freeway Corridor Specific Plan, noise created by vehicular sources in the project area is less than significant.

The Hesperia Airport is located within the Hesperia Recycling Market Development Zone. Implementation of the Recycling Market Development Zone does not involve any alteration or expansion of the Hesperia Airport. Since no development is currently proposed, it is infeasible to determine if activities could generate significant or excessive groundborne vibration or groundborne noise. Although unlikely, it is also infeasible to determine if explosives or other construction activities which could generate excessive groundborne noise or vibration will result. No potential adverse noise impacts to humans from airport operations are forecast to occur from implementing the project. Therefore, the impacts by noise generated by development are less than significant.

XII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (1 & 5)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere (1, 2 & 3)?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere (1, 2 & 3)?				X

Comments: Since development within the Recycling Market Development Zone must be consistent with the General Plan, its potential effect as a direct and indirect growth-inducing factor has been accounted for as part of the future residential development identified within the General Plan. Growth-inducing factors were also considered in the Main Street and Freeway Corridor Specific Plan EIR. Further, the Recycling Market Development Zone will not displace substantial number of housing or people and construction of replacement housing is not required. Therefore, the project’s impact on population and housing is less than significant.

The land use plan within the General Plan and Specific Plan identifies large areas where future residential, commercial and industrial development will occur. The Hesperia General Plan’s Final Environmental Impact Report and Main Street and Freeway Corridor EIR analyzed the impacts of Population and Housing. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with cumulative impacts (43 & 44). Inasmuch as this project is within the density limitations of the adopted land use plan, no additional impact beyond that identified within the General Plan and Main Street and Freeway Corridor Specific Plan EIRs would occur.

XIII. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for the new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services (1 & 2):			X	
Fire protection? (32)			X	
Police protection? (32)			X	
Schools? (32)			X	
Parks? (32)			X	
Other public facilities? (32)			X	

Comments: The Recycling Market Development Zone intends to promote development, which will result in an increase in public services. Development impact fees will be assessed at the time that building permits are issued for construction of any development (32). These fees are designed to ensure the appropriate levels of City resources necessary to serve any future development. Consequently, satisfactory levels of public services will be maintained. Therefore, the impact upon public services associated with development is considered less than significant.

XIV. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (2 & 3)?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (1, 2 & 3)?			X	

Comments: Development in the Recycling Market Development Zone will generate a growth in population, which will increase demand on recreational facilities. However, the Hesperia Recreation and Park District implements its parks and recreation master plan through collection of park fees and other means, designed to offset the impacts of increased population on recreational facilities. As development in the project boundary is expected to be consistent with General Plan land use designations, it is expected that development in the Recycling Market Development Zone will have a less than significant impact on recreational facilities.

XV. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) (2 & 3)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (33)?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks (15)?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (2 & 3)?			X	
e) Result in inadequate emergency access (2 & 3)?				X
f) Result in inadequate parking capacity?				X

Comments: The City of Hesperia General Plan Circulation Element is designed so the master-planned roadways operate at a Level of Service (LOS) of “D” for intersections and “C” for road segments (29). The LOS is a description related directly to a volume to capacity ratio of street segments and intersections. An LOS of C is equivalent to a volume to capacity ratio range of between 0.71 to 0.80. LOS F would have a 1.00 or greater volume to capacity ratio, which represents a street segment or intersection at or above it design capacity.

Build out of the Recycling Market Development Zone will result in significant increases in traffic throughout the area. However, the impacts will be no greater than those previously considered in the environmental impact reports for the General Plan and Main Street and Freeway Corridor Specific Plan. According the Main Street and Freeway Corridor Specific Plan, 17 intersections are projected to operate at unsatisfactory levels of service. Circulation improvements from the Nexus Study Arterial Project list in the Development Mitigation Nexus Study can be applied to the project study to improve level of service (40). With implementation of circulation improvements, impacts at these 17 intersections and freeways segments along the I-15 freeway within the study area will be reduced to a level below significance.

The City has established a Traffic Impact Mitigation Fee Program as part of the Development Impact Fee (DIF) to fund the construction of traffic improvements to maintain adequate levels of service. The Development Impact Fees are imposed on new development and collected as part of the building permit process. The timing of the improvements is established through the City’s Capital Improvement Program (CIP). Periodically, the City conducts traffic counts and reviews traffic trends throughout the City. The City uses this data to determine the timing of necessary roadway improvements. The developer is required to pay all applicable City Development Impact Fees towards the improvements.

