TOWN OF YUCCA VALLEY

SPECIAL JOINT MEETING OF THE TOWN COUNCIL AND PLANNING COMMISSION

The Mission of the Town of Yucca Valley is to provide a government that is responsive to the needs and concerns of its diverse citizenry and ensures a safe and secure environment while maintaining the highest quality of life

TUESDAY
DECEMBER 17, 2013
6:00 p.m.

YUCCA VALLEY COMMUNITY CENTER, YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

* * * *

TOWN COUNCIL MEMBERS

Robert Lombardo, Mayor
George Huntington, Mayor Pro Tem
Merl Abel, Council Member
Robert Leone, Council Member
Dawn Rowe, Council Member

PLANNING COMMISSION MEMBERS

Tim Humphreville, Chairman
Vickie Bridenstine, Vice Chairman
Jeff Drozd, Commissioner
Warren Lavender, Commissioner
Steve Whitten, Commissioner

AGENDA
SPECIAL JOINT MEETING OF THE TOWN OF YUCCA VALLEY TOWN COUNCIL AND PLANNING COMMISSION
6:00 P.M., TUESDAY, DECEMBER 17, 2013

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's office at (760) 369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

CALL TO ORDER:

ROLL CALL:

Merl Abel, Council Member
Robert Leone, Council Member
Dawn Rowe, Council Member
George Huntington, Mayor Pro Tem
Robert Lombardo, Mayor

Jeff Drozd, Commissioner
Warren Lavender, Commissioner
Steve Whitten, Commissioner
Vickie Bridenstine, Vice Chairman
Tim Humphreville, Chairman

APPROVAL OF AGENDA

Action: Move by_____2nd by_____Voice Vote_____.

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Yucca Valley Town Council and Planning Commission takes this time to consider your comments on items of concern, which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior, which disrupts or otherwise impedes the orderly conduct of the meeting, will result in forfeiture of your public comment privileges. The Yucca Valley Town Council and Planning Commission is prohibited by State law from taking action or discussing items not included on the printed agenda.

PUBLIC HEARING:

1. Planning Commission Resolution No. PC-13-
   Town Council Resolution N0. 13-, Environmental Impact Report
   Town Council Resolution No, 13-, Yucca Valley General Plan
   Yucca Valley General Plan Update Project
   Yucca Valley General Plan Environmental Impact Report
   State Clearing House No. 20122111021

RECOMMENDATION:

Alternative A:

1. That the Planning Commission adopts Resolution No. PC-13-, recommending that the Town Council certify the Environmental Impact Report, State Clearing Housing No. 2012111021, amend the General Plan and adopt the Yucca Valley General Plan Update Project, General Plan Hearing Draft dated August 2013.

2. As recommended by the Planning Commission, that the Town Council adopts Resolution No 13-, certifying the Yucca Valley General Plan Environmental Impact Report, State Clearing Housing No. 2012111021, adopting statement of facts and overriding considerations and adopting a mitigation monitoring program.

3. As recommended by the Planning Commission, that the Town Council adopts Resolution No. 13-, amending the General Plan and adopting the Yucca Valley General Plan Update Project, General Plan Hearing Draft dated August 2013.

Alternative B:

That the Planning Commission and Town Council continue the public hearing to January 7, 2014.

Action: Moved by_____ 2nd by _____ Voice Vote_____

All items listed on the consent agenda are considered to be routine matters and may be enacted by one motion and a second. There will be no separate discussion of the consent agenda items unless a member of the Yucca Valley Town Council, Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the discussion. Public requests to comment on consent calendar items should be filed with the Town Clerk before the consent agenda is called.

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

COUNCIL AND COMMISSIONER REPORTS AND REQUESTS:

2. Council Member Abel
3. Council Member Leone
4. Council Member Rowe
5. Mayor Pro Tem Huntington
6. Mayor Lombardo

7. Commissioner Drozd
8. Commissioner Lavender
9. Commissioner Whitten
10. Vice Chairman Bridenstine
11. Chairman Humphreville

ANNOUNCEMENTS

ADJOURN

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
Chairman & Planning Commission
From: Shane R. Stueckle, Deputy Town Manager
Date: December 11, 2013
For Council/ Commission Meeting: December 17, 2013

Subject: Planning Commission Resolution No. PC-13-
Town Council Resolution N0. 13-, Environmental Impact Report
Town Council Resolution No, 13-, Yucca Valley General Plan
Yucca Valley General Plan Update Project
Yucca Valley General Plan Environmental Impact Report
State Clearing House No. 20122111021

Prior Council/Commission Review: The Town Council and Planning Commission held a public hearing on November 19' 2013.

Recommendation: Alternative A:

1. That the Planning Commission adopts Resolution No. PC-13-, recommending that the Town Council certify the Environmental Impact Report, State Clearing Housing No. 2012111021, amend the General Plan and adopt the Yucca Valley General Plan Update Project, General Plan Hearing Draft dated August 2013.

2. As recommended by the Planning Commission, that the Town Council adopts Resolution No 13-, certifying the Yucca Valley General Plan Environmental Impact Report, State Clearing Housing No. 2012111021, adopting statement of facts and overriding considerations and adopting a mitigation monitoring program.

3. As recommended by the Planning Commission, that the Town Council adopts Resolution No. 13-, amending the General Plan and adopting the Yucca Valley General Plan Update Project, General Plan Hearing Draft dated August 2013.

Alternative B:

That the Planning Commission and Town Council continue the public hearing to January 7, 2014.

Reviewed By:	Town Manager	Town Attorney	Mgmt Services	Dept Head

___ Department Report	___ Ordinance Action	X Resolution Action	X Public Hearing
___ Consent	___ Minute Action	___ Receive and File	___ Study Session

Executive Summary: State law requires cities and counties to adopt General Plans. The Town's current General Plan was adopted in 1995. This General Plan Update project was initiated in August 2011.

Order of Procedure:

Request Staff Report
Open the Public Hearing
Request Public Comment
Close the Public Hearing
Council/Commission Discussion/Questions of Staff

Planning Commission Motion/Second
Discussion on Motion
Call the Question (Roll Call Vote)

Town Council Motion/Second
Discussion on Motion
Call the Question (Roll Call Vote)

Discussion: The Town initiated the General Plan Update process in late 2011. In that process, the Town established extensive public outreach efforts to ensure public participation including the following.

- 12 Community Work Shops
- Statistically Valid Telephone Survey: 305 Participants
- Open Town Hall Website
  - 6 Topics
  - 460 Visitors
  - 70 Participants
- Developer Roundtables
- General Plan Advisory Committee Meetings
- Town Council & Planning Commission meetings and public hearings

The end result of updating the Yucca Valley General Plan as presented results in the following comparisons and contrasts between the existing and proposed General Plans.

	Existing	Proposed
Total Acres:	24,916	25,502
Total Units:	24,401	27,229
Residential:	21,366	21,196
Commercial:	605 Acres	533 Acres
Mixed Use:	195 Acres	238 Acres
Old Town SP:	181 Acres	181 Acres
Industrial:	897 Acres	799 Acres
Public Facilities:	288 Acres	334 Acres
Open Space:	504 Acres	504 Acres
Rights of Way:	75 Acres	1,225 Acres

The General Plan Update process has been driven by, and the resulting data are based upon the Town Council establishing the General Plan Vision and Values as guiding principles at the beginning of the update process.

VISION 2035

- While maintaining our small town atmosphere, the Town of Yucca valley is a unique, desirable place to live, the economic hub of the Morongo Basin, and a sought after place to live.
- As a destination, visitors are drawn to our desert environment, arts, and culture, recreation, history, night skies, active open space, and shopping and hospitality opportunities.
- Our range of community services and facilities, efficient infrastructure, safe and established neighborhoods, unique character, and diversity define our community and quality of life.
- Our commitment to balanced growth, environmental stewardship, fiscal sustainability, active citizen participation, and property rights are the cornerstone of our community.

COMMUNITY VALUES

- Small Town Atmosphere
- Balanced growth
- Safe and established neighborhoods
- Fiscal sustainability
- Diverse range of community services
- Efficient infrastructure
- Strong Economy
- Desert environment and natural resources
- Arts and Culture
- Community pride and participation

One additional data point that many individuals look at in general plans as partially defining the future community is the "build out" population estimate. It should be noted that these are theoretical numbers.

Population:	62,223 (Existing)	64,565 (Proposed)

The overall General Plan structure includes Goal, Policies, and Implementation Actions. The Implementation Actions are not a component of the General Plan, but are a standalone document that may be amended and updated by the Town Council without amending the General Plan.

In contrast to the existing General Plan, the recommended General Plan includes only the State mandated elements:

- ✓ Land Use
- ✓ Circulation
- ✓ Housing
- ✓ Noise
- ✓ Open Space
- ✓ Conservation
- ✓ Safety

Open Space and Conservation are combined as one written element while complying with the state mandates. This approach and structure was desired in order to simplify General Plan use and implementation.

As illustrated in the statistical data above, there were relatively minor changes to the existing land use plan. Much of this Update focused on the creation and designation of Special Policy Areas, including:

- West End Special Policy Area
- Rural Mixed Use Special Policy Area
- East Side Special Policy Area
- Town Center Special Policy Area

Finally, this Update results in the creation of the corridor residential overlay, with three transition areas that are between Mixed Use or Special Policy Areas on SR 62.

- West of Kickapoo (before OTSP)
- Between Palm and Sage Aves.
- Between Airway and Avalon Aves.

This overlay provides added flexibility allowing development of Commercial or Residential uses of up to 25 dwelling units per acre.

The only element which requires State approval is the Housing Element, and the Draft Housing Element has received the necessary review and approvals in order for the Town Council to adopt the Housing Element with the General Plan Update.

At the public hearing of November 19, 2013, a number of issues were raised by the Planning Commission and/or Town Council, including but not limited to the following.

Scenic Highways Designations
Wildlife Corridor Evaluation Areas and Open Space Resource Areas
Private Property Rights
Truck Routes
Bike Routes/Trails
Water Supply

Staff will be addressing these as well as other questions and issues in the presentation at the December 17, 2013 public hearing.

Alternatives: Adopt the recommended action or continue the public hearing to January 7, 2014.

Fiscal impact: The contract for preparation of the General Plan and the General Plan Environmental Impact Report is approximately $995,000.

Attachments:
PC Resolution No PC-13-
TC Resolution No. 13-
TC Resolution No. 13-
Final Environmental Impact Report
Mitigation Monitoring Program
CEQA Findings of Fact and Statements of Overriding Considerations

RESOLUTION NO. PC-13-

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, RECOMMENDING THE TOWN COUNCIL APPROVE A COMPREHENSIVE UPDATE TO THE YUCCA VALLEY GENERAL PLAN (GENERAL PLAN) AND AMEND THE GENERAL PLAN BY ADOPTING THE GENERAL PLAN UPDATE PROJECT, YUCCA VALLEY HEARING DRAFT DATED AUGUST 2013.

WHEREAS, Section 65300 of the California Government Code of the State of California authorizes cities to prepare long-range comprehensive guides known as general plans; and

WHEREAS, the Town of Yucca Valley has been operating under the General Plan adopted in 1995 along with their respective General Plan text and maps; and

WHEREAS, the Town of Yucca Valley's General Plan Update Project complies with Section 65300 in that it meets the state mandate of a general plan; and

WHEREAS, the General Plan Update Project advances regional planning policies; and

WHEREAS, Section 65361 limits the amendment of a mandatory element of the General Plan to not more than four (4) times per year; and

WHEREAS, the General Plan contains seven elements: 1) Land Use, 2) Housing; 3) Circulation; 4) Open Space; 5) Conservation; 6) Safety; 7) Noise; and

WHEREAS the Land Use, Housing, Circulation, Open Space, Conservation, Safety and Noise elements are mandatory elements of the General Plan per Section 65302; and

WHEREAS, the Town of Yucca Valley has determined that the existing General Plan required revision to bring the document into conformance with state law and to make all the elements internally consistent; and

WHEREAS, the Town of Yucca Valley has prepared the General Plan Update Project to replace the 1995 General Plan; and

WHEREAS, The Yucca Valley General Plan Update Project- General Plan Environmental Impact Report (EIR, SCH No. 2012111021) was reviewed, studied, and found to comply with the California Environmental Quality Act (CEQA) as more fully described in Resolution No. 13-XX; and

WHEREAS, the Town of Yucca Valley made The Yucca Valley General Plan Update Project available on the Town's website (including the General Plan, available to the public on the Internet for review beginning in 2011; and

WHEREAS, the Town of Yucca Valley held twelve (12) Community Workshops throughout the General Plan Update process; and

WHEREAS, the Town Council and Planning Commission held a joint workshop on June 26 2012; and

WHEREAS, the Town Council adopted the conceptual land use plan on July 17, 2012; and

WHEREAS, the Town Council and Planning Commission held two public hearings on the Yucca Valley General Plan Update Project including November 19, 2013 and December 17, 2013; and

WHEREAS, the Planning Commission is responsible for reviewing updates to the General Plan, including associated maps and graphics and related documents and forwarding a recommendation to the Town Council on the adoption of the General Plan and Map; and

WHEREAS, on November 19, 2013 and December 17, 2013, the Planning Commission of the Town of Yucca Valley conducted a duly noticed public hearing on the General Plan Update Project at which time all persons wishing to testify in connection with the General Plan Update Project were heard; and

WHEREAS, in accordance with California Government Code Section 65300 et. seq., the General Plan Update Project has been developed to be comprehensive, internally consistent, long term and to address mandatory elements; and

WHEREAS, the State Department of Housing and community Development (HCD) reviewed the Draft Housing Element for compliance with State Housing Element Law; and

WHEREAS, the Yucca Valley General Plan Update Project constitutes a comprehensive, long term document capable of guiding the future development of the Town; and

WHEREAS, the Yucca Valley General Plan Update Project meets all the requirements of such plans as contained in the Planning and Zoning Law (Government Code, sections 65300-65303.4) and all other related laws; and

WHEREAS, the Goals, Policies and Implementation Actions and other relevant content contained in the Yucca Valley General Plan Update Project, pursuant to Government Code Section 65302.3 (a) are consistent with and do not conflict with the

applicable airport land use compatibility policies and criteria contained in the Yucca Valley Airport Comprehensive Land Use Plan; and

WHEREAS, the Implementation Actions implement the General Plan Update Project but are not a part of the General Plan Update Project when adopted; and

WHEREAS, the Yucca Valley General Plan Update Project includes goals, policies and implementation actions related to the reduction of greenhouse gas emissions and adaptation strategies as identified in the San Bernardino Associated Governments Regional Greenhouse Gas Reduction Plan; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY:

SECTION 1. Based on the entire record before the Planning Commission, all written and oral evidence presented, and the findings made in this Resolution, the Planning Commission of the Town of Yucca Valley recommends that the Town Council amend the General Plan as set forth in Exhibit "A" (The Yucca Valley General Plan Update – General Plan).

SECTION 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, the Planning Commission finds the General Plan Update (The Yucca Valley General Plan Update – General Plan) promotes the goals and objectives of the Town of Yucca Valley and leaves the General Plan Update a long-term, compatible, integrated, and internally consistent statement of policies.

SECTION 3. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds that the environmental effects of the General Plan Update (The Yucca Valley General Plan Update – General Plan) have been analyzed and discussed in compliance with CEQA, and pursuant to the Draft Town Council Resolution No.13-xx.

SECTION 4. The location and custodian of the documents and any other material which constitute the record of proceedings upon which the Planning Commission based its decision is as follows: Town Clerk, Town of Yucca Valley, 57090 29 Palms Highway, Yucca Valley CA 92284.

SECTION 5. The Secretary shall certify the adoption of the Resolution.

APPROVED AND ADOPTED by the members of the Planning Commission of the Town of Yucca Valley this 17th day of December 2013.

Planning Commission Chairman

Planning Commission Secretary

RESOLUTION NO 13-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE YUCCA VALLEY GENERAL PLAN UPDATE, MAKING FINDINGS AND DETERMINATIONS, ADOPTING STATEMENTS OF FACTS AND OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PROGRAM (SCH #2012111021)

WHEREAS, the Town of Yucca Valley proposes to amend its General Plan as described in the Yucca Valley General Plan Hearing Draft (the Project); and

WHEREAS, after completion of an Initial Study, the Town determined that there was substantial evidence that the Project may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code Sections 21080(d) and 21082.2(d): and

WHEREAS, the Town has consulted with, and requested comments from, members of the public and the agencies and persons referenced in CEQA Guidelines Sections 15083, 15083.5 and 15086; and

WHEREAS, upon completion of the Draft EIR, the Town provided notice of completion to OPR on August 29, 2013, as required under CEQA Guidelines Section 15085 and provided notice of availability as required under CEQA Guidelines Section 15087; and

WHEREAS, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines Section 15087 for a period of 45 days commencing on August 29, 2013 and closing on October 14, 2013 in accordance with CEQA Guidelines Section 15105(a); and

WHEREAS, the Final EIR consists of the following documents: the Draft EIR, the Initial Study, Technical Appendices, Written Comments and Responses on the Draft EIR, the Mitigation Monitoring and Reporting Program, the Findings of Fact and Statement of Overriding Considerations; and

WHEREAS, on November 19, 2013 and December 17, 2013, the Planning Commission considered all public comments responding to the Project and the Draft and Final EIR and after said hearing provided the Town Council with a recommendation for approval; and

WHEREAS, the Town Council conducted a duly noticed public hearing on November 19, 2013 and December 17, 2013 and heard all testimony of any persons wishing to speak on the issue.