Development in the Recycling Market Development Zone is not expected to significantly increase air traffic or change air traffic patterns. Impacts overall are expected to be less than significant. Issues associated with design features, emergency access, parking and alternative transportation will be addressed with each individual project as it is developed. The City will implement its zoning ordinance requirements on these projects, and provide conditions of approval to assure that each project is operated in a safe and efficient manner. The creation of the Recycling Market Development Zone will have no effect on these standards and requirements, and therefore, no impact is expected.

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (18)?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects (18)?			X	
c) Require or result in the construction of new storm water drainage facilities, the construction of which could cause significant environmental effects (2, 3 & 18)?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed (36 & 37)?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments (18)?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs (38)?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste (38)?				X

Comments: Development within the Recycling Market Development Zone will occur consistent with General Plan land use designations. Most utility providers plan growth based at least in part on General Plan land use maps. The implementation of the Recycling Market Development Zone will promote development. However, development would not exceed demand that was previously considered in the environmental impact reports for the General Plan and Main Street or the Freeway Corridor Specific Plan.

Water will be supplied by the Hesperia Water District. The District relies upon groundwater allocations as administered and monitored by the Mojave Water Agency (MWA). Locally-produced groundwater, extracted from the Basin, is the District's sole source of supply. Development proposed in the Recycling Market Development Zone is reflected in the existing and anticipated water demands identified in the District's 2005 Urban Water Management Plan and the Water Master Plan.

Even in the event of water supply shortages, or water emergencies, the District and MWA have in place water shortage contingency plans which ensure provision of priority water services to all its existing and anticipated customers. The District can also rely upon additional groundwater production from its wells to meet increased demand, subject to the purchase of water with replacement fees. There are mandatory conservation measures as required by the State of California for all new development projects.

Development will cause an increase in the use of water. However, the increase will not exceed current levels of water production. The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure supplemental water as necessary to fully implement the provisions of this Judgment." Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the District's 2005 Urban Water Management Plan and the Water Master Plan. Furthermore, in a letter dated May 21, 1997 from the MWA's legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin. Thus, the Judgment and physical solution adequately mitigates the additional water needs for the project. In addition, development considered under the City's General Plan Program EIR has been accounted for in the UWMP. In addition, the MWA recommends utilization of interior water conservation measures such as low flow plumbing fixtures. The MWA further states that "(t)his factor (water demand) should be given careful consideration before making significant (underlined for emphasis) commitments to increased water use" (37).

As a condition of approval of developing projects, the developer is required to apply for the NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. As a condition of approval, the developer is required to provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off collection during construction.

In a cumulative sense, any project will increase groundwater overdraft due to new demand. In response to the use of low flow plumbing fixtures, those are already required region-wide by the State Appliance Efficiency Standards in Title 20, thus ensuring this project, as well as all others within the Mojave River Basin, will reduce the water demand of new facilities.

Section 15206 of the CEQA Guidelines identifies projects having regional significance as follows:

- "(A) A proposed residential development of more than 500 dwelling units.
- "(B) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- "(C) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- "(D) A proposed hotel/motel development of more than 500 rooms.
- "(E) A proposed industrial, manufacturing, or processing plant, or Commercial Park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area."

The Recycling Market Development Zone will generate approximately 610 employment opportunities and 544,500 square feet of development will occur at the end of the zone's lifespan in 2019. Overall, development of this size and scope was taken into account in the EIRs for the City's General Plan and Main Street and Freeway Corridor Specific Plan. Therefore, no further discussion is required.

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

Comments: Development of the Hesperia Recycling Market Development Zone will have a less than significant effect upon the environment as impacts were previously considered in the environmental impact reports for the General Plan and Main Street and Freeway Corridor Specific Plan. Based upon the analysis in this initial study, a Negative Declaration may be adopted.

XVIII. EARLIER ANALYSES.

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

- The Certified General Plan Environmental Impact Report.
- The Certified Main Street and Freeway Corridor Specific Plan Environmental Impact Report.