NOW THEREFORE, the Town Council of the Town of Yucca Valley, does hereby resolve, determine and order as follows:

SECTION 1. FINDINGS.

The Town Council, in light of the whole record before it, including but not limited to, the Final EIR, all documents incorporated by reference therein, any comments received and responses provided, the Mitigation Monitoring Program, the Statement of Facts and Findings, and other substantial evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record and/or provided at the public hearing, hereby finds and determines that:

1. **Preparation of EIR**: An Environmental Impact Report was prepared for the Project after completion on an Initial Study in accordance with Public Resources Code Sections 21080(d) and 21082.2 and the EIR was prepared and processed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.), and the local CEQA Guidelines adopted by the Town of Yucca Valley.

2. **Notice**: The Town has complied with CEQA Guidelines Sections 15085 and 15087 by providing a Notice of Completion of the Draft EIR and OPR and a Notice of Availability to responsible and trustee agencies and other persons and agencies as required.

3. **Review Period**: The Town has complied with CEQA Guidelines Sections 15087 and 15105 by making the Draft EIR available to the public for review for the required period of time.
4. **Response to Comments**: The Town has responded to all written comments received during the public review period and included both comments and responses as part of the Final EIR. In response to there comments, the Town has made minor revisions to the Final EIR. These revisions are identified in the responses and do not constitute significant additional information and do not require recirculation of the EIR.
5. **Statement of Overriding Considerations**: The Final EIR identifies potentially significant effects on the environment that could result if the project were adopted without changes or alterations in the project and imposition of mitigation measures. Based thereon, the Town Council further finds that although mitigation measures are proposed which will reduce most impacts associated with the proposed project, impacts associated with the Project cannot be mitigated to less than significant levels, and a Statement of Overriding Considerations is adopted under separate resolution.
6. **Independent Judgment**: The Final EIR reflects the independent judgment and analysis of the Town.

SECTION 2. TOWN COUNCIL ACTION.

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Town Council hereby takes the following actions:

1. **Certify EIR**: The Town Council approves and certifies the Final Environmental Impact Report (SCH NO. 2012111021) for the Project.
2. **Adopt Statement of Overriding Considerations**: The Town Council approves and adopts the Findings of Fact and Statement of Overriding Considerations for the Final EIR.
3. **Adopt MMP**: The Town Council approves and adopts the Mitigation Monitoring Program for the Final EIR.
4. **Notice of Determination**: The Town Council, in compliance with Public Resources Code Section 21152 and CEQA Guidelines Section 15094, directs the Community Development Director to prepare a Notice of Determination concerning certification of the Final EIR, and within five (5) days of project approval, file the Notice with the San Bernardino County Clerk for posting.
5. **Location**: The Town Council directs that the Final Environmental Impact Report (SCH NO. 2012111021) and all documents incorporated therein and forming the record of decision therefore, be filed with the Town Clerk at 57090 Twentynine Palms Highway, Yucca Valley, CA 92284 and with the Planning Department at 58928 Business Center Drive, Yucca Valley, CA 92284 and be made available for public review upon request.

APPROVED AND ADOPTED THIS 17th day of December, 2013.

_____
MAYOR

ATTEST:

_____
TOWN CLERK

FINAL

ENVIRONMENTAL IMPACT REPORT FOR YUCCA VALLEY GENERAL PLAN UPDATE

SCH NO. 2012111021

prepared for:

TOWN OF YUCCA VALLEY

57090 29 Palms Highway
Yucca Valley, CA 92284
Tel: 760.369.6575

Contact:
Shane Stueckle
Deputy Town Manager

prepared by:

THE PLANNING CENTER | DC&E

3 MacArthur Place, Suite 1100
Santa Ana, CA 92707
Tel: 714.966.9220 • Fax: 714.966.9221
E-mail: information@planningcenter.com
Website: www.planningcenter.com

Nicole Vermilion
Associate Principal

TYV-01.0L

NOVEMBER 2013

Table of Contents

Table of Contents

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (California Administrative Code Section 15000 et seq.).

According to CEQA Guidelines, Section 15132, the FEIR shall consist of:

(a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;

(b) Comments and recommendations received on the DEIR either verbatim or in summary;

(c) A list of persons, organizations, and public agencies comments on the DEIR;

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and

(e) Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the Yucca Valley General Plan during the public review period, which began August 28, 2013, and closed on October 14, 2013. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. This document and the circulated DEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-1 through A-4 for letters received from agencies and organizations). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text and figures as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the FEIR. The Town of Yucca Valley staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under CEQA

Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of DEIRs should be "on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

CEQA Guidelines Section 15204 (c) further advises, "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Section 15204 (d) also states, "Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204 (e) states, "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (Town of Yucca Valley) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written responses received on the DEIR and the Town of Yucca Valley's responses to each comment.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Number Reference	*Commenting Person/Agency*	*Date of Comment*	*Page No.*
Agencies & Organizations			
A1	Scott Morgan, State Clearinghouse, Office of Planning and Research	10/15/13	2-3
A2	Alan De Salvio, Mojave Desert Air Quality Management District	09/04/13	2-9
A3	Sonia Pierce, Marstel-Day, LLC	09/27/13	2-13
A4	Dave Singleton, Native American Heritage Commission	09/20/13	2-17

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LETTER A1 – State Clearinghouse (3 pages)

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

October 15, 2013

Shane Stueckle
City of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Subject: General Plan Update
SCH#: 2012111021

Dear Shane Stueckle:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 14, 2013, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A1-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

RECEIVED
OCT 17 2013
TOWN OF YUCCA VALLEY
CDD/CDV

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH#	2012111021
Project Title	General Plan Update
Lead Agency	Yucca Valley, City of
Type	EIR Draft EIR
Description	The proposed project is an update to the Town of Yucca Valley General Plan. The Yucca Valley General Plan Update is intended to shape development within the Town of twenty years and beyond, and involves reorganization of the current General Plan into the following elements: Land Use, Circulation, Safety, Noise, Open Space and Conservation, and Housing. The General Plan Update will also revise the General Plan use map.

Lead Agency Contact

Name	Shane Stueckle		
Agency	City of Yucca Valley		
Phone	760 369-6575	*Fax*	
email			
Address	58928 Business Center Drive		
City	Yucca Valley	*State* CA *Zip*	92284

Project Location

County	San Bernardino				
City	Yucca Valley				
Region					A1-2
Lat / Long	34° 07' 27" N / 116° 25' 05" W				
Cross Streets	Various				
Parcel No.	Various				
Township	1N,S	*Range* 5,6E	*Section* Variou	*Base*	SBB&M

Proximity to:

Highways	SR 62 and 247
Airports	Yucca Valley
Railways	
Waterways	
Schools	Various
Land Use	Various

Project Issues	Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual
Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Regional Water Quality Control Board, Region 7; Native American Heritage Commission; Public Utilities Commission

Date Received 08/29/2013 *Start of Review* 08/29/2013 *End of Review* 10/14/2013

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2012111021

Project Title: Town of Yucca Valley General Plan Update
Lead Agency: Town of Yucca Valley — Contact Person: Shane Stueckle
Mailing Address: 58928 Business Center Drive — Phone: (760) 369-6575
City: Yucca Valley, CA — Zip: 92284 — County: San Bernardino

Project Location: County: San Bernardino — City/Nearest Community: Yucca Valley — Zip Code: 92284
Cross Streets: Various
Longitude/Latitude (degrees, minutes and seconds): 34 ° 07 ' 27 " N / 116 ° 25 ' 08 " W Total Acres: 25,492
Assessor's Parcel No.: Various — Section: Various Twp.: 1N, 1S Range: 5E, 6E Base: SBD
Within 2 Miles: State Hwy #: SR-62 and SR-247 — Waterways: N/A
Airports: Yucca Valley Airport — Railways: N/A — Schools: Various

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AUG 20 2013
STATE CLEARINGHOUSE

Document Type:

CEQA: ☐ NOP ☒ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ☐ Early Cons ☐ Neg Dec ☐ Mit Neg Dec ☐ Other:
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other:

Local Action Type:

☒ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan
☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other:

Development Type:

☒ Residential: Units ____ Acres ____
☒ Office: Sq.ft. ____ Acres ____ Employees ____
☒ Commercial: Sq.ft. ____ Acres ____ Employees ____
☒ Industrial: Sq.ft. ____ Acres ____ Employees ____
☒ Educational:
☒ Recreational:
☐ Water Facilities: Type ____ MGD ____
☒ Transportation: Type
☐ Mining: Mineral
☐ Power: Type ____ MW
☐ Waste Treatment: Type ____ MGD
☐ Hazardous Waste: Type
☒ Other: General Plan Update

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☒ Agricultural Land ☒ Air Quality ☒ Archeological/Historical ☒ Biological Resources ☐ Coastal Zone ☒ Drainage/Absorption ☒ Economic/Jobs
☐ Fiscal ☒ Flood Plain/Flooding ☒ Forest Land/Fire Hazard ☒ Geologic/Seismic ☒ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities
☒ Recreation/Parks ☒ Schools/Universities ☒ Septic Systems ☒ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☒ Solid Waste ☒ Toxic/Hazardous ☒ Traffic/Circulation
☒ Vegetation ☒ Water Quality ☒ Water Supply/Groundwater ☒ Wetland/Riparian ☒ Growth Inducement ☒ Land Use ☒ Cumulative Effects ☒ Other: Greenhouse Gases

Present Land Use/Zoning/General Plan Designation:

Various

Project Description: *(please use a separate page if necessary)*

The proposed project is an update to the Town of Yucca Valley General Plan. The Yucca Valley General Plan Update is intended to shape development within the Town for twenty years and beyond, and involves reorganization of the current General Plan into the following elements: Land Use, Circulation, Safety, Noise, Open Space and Conservation, and Housing. The General Plan Update will also revise the General Plan land use map.

A1-2 cont'd

State Clearinghouse Contact: SK (916) 445-0613
State Review Began: 08-20-2013
SCH COMPLIANCE 10-14-2013

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2012111021

Please forward late comments directly to the Lead Agency

AQMD/APCD 33/26
(Resources: 14, 31)

Project Sent to the following State Agencies

- X Resources
- ____ Boating & Waterways
- ____ Coastal Comm
- ____ Colorado Rvr Bd
- X Conservation
- X CDFW # 6
- ____ Delta Protection Comm
- X Cal Fire
- ____ Historic Preservation
- X Parks & Rec
- ____ Central Valley Flood Prot.
- ____ Bay Cons & Dev Comm.
- X DWR
- X Cal EMA
- ____ Resources, Recycling and Recovery

Bus Transp Hous
- X Aeronautics
- X CHP
- X Caltrans # 8
- ____ Trans Planning
- X Housing & Com Dev
- ____ Food & Agriculture
- ____ Public Health

State/Consumer Svcs
- ____ General Services

Cal EPA
- ____ ARB: Airport/Energy Projects
- ____ ARB: Transportation Projects
- ____ ARB: Major Industrial Projects
- ____ SWRCB: Div. Financial Assist.
- ____ SWRCB: Wtr Quality
- ____ SWRCB: Wtr Rights
- X Reg. WQCB # 7
- ____ Toxic Sub Ctrl-CTC

Yth/Adlt Corrections
- ____ Corrections

Independent Comm
- ____ Energy Commission
- X NAHC
- ____ Public Utilities Comm
- ____ State Lands Comm
- ____ Tahoe Reg Plan Agency
- ____ ____ Conservancy
- ____ Other:

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A1. Response to Comments from Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research, dated October 15, 2013.

A1-1 The comment states that the Town of Yucca Valley has complied with State Clearinghouse requirements for public review of the Draft Environmental Impact Report (EIR) for the proposed project.

A1-2 The comment is the listing of the Draft EIR in the State Clearinghouse data base. No response is needed.

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LETTER A2 –Mojave Desert Air Quality Management District (1 page)

MOJAVE DESERT air quality management district

Mojave Desert Air Quality Management District
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • fax 760.245.2699
Visit our web site: http://www.mdaqmd.ca.gov
Eldon Heaston, Executive Director

September 4, 2013

Shane Stueckle
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Re: Yucca Valley General Plan Update Draft Environmental Impact Report

Dear Mr. Stueckle:

The Mojave Desert Air Quality Management District (MDAQMD) has reviewed the Yucca Valley General Plan Update Draft Environmental Impact Report. The proposed project is an update to the Town of Yucca Valley General Plan. The Yucca Valley General Plan Update is intended to shape development within the Town for at least the next 20 years and involves reorganization of the current General Plan into the following elements: Land Use, Circulation, Safety, Noise, Open Space and Conservation, and Housing. The General Plan Update will also revise the General Plan land use map, Proposed Land Use Plan. Buildout of the Yucca Valley General Plan Update would result in a projected population of 64,565, 27,229 residential units, 20,963,702 square feet of nonresidential development, and 34,926 employees in the Town.

The District has reviewed the DEIR and has the following comments: A2-1

1. Table 5.2-2: State attainment status for ozone is "Moderate." A2-2
2. Table 5.2-2: Rather than "No Federal Standard," the Federal one-hour ozone standard is "Revoked."
3. The District concurs with the Air Quality Impacts 5.2-1 through 5.2-6. The District believes that the "Relevant General Plan Policies and Implementation Actions" listed in Section 5.2.4 could be referenced as mitigation for Air Quality Impacts 5.2-1 through 5.2-4, even though it is not a quantifiable value. A2-3
4. Section 5.2.4 Circulation Implementation Actions C20 references "new unpaved roads." The District does not support the development of any new unpaved roads. A2-4

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

Alan De Salvio
Supervising Air Quality Engineer

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SEP 09 2013
TOWN OF YUCCA VALLEY

AD/tw YV General Plan Update DEIR

City of Adelanto | Town of Apple Valley | City of Barstow | City of Blythe | City of Hesperia | City of Needles | County of Riverside | County of San Bernardino | City of Twentynine Palms | City of Victorville | Town of Yucca Valley

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A2. Response to Comments Alan De Salvio, Supervising Air Quality Engineer, Mojave Desert Air Quality Management District, dated September 4, 2013.

A2-1 Table 5.2-2 has been updated in the Final EIR to reflect the Mojave Desert Air Basin (MDAB) is designated by the State as "Moderate" attainment for ozone (see Chapter 3, *Revisions to the DEIR*).

A2-2 Table 5.2-2 has been updated in the Final EIR to reflect the federal one-hour ozone standard is "Revoked" (see Chapter 3, *Revisions to the DEIR*).

A2-3 The Town's General Plan Policies and Implementation Actions would reduce air quality impacts from buildout of the Town's land use plan to the extent feasible.

A2-4 The Town's General Plan includes Policies and Implementation Actions to ensure that as the Town grows, new development will be encouraged to provide paved roadways. Policy C1-20 requires that new development that will have roadways that serve 500 or more daily trips per day pave these roads unless it is considered infeasible (there is no funding for the improvement, or when the majority of the residents on that facility desire it to be unpaved). In these circumstances, Policy C1-21 and Implementation Action C120 requires the application of non-toxic soil binders for roadways where traffic volumes exceed 500 trips per day. With implementation of these General Plan Policies and Implementation Actions, creation of new unpaved roads and fugitive dust emissions from travel on unpaved roadways within the Town would be minimized.

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LETTER A3– Marstel-Day, LLC (1 page)

From: Sonia Pierce [mailto:spierce@marstel-day.com]
Sent: Friday, September 27, 2013 10:40 AM
To: Wendy Grant
Cc: Shane Stueckle
Subject: Yucca Valley General Plan Update

Hello Wendy,

It has been very nice working with you over the last year. Looks like things are finally wrapping up.

I had a question about the Draft EIR. Appendix B has comments letter. I was looking to see if there was a place where the comments from Appendix B were addressed. I'm not complaining because the Noise Element looks like it understands our comments. But does the Environmental Analysis need to match the General Plan? Chapter 5-10 has the former Policy N 1-21. It has been changed to A3-1 A3-2

N 1-21 Consult with the Marine Corps Air Ground Combat Center on solutions to noise complaints that are sensitive to the residents of the Town and do not impede the mission of the Marine Corps Base.

One item Regarding Chapter 7, The Noise Element Policy N 1-21. There is a small typo on Corps. The "s" was left off. That is the thing about using Corps. The "s" sometimes gets dropped. A3-3

Thank you for your time and consideration.

Sonia Pierce, Planner
Marstel-Day, LLC
Conservation and Consulting from Sea to Stars
http://Marstel-Day.com
SPierce@Marstel-Day.com
Office: (760) 830-3772
Mobile: (540) 645-0263

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A3. Response to Comments from Sonia Pierce, Planner, Marstel-Day, LLC, dated September 27, 2013.

A3-1 The Draft Environmental Impact Report (EIR), Appendix B, is a compilation of comments received on the Initial Study/Notice of Preparation for the Yucca Valley General Plan. Chapter 1, Executive Summary, of the Draft EIR contains a Table with a summary of the comments in Appendix B and the location within the EIR that the comment was addressed (see Table ES-2, *Notice of Preparation Comment Summary*, on page 1-19).

A3-2 Policy N1-21 has been updated in the Final EIR to reflect the revised language in the General Plan Noise Element (see Chapter 3, *Revisions to the DEIR*).

A3-3 The comment regarding the typo within the General Plan is not a comment on the EIR and will be addressed within the final draft of General Plan.

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LETTER A4 –Native American Heritage Commission (3 pages)

09/23/2013 11:07 FAX 916 657 5390 NAHC 001/004

STATE OF CALIFORNIA Edmund G. Brown, Jr. Governor

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net

September 20, 2013

Mr. Shane Stueckle, Deputy Town Manager
The Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Sent by FAX to: 760-228-0084
No. of Pages: 3

RE: Native American Consultation pursuant to California Government Code Sections 6540.2, 65092, 65351, 65352.3,, 65352.4, 65562.5 *et seq.* for **General Plan Amendment GPA Update (CEQA EIR; SCH#2012111021);** located in the town of Yucca Valley; San Bernardino County, California

Dear Mr. Stueckle:

Government Code Sections 65351, 65352.3, 65562.5, *et seq.* incorporates the protection of California traditional tribal cultural places into land use planning for cities, counties and agencies by establishing responsibilities for local governments to contact, refer plans to, and consult with California Native American tribes as part of the adoption or amendment of any general or specific plan proposed on or after January 1, 2005. California Native American tribes are identified on a list maintained by the Native American Heritage Commission (NAHC).

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites. Note that the NAHC does NOT APPROVE General or Specific Plan; rather, it provides a list of tribal governments with which local jurisdictions must consult concerning any proposed impact to cultural resources as a result of the proposed action. A4-1

As part of the tribal consultation process, the NAHC recommends that local governments and project developers contact the tribal governments and individuals to determine if any cultural places might be impacted by the proposed action and Mitigation & Monitoring Plan, as appropriate. Also, the absence of specific site information in the sacred lands file does not preclude their existence. Other sources of cultural resources should also be

contacted for information regarding known and recorded sites.

Attached is a consultation list of tribal governments with traditional lands or cultural places located in the vicinity of he Project Area (APE). The tribal entities on the list are for your guidance for **government-to-government consultation** purposes.

A Native American tribe or individual may be the only source of the presence of traditional cultural places. For that reason, a list of Native American Contacts is enclosed as they may have knowledge of cultural resources and about potential impact, if any, of the proposed project.

A4-1 cont'd

If you have any questions, please contact me at (916) 373-3715.

Best regards,

Dave Singleton
Program Analyst

Attachment

Cc: State Clearinghouse

09/23/2013 11:08 FAX 916 657 5390 NAHC 003/004

Native American Tribal Government Consultation
San Bernardino County
September 20, 2013

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 849-8807
(951) 755-5200

San Manuel Band of Mission Indians
Carla Rodriguez, Chairwoman
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX

Serrano Nation of Mission Indians
Goldie Walker, Chairwoman
P.O. Box 343 Serrano
Patton , CA 92369

(909) 528-9027 or
(909) 528-9032

Twenty-Nine Palms Band of Mission Indians
Darrell Mike, Chairperson
46-200 Harrison Place
Coachella , CA 92236 Chemehuevi
lthomas@29palmsbomi-nsi.gov
760-863-2444

A4-1
cont'd

Chemehuevi Reservation
Edward Smith, Chairperson
P.O. Box 1976 Chemehuevi
Chemehuevi Valley , CA 92363
chair1cit@yahoo.com
(760) 858-4301

Colorado River Indian Tribe
Wayne Patch, Sr. ,Chairman
26600 Mojave Road Mojave
Parker , AZ 85344 Chemehuevi
crit.museum@yahoo.com
(928) 669-9211-Tribal Office
(928) 669-8970 ext 21

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3. and 65362.4. et seq.

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A4. Response to Comments from Dave Singleton, Program Analyst, Native American Heritage Commission, dated September 20, 2013.

A4-1 The Town of Yucca Valley has complied with the requirements and recommendations regarding Native American cultural resources set forth in the Native American Heritage Commission (NAHC) comment letter.

A Sacred Land File search was requested from the NAHC on December 2, 2011. On December 5, 2011, the NAHC replied that there were no known Native American cultural resources within the Study area and included a list of tribes of individual to contact for further information. Letters requesting information on any cultural heritage sites and containing maps and study information were sent on December 7, 2011, to the 12 Native American contacts. After no responses were received, follow-up e-mails were sent and phone calls were placed to the Native America contacts on December 28, 2011, and again on January 5, 2012. No responses were received from the 12 Native American individuals or organizations.

A Tribal Consultation List Request was sent to the NAHC in November 2012. Consultation requests were sent to all tribes identified by the NAHC List on November 21, 2012. Requests were sent to the Serrano Nation of Mission Indians, the Fort Mojave Indian Tribe, the San Manuel Band of Mission Indians, the Chemehuevi Reservation, the Colorado River Indian Tribe, the Ramona Band of Cahuilla Mission Indians, the Morongo Band of Mission Indians, and the Twenty-Nine Palms Band of Mission Indians. No consultation requests were received by the Town.

The Draft EIR Mitigation Measures 4-1 through 4-3 requires cultural resource monitoring for ground disturbing activities and outlines procedures in the event of cultural resource discoveries. The applicants for future development project are required to comply with regulatory requirements in the event of a discovery of human remains. Implementation of the recommended mitigation measures and compliance with regulatory requirements would reduce the potential impacts to cultural resources to less than significant.

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the DEIR.

Page 5.2-7, Section 5.2, *Air Quality*, Table 5.2-2, *Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin*. The table has been revised in response to Comments A2-1 and A2-2 from the Mojave Desert Air Quality Management District.

Table 5.2-2
Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin

Pollutant	*State*	*Federal*
Ozone – 1-hour[1]	Nonattainment (~~Severe 17~~ Moderate)	~~No Federal Standard~~ Revoked
Ozone – 8-hour[1]	Nonattainment (~~Severe 17~~ Moderate)	Nonattainment (Severe 17)
PM_{10}	Nonattainment	Nonattainment
$PM_{2.5}$	Nonattainment	Unclassified/Attainment
CO	Attainment	Attainment
NO_2	Attainment/Unclassified	Attainment/Unclassified
SO_2	Attainment/Unclassified	Attainment/Unclassified
Lead	Attainment	Attainment
All others	Attainment/Unclassified	Attainment/Unclassified

Source: CARB 2013a.
[1] Because the Western Mojave Desert Planning Area will not attain the 8-hour ozone standard by 2010 (Moderate), MDAQMD has requested redesignation to a Severe-17 nonattainment area, requiring attainment of the federal 8-hour ozone standard 2021 deadline.

Page 5.10-32, Section 5.10, *Noise*. Policy N1-21 has been revised be consistent with the updated Policy N1-21 in of the General Plan in response to Comments A3-1 from Marstel-Day, LLC.

Policy N 1-21 ~~Encourage military airport operators, to the extent possible, to monitor aircraft noise and implement noise-reducing measures, especially in areas under military flight paths.~~ Consult with the Marine Corps Air Ground Combat Center on solutions to noise complaints

that are sensitive to the residents of the Town and do not impede the mission of the Marine Corps Base.

Page 1-16, Chapter 1, *Executive Summary,* has been revised to include a summary of the construction noise impact that was identified as significant and unavoidable in the Executive Summary and Section 5.10, Noise.

- **Impact 5.10-6.** Implementation of the Draft General Plan would result in construction of new residential, commercial, and industrial uses throughout the planning area. Two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of short-term noise impact is related to demolition, site preparation, grading, and/or physical construction. Draft General Plan policies require construction noise to remain within acceptable noise limits and protect existing areas with acceptable noise environments. Implementation of the Yucca Valley General Plan policy N 1-18 would reduce construction noise by enforcing the limits on nonemergency construction hours to the less sensitive hours of the day. Development projects would be subject to environmental review, and specific mitigation measures would be implemented to reduce noise impacts during construction. Even with compliance with the Development Code standards related to construction and implementation of General Plan policy N 1-18, construction noise as it related to implementation of the General Plan would result in a potentially significant noise impact. Mitigation Measure 10-1 would reduce construction noise impacts to the extent feasible. However, because of distance, source to receiver geometry, and other site conditions that may render implementation of mitigation measure infeasible or ineffective for every future project in Town, Mitigation Measure 10-1 would not guarantee that construction noise impacts would be reduced to less than significant levels. Consequently, construction noise impacts would be significant.

Page 6-2, Chapter 6, *Significant and Unavoidable Adverse Impacts*, has been revised to include a summary of the construction noise impact that was identified as significant and unavoidable in the Executive Summary and Section 5.10, *Noise.*

- **Impact 5.10-6.** Implementation of the Draft General Plan would result in construction of new residential, commercial, and industrial uses throughout the planning area. Two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of short-term noise impact is related to demolition, site preparation, grading, and/or physical construction. Draft General Plan policies require construction noise to remain within acceptable noise limits and protect existing areas with acceptable noise environments. Implementation of the Yucca Valley General Plan policy N 1-18 would reduce construction noise by enforcing the limits on nonemergency construction hours to the less sensitive hours of the day. Development projects would be subject to environmental review, and specific mitigation measures would be implemented to reduce noise impacts during construction. Even with compliance with the Development Code standards related to construction and implementation of General Plan policy N 1-18, construction noise as it related to implementation of the General Plan would result in a potentially significant noise impact. Mitigation Measure 10-1 would reduce construction noise impacts to the extent feasible. However, because of distance, source to receiver geometry, and other site conditions that may render implementation of mitigation measure infeasible or ineffective for every future project in Town, Mitigation Measure 10-1 would not guarantee that construction noise impacts would be reduced to less than significant levels. Consequently, construction noise impacts would be significant and unavoidable.

CEQA FINDINGS OF FACT

AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE YUCCA VALLEY GENEAL PLAN UPDATE

FINAL ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2012111021

Exhibit A

I. BACKGROUND

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA and the specific reasons for considering the project acceptable even though the project has significant impacts that are infeasible to mitigate.

The lead agency is responsible for the adequacy and objectivity of the EIR. The Town of Yucca Valley (Town), as lead agency, has subjected the Draft EIR (DEIR) and Final EIR (FEIR) to the agency's own review and analysis. The Town Council certifies that the DEIR, FEIR, and Findings of Fact reflect the independent judgment of the Town.

A. PROJECT SUMMARY

The project is an update to the Town of Yucca Valley General Plan. The Yucca Valley General Plan Update is intended to shape development within the Town for at least the next 20 years and involves reorganization of the current General Plan into the following elements: Land Use, Circulation, Safety, Noise, Open Space and Conservation, and Housing. The General Plan Update will also revise the General Plan land use map. Buildout of the Yucca Valley General Plan Update would result in a population of 64,565, 27,229 residential units, 20,963,702 square feet of nonresidential development, and 34,926 employees in the Town.

B. PROJECT OBJECTIVES

Vision 2035

- While maintaining our small town atmosphere, the Town of Yucca Valley is a unique, desirable place to live, the economic hub of the Morongo Basin, and a sought after place to visit.

- As a destination, visitors are drawn to our desert environment, arts and culture, recreation, history, night skies, active open space, and shopping and hospitality opportunities.

- Our range of community services and facilities, efficient infrastructure, safe and established neighborhoods, unique character, and diversity define our community and quality of life.

- Our commitment to balanced growth, environmental stewardship, fiscal sustainability, active citizen participation, and property rights are the cornerstones of our community.

Objectives

- Provide a comprehensive update to the Town's General Plan that establishes goals, policies, and implementation actions related to land use, circulation, housing, conservation and open space, safety, and noise.

- Designate the distribution, location, and extent of land uses, including residential, commercial, mixed use, industrial, open space, and public facilities.

- Maintain balanced, sustainable growth and the desert character and environment, while expanding the Town's position as the economic hub of the Morongo Basin.

- Implement a series of distinct mixed-use activity nodes along SR-62 to promote and encourage sustainable development and create a sense of place along the corridor.

- Provide flexibility in Special Policy Areas to respond to unique goals, and provide development opportunities in changing market conditions.

- Maintain the community's safe and established residential neighborhoods.

- Encourage a range of residential product types on vacant infill sites to meet local housing needs.

- Improve the community's jobs-housing balance and fiscal sustainability by planning for a diversified employment base, provided by a variety of commercial, industrial, and mixed-use land uses.

- Provide appropriate community services and efficient infrastructure (roads, sewer, and water) to meet local needs.

- Ensure new development covers its proportionate share of infrastructure improvement costs.

- Adopt and implement a circulation network based on mobility demands and land use patterns, with a variety of mobility options to reduce vehicle miles traveled and minimize greenhouse gas emissions.

- Encourage infill development along State Route 62 and on vacant sites in developed areas to conserve the Town's hillsides and wildlife corridors to the greatest extent practical.

- Seek opportunities to build upon recreation tourism afforded by the Town's natural features and proximity to the Joshua Tree National Monument.

- Prepare for and mitigate exposure to natural, human-made, and noise-related hazards.

C. ENVIRONMENTAL REVIEW PROCESS

The FEIR includes the DEIR dated October 2012, written comments on the DEIR that were received during the public review period, and written responses to those comments and changes to the DEIR (hereinafter referred to collectively as the FEIR). In conformance with CEQA and the State CEQA Guidelines, the Town conducted an extensive environmental review of the proposed project. The environmental review process has included:

- Completion of an Initial Study (IS)/ Notice of Preparation (NOP), which concluded that an EIR should be prepared. The NOP was released for a 30-day public review period from November 8 to December 10, 2012. The NOP was posted at the San Bernardino County Clerk's office on November 7, 2012. Copies of the IS were made available for public review at the Town of Yucca Valley and the Yucca Valley Branch Library.

- Completion of the scoping process where the public was invited by the Town to participate in a scoping meeting held on December 5, 2012, at the Yucca Valley Community Center. The notice of a public scoping meeting was included in the NOP for the Town.

- Preparation of a DEIR by the Town, which was made available for a 45-day public review period that began August 29, 2013, and closed October 14, 2013. The scope of the DEIR was determined based on the Town's NOP and comments received in response to the NOP. Section 2.2 of the DEIR describes the issues identified for analysis in the DEIR. The Notice of Availability (NOA) for the DEIR was sent to interested persons and organizations, sent to the State Clearinghouse in Sacramento for distribution to public agencies, posted at the Town of Yucca Valley, and published in the *Press Enterprise*. The NOA was posted at the San Bernardino County Clerk's office on August 28. Copies of the DEIR were made available for public review at the Town of Yucca Valley and the Yucca Valley Branch Library.

- Preparation of an FEIR, including the comments and responses to comments on the DEIR. The FEIR contains comments on the DEIR, responses to those comments, and revisions to the DEIR. The FEIR was released for a 10-day agency review period prior to certification of the FEIR.

- Public hearings were held for the proposed project, including joint Planning Commission/ Town Council hearings.

D. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the record of proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP, NOA, and all other public notices issued by the Town in conjunction with the proposed project.

- The DEIR and FEIR for the proposed project.

- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All written and verbal public testimony presented during a noticed public hearing for the proposed project.
- The mitigation monitoring program.
- The reports and technical memoranda included or referenced in the FEIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the FEIR.
- The resolutions adopted by the Town in connection with the proposed project, and all documents incorporated by reference therein.
- Matters of common knowledge to the Town, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

E. CUSTODIAN AND LOCATION OF RECORDS

The documents and other material that constitute the record of proceedings on which these findings are based are located at the Town of Yucca Valley, 58928 Business Center Drive, Yucca Valley, CA 92284. The custodian for these documents is the Town of Yucca Valley. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code of Regulations Section 15091(e).

II. FINDINGS AND FACTS AND OVERRIDING CONSIDERATIONS

The Town of Yucca Valley, as lead agency, is required under CEQA to make written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR.

Specifically, regarding findings, Guidelines Section 15091 provides:

> (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the 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 avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in Section 15091(a)(1) may include a wide variety of measures or actions, as set forth in Guidelines Section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

A. DOCUMENT FORMAT

This document summarizes the significant environmental impacts of the project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This document is divided into following sections:

Section A, *Summary of Environmental Impacts,* presents the summary of impacts of the proposed project.

Section B, *Findings on Impacts Determined to Be Less Than Significant,* presents the impacts of the proposed project that were determined in the EIR to be less than significant without the addition of mitigation measures and presents the rationales for these determinations.

Section C, *Findings on Impacts Mitigated to Less Than Significant,* presents significant impacts of the proposed project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section D, *Findings on Significant Unavoidable Impacts,* presents significant impacts of the proposed project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

Section D, *Findings on Growth-Inducing Impacts and Significant Irreversible Effects,* presents the growth-inducing impacts and significant irreversible effects of the proposed project and the rationales for these determinations.

Section E, *Findings on the Project Alternatives,* presents alternatives to the project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

B. SUMMARY OF ENVIRONMENTAL IMPACTS

Based on the NOP and DEIR, the following is a summary of the environmental topics considered to have no impact, a less than significant impact, a less than significant impact with incorporation of mitigation measures, and a significant and unavoidable impact.

No Impact

- Agricultural Resources

Less Than Significant Impact

- Aesthetics
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

Less Than Significant Impact with Mitigation Incorporated

- Air Quality (Land Use Compatibility)
- Cultural Resources
- Noise (Stationary Sources, Land Use Compatibility/Aircraft and Military Base Noise Exposure, Groundborne Vibration)
- Transportation and Traffic (Traffic Impacts)

Significant and Unavoidable Impact

- Air Quality (AQMP Consistency, Operational Emissions, Construction Emissions, Localized Emissions)
- Biological Resources (Cumulative Habitat Loss)
- Greenhouse Gas Emissions
- Noise (Operational Traffic; Construction)
- Transportation and Traffic (Conflict with Congestion Management Program)

C. IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

It was determined that several potential environmental effects would not result from the proposed project, or would result but would not have a significant impact on the environment. This determination was made based on the findings of the NOP and DEIR prepared for the project. The following summary briefly describes those environmental topics that were found not to be significant with implementation of existing regulations, as detailed in each respective topical section of Chapter 5.0 of the DEIR.

1. Aesthetics

Impact 5.1-1 Future development that would be accommodated by the general plan update would not substantially alter or damage scenic vistas or resources in the town or along a state scenic highway.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-4 of Section 5.1, *Aesthetics*, of the DEIR.

There are no state-designated scenic highways in or near Yucca Valley (Caltrans 2011). However, SR-62, which bisects the Town north to south, is considered an "Eligible State Scenic Highway – Not Officially Designated" by Caltrans. SR-247, which bisects the north half of the Town in an east to west direction, carries the same distinction. The following policies were identified in the General Plan Update to ensure consistency with the proposed scenic highway designation:

Policy OSC 8-7: Preserve scenic views along primary transportation corridors, particularly SR-62, recreational trails, and from public open spaces.

Policy OSC 8-8: Preserve and enhance natural scenic resources associated with major roadway viewsheds and open space corridors, as essential assets reflecting the community's image and character.

Future development in accordance with the General Plan Update would allow for development of currently undeveloped parcels and intensification of other areas (including areas along State Route 62 (SR-62), which have the potential to impact scenic vistas and resources in Yucca Valley. However, the General Plan Update designates several areas within the hillsides, along wildlife corridors, and adjacent to the Joshua Tree National Park as Open Space Conservation

and Open Space Recreation. Within the vicinity of the Town, vast natural landscapes have also been set aside as public and private conservation lands, to not only protect their ecological values and the species that rely on them, but help preserve their visual character. These areas consist of Wildlife Corridor Evaluation Areas and Open Space Resource Areas.

Finding: Compliance with General Plan policies would minimize adverse effects on scenic resources along state highways eligible for state scenic highway designation.

Impact 5.1-2 Future development that would be accommodated by the general plan update would alter the visual appearance of the town but would not substantially degrade the existing visual character or quality of the town and its surroundings.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-14 of Section 5.1, Aesthetics, of the DEIR.

As noted above, future development in accordance with the General Plan Update would allow for development of currently undeveloped parcels and intensification of other areas of the town, including areas along SR-62 and residential development on undeveloped desert and hillside areas. Although development allowed in various areas of the Town would alter the visual character of their immediate vicinity, it would not result in a substantial change or degradation of the visual character or quality in Yucca Valley.

The majority of the development potential of the General Plan Update would occur in areas of the Town already designated for development. Proposed land use designations would generally remain similar to those existing.

Additionally, the Town is committed to preserving the desert environment and its natural resources, which are important to the heritage, character, economy, and overall quality of life of the community. Policies and actions in the General Plan Update express the Town's vision for balanced growth and ensure that new development anticipated under the General Plan Update is integrated into the natural desert topography of the Town and its surroundings to help preserve the desert environment and its resources.

As outlined in the Open Space and Conservation Element, two of the goals for these areas are to preserve the natural scenic character of the Town and to support less intense development near to conservation areas. The Land Use and Open Space and Conservation and Open Space elements of the General Plan Update outline policies and actions to help preserve these natural open space areas. Specific policies include:

Policy OSC 1-6: Encourage the preservation, integrity, function, productivity and long term viability of environmentally sensitive habitats, wildlife corridors and significant geological features within the Town.

Policy OSC 4-3: Require new development proposals to minimize impacts to existing habitat and wildlife to the maximum extent practicable. Require revegetation of disturbed natural habitat areas with native or non-invasive naturalized species.

Furthermore, future development and/or redevelopment activities that would be accommodated under the General Plan Update would be controlled by the design standards and guidelines outlined in the Town's ordinances (Ordinances 88, 125, 136, and 137, which apply to the General Commercial, Neighborhood Commercial, Hillside Reserve, Rural Residential, Single Residential, and Multiple Residential Districts) and commercial design guidelines, such as the height and placement of buildings and structures; the design of setback areas; and landscaping and architectural design parameters. Adherence to the provisions of the ordinances and commercial design guidelines would continue to be ensured through the Town's development review and building permit process.

Finding: Compliance with General Plan policies and design standards and guidelines specified in the Town's ordinances would minimize adverse effects on the existing visual character or quality of the Town or its surroundings.

Impact 5.1-3 Future development that would be accommodated by the general plan update would generate additional light and glare in the town, which could impact surrounding land uses; however, light and glare would be minimized through adherence to the town's lighting standards for new development.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-15 of Section 5.1, *Aesthetics*, of the DEIR.

Future development in accordance with the General Plan Update would allow for development of currently undeveloped parcels and alteration, intensification, and redistribution of some existing land uses. Because the Town and surrounding area are largely undeveloped, the lighting associated with improvements and structures of future development projects that would be accommodated by the General Plan Update could increase nighttime light and glare within the project area, including Joshua Tree National Park. There are portions of the Town that would be developed with more light-intensive land uses under the General Plan Update (e.g., conversion of vacant land or underutilized areas into residential, commercial, or industrial uses). Sources of light and glare from new development or redevelopment would include lighting needed to provide nighttime street and building illumination, security lighting, nighttime traffic, sign illumination, and lighting associated with construction activities.

Undeveloped portions of the Town; redevelopment of underutilized areas; and replacement, expansion, or refurbishment of existing development in other areas of the Town would have the potential to introduce new sources of light and glare that could adversely affect day or nighttime views in the Town and have impacts on sensitive biological resource areas such as wildlife corridors and open space and conservation areas. For example, the development of hillside and rural residential land uses (as accommodated by the General Plan Update) along the southern boundary of the Town, which is adjacent to and abuts Joshua Tree National Park, would increase the number of light sources in these areas and in turn could impact sensitive biological resources and areas of this National Park. In addition, the communities that surround the Town could be affected by light and glare generated by future development. Furthermore, lighting in a rural desert context, especially glaring light, has the potential to impact the visual quality of the nighttime sky and natural open space areas.

Ordinance 90 of the Town contains lighting standards that would be applicable to development

activity associated with future development accommodated by the General Plan Update. The purpose of this ordinance is to establish the regulations and standards that assist in substantially reducing light pollution from commercial and residential land uses; to minimize light pollution that has a detrimental effect on the environment and the enjoyment of the night sky; to reduce and minimize lighting practices that cause unnecessary illumination of adjacent properties; and to implement the Yucca Valley General Plan.

Furthermore, the General Plan Update contains policies and actions designed to minimize light and glare impacts from new development projects and help ensure the Town's enjoyment of the dark sky environment (see Land Use Element Policy LU 1-13 and Action LU 16 and Opens Space and Conservation Policy 8-1). For example, Policy OSC 8-1 calls for minimizing impacts to night skies by enforcing the Outdoor Lighting and Night Sky Ordinance (Ordinance 90).

In addition to the Joshua Tree National Park, vast natural landscapes have also been set aside as public and private conservation lands within the vicinity of the Town to protect their ecological values and the species that rely on them. These areas consist of Wildlife Corridor Evaluation Areas and Open Space Resource Areas. These areas do not preclude development from occurring; however, the Town requires that development in these areas be carefully managed to protect and preserve habitat and migratory corridors. Measures to ensure that light and glare impacts to sensitive habitats and corridors would not occur from future development projects include the provision of proper shielding of lighting adjacent to sensitive habitat areas, in accordance with Town Ordinance 90.

Finding: Adherence to the design standards of Ordinance 90 and other existing regulations and implementation of the policies of the General Plan Update would ensure that light and glare from new development and redevelopment projects accommodated by the General Plan Update would be minimized and that significant impacts would not occur.

2. Air Quality

Impact 5.2-6 Buildout of the Town of Yucca Valley would not expose a substantial number of people to objectionable odors.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-20 of Section 5.2, *Air Quality*, of the DEIR.

Growth within the Town of Yucca Valley could generate new sources of odors and place sensitive receptors near existing sources of odors. Nuisance odors from land uses in the Mojave Desert Air Basin (MDAB) are regulated under Mojave Desert Air Quality Management District (MDAQMD) Rule 402, Nuisance. Major sources of odors include wastewater treatment plants, chemical manufacturing facilities, food processing facilities, agricultural operations, and waste facilities (e.g., landfills, transfer stations, compost facilities).

MDAQMD Rule 402, Nuisance, requires abatement of any nuisance generated by an odor complaint. Because existing sources of odors are required to comply with MDAQMD Rule 402, impacts to siting of new sensitive land uses would be less then significant. Future environmental review for major sources of odors are required to ensure that sensitive land uses are not exposed to nuisance odors. MDAAQMD 402 requires abatement of any nuisance generating an

odor complaint.[1] Consequently, odor impacts associated with the buildout of the General Plan Update would be less than significant.

Finding: Buildout of the proposed General Plan Update would not expose substantial numbers of persons to objectionable odors.

3. Biological Resources

Impact 5.3-9 Implementation of the General Plan Update would not conflict with a habitat conservation plan or natural community conservation plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-43 of Section 5.3, *Biological Resources*, of the DEIR.

There are two habitat conservation plans/natural community conservation plans (HCPs/NCCPs) that are being drafted within the Mojave Desert/Sonoran Desert: the West Mojave Plan (WMP) and the draft Desert Renewable Energy Conservation Plan (DRECP). The WMP has been adopted by the Bureau of Land Management (BLM), but some provisions of the plan are being revised pursuant to a U.S. District Court order. According to the BLM, the Town is no longer a participating agency in the WMP, and the proposed HCP would apply to projects conducted on BLM lands only. Similarly, while the draft DRECP HCP/NCCP would encompass the Town, no projects (i.e., energy projects) subject to the draft DRECP HCP/NCCP are planned or proposed within the Town. The Town is not in the plan area of any other existing or planned HCP or NCCP. Therefore, implementation of the proposed General Plan Update would not conflict with any HCP or NCCP.

Finding: Buildout of the proposed General Plan Update would not conflict with any HCP or NCCP, and impacts would not be significant.

5. Geology and Soils

Impact 5.5-1 Buildout of the General Plan Update would not expose people and structures to substantial hazards from strong ground shaking or from surface rupture of a fault.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-36 of Section 5.5, *Geology and Soils*, of the DEIR.

Strong Ground Shaking

The Town of Yucca Valley is in a region containing numerous active faults. Buildout of the proposed General Plan Update would increase the number of residents and workers and total development intensity in the Town. Thus, General Plan Update buildout would increase the numbers of people and structures in Yucca Valley that would be exposed to strong ground shaking.

[1] Typical abatement includes passing air through a drying agent followed by two successive beds of activated carbon to generate odor-free air.

Geologic investigations of project sites would be required under the Alquist-Priolo Earthquake Fault Zoning Act and the Seismic Hazards Mapping Act. Design and construction of structures built pursuant to the General Plan Update would be required to comply with the current California Building Code (CBC), which is updated on a three-year cycle. Projects developed pursuant to the General Plan Update would comply with legal and regulatory requirements regarding geologic investigations of project sites, building design, and building construction. No substantial hazards would occur.

Surface Rupture of a Fault

Four active faults are known in the Town of Yucca Valley, two of which were discovered by surface rupture resulting from the 1992 Landers earthquake. The activity of a fifth fault in Yucca Valley, the Lower Covington Flat Fault, is unknown; however, geologic investigation is required if development is proposed across it under the Alquist-Priolo Earthquake Fault Zoning Act. Geologists and/or engineers conducting such investigations would identify setbacks from identified active fault traces. Setbacks would be subject to approval by the Town Community Development Department. No substantial hazard would occur.

Finding: Buildout of the General Plan Update would not expose people or structures to substantial hazards from strong ground shaking or from surface rupture of a fault, and impacts would be less than significant.

Impact 5.5-2 Buildout of the General Plan Update would not expose people and structures to substantial hazards from liquefaction and related ground failure.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-37 of Section 5.5, *Geology and Soils*, of the DEIR.

Liquefaction potential in the alluvial sediments underlying the valley portion of the Town is currently considered low to very low due to the lack of groundwater within 50 feet of the ground surface. The United States Geological Survey (USGS) and High-Desert Water District (HDWD) control groundwater recharge into the groundwater basins underlying the Town to prevent groundwater levels from rising to less than 50 feet below ground surface. No substantial hazard would occur.

Finding: Buildout of the General Plan Update would not expose people and structures to substantial hazards from liquefaction and related ground failure, and impacts would be less than significant.

Impact 5.5-3 Adherence to the recommendations identified in the geotechnical studies required for new development associated with buildout of the proposed General Plan Update would ensure that risks from h earthquake-related hazards would be minimized.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-37 of Section 5.5, *Geology and Soils*, of the DEIR.

Earthquake-Related Slope Failures

Ground acceleration of at least 0.10 g in steep terrain is necessary to induce earthquake-related rockfalls. Such ground acceleration is anticipated in the Sawtooth Mountains when the Pinto Mountain fault ruptures next. Ridgetop shattering may occur locally in the mountains bordering the Yucca Valley area, including the Sawtooths and Little San Bernardinos.

Until an official map of seismic hazards is issued for this area by the California Geologic Survey (CGS), DEIR Figure 5.5-6 should be used as the official map. All development projects proposed within or near the potentially unstable slopes identified in Figure 5.5-6 should be evaluated to determine their potential for seismically induced landsliding.

For suspect slopes, appropriate geotechnical investigation and slope stability analyses should be performed for both static and dynamic (earthquake) conditions. Protection from rockfalls or surficial slides can often be achieved by protective devices such as barriers, retaining structures, catchment areas, or a combination of the above. The runout area of the slide at the base of the slope and the potential bouncing of rocks must also be considered. If it is not feasible to remedy the unstable slope conditions, building setbacks should be imposed. After required geotechnical investigations and required implementation of recommendations in geotechnical investigation reports, developments pursuant to the General Plan Update would not create substantial hazards arising from earthquake-related slope failures.

Seismic Settlement

Certain areas of the Town of Yucca Valley (see Figure 5.5-1) are underlain by young, unconsolidated alluvial deposits and by artificial fill; these sediments are susceptible to seismically induced settlement.

Remedial measures to reduce hazards from seismically induced settlement are similar to those used for liquefaction. Recommendations are provided by the project's geologist and soil engineer following a detailed geotechnical investigation of the site. Overexcavation and recompaction is the most commonly used method to densify soft soils susceptible to settlement. Deeper overexcavation below final grades, especially at cut/fill, fill/natural, or alluvium/bedrock contacts may be recommended to provide a more uniform subgrade. Overexcavation should also be performed so that large differences in fill thickness are not present across individual lots. In some cases, specially designed deep foundations, strengthened foundations, and/or fill compaction to a minimum standard that is higher than required by the CBC may be recommended.

Projects developed pursuant to the proposed General Plan Update would be required to have geotechnical investigations of the project sites conducted per state laws and regulations and General Plan policies. Compliance with recommendations in the geotechnical investigations reports would be required as conditions of issuance of building and grading permits by the Town. No substantial hazard would occur.

Finding: Projects developed pursuant to the proposed General Plan Update would comply with recommendations in the geotechnical investigations reports for each respective project, and impacts would be less than significant.

Impact 5.5-4 Buildout of the proposed General Plan Update would not cause substantial erosion.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-38 of Section 5.5, *Geology and Soils*, of the DEIR.

The United States Army Corps of Engineers (Corps) has identified that there are currently no Waters of the U.S. within the Town because the most prominent water course in the Town, the