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

The following mitigation measures are recommended as a function of this project:

Mitigation measures discussed in this initial study are included in the Mitigation Monitoring and Reporting Plans and Program Environmental Impact Reports for the General Plan and Main Street and Freeway Corridor Specific Plan.

Authority: Public Resources Code Sections 21103 and 21107.

REFERENCES

- (1) Aerial photos of the City of Hesperia dated May 2008
- (2) Main Street and Freeway Corridor Specific Plan
- (3) Hesperia Municipal Code
- (4) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area, Page 27 and Map Sheet No. 31.
- (5) Current Official City of Hesperia zoning and General Plan map.
- (6) Personal communication with Alan De Salvio, Air Quality Specialist, Mojave Desert Air Quality Management District.
- (7) 1988 United States Bureau of Land Management California Desert Conservation Area and 1991 City of Hesperia Conservation Element, Figure CN-4.
- (8) Chapter 16.24 of the Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- (9) 1991 City of Hesperia General Plan Conservation Element, Figure CN-5.
- (10) Map of Known Active and Potentially Active Faults Near Hesperia, Figure S-1.
- (11) 1991 City of Hesperia General Plan Safety Element, Pages S-1 through S-7.
- (12) 1991 City of Hesperia General Plan Safety Element, Figure S-3.
- (13) 1991 City of Hesperia General Plan Safety Element, Page S-7 and Figure S-6.
- (14) 2007 California Building Code.
- (15) 1991 City of Hesperia Airport Comprehensive Land Use Plan, Figure 1-5 and pages 23-36.
- (16) 1989 City of Hesperia Disaster Preparedness Plan.
- (17) 1991 City of Hesperia General Plan Safety Element, Pages S-19 through S-21.
- (18) Environmental plans and policies of the San Bernardino County Department of Environmental Health Services, the Lahontan Regional Water Quality Control Board, the Mojave Desert Air Quality Management District, the Hesperia Water District, the Hesperia Unified School District, Southern California Edison, Southwest Gas and the Hesperia Fire Department.
- (19) 1991 City of Hesperia General Plan Safety Element, Figure S-11.
- (20) 1991 City of Hesperia General Plan Safety Element, Figure S-10.
- (21) 1991 City of Hesperia General Plan Conservation Element, Page CN-7.
- (22) 1991 City of Hesperia General Plan Land Use Element, Page L-30 thru L-31.
- (24) 1991 City of Hesperia General Plan Conservation Element, Page CN-18.
- (25) 1991 City of Hesperia General Plan Noise Element, Figures N-2 and N-3 and pages N-1 through N-19 and the 1991 Noise Element Technical Appendix.
- (26) Chapter 16.20 of the Hesperia Municipal Code, Article V. General Performance Standards.
- (27) 1991 City of Hesperia General Plan Noise Element Technical Appendix, Exhibit A-13 and Pages A-11 and A-12
- (28) Fire Hazard Severity Zone Map prepared by Cal Fire adopted February 3, 2009

- (29) Master Plan of Arterial Highways adopted May 2, 2001.
- (30) 1991 City of Hesperia General Plan Noise Element Technical Appendix, Table 1.
- (31) City of Hesperia Water and Sewer Maps
- (32) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2007-110 on November 20, 2007.
- (33) 2001 City of Hesperia General Plan Circulation Element, Pages C-8 through C-9.
- (34) Biological Resource Assessment for the Main Street and Freeway Corridor Specific Plan dated May 2007
- (34) Trip Generation Manual, Volume I, 6th Edition, Institute of Transportation Engineers.
- (36) 1993 Final Environmental Impact Report for the Hesperia Redevelopment Project, Pages 4-171 & 4-172.
- (37) Mojave Water Agency letter dated March 27, 1996.
- (38) California Integrated Waste Management Act (AB 939).
- (39) Stan Hoffman's Market Feasibility Analysis for the Main Street and Freeway Corridor Specific Plan dated August 2005
- (40) Development Mitigation Nexus Study (Appendix K of CMP)
- (41) Mojave Desert Air Quality Management District, Rule 403.2 Fugitive Dust Control for the Mojave Desert Planning Area, July 22, 2005
- (42) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995
- (43) City of Hesperia General Plan Program Environmental Impact Report (PEIR) dated June 1990
- (44) Main Street and Freeway Corridor Specific Plan Environmental Impact Report dated April 2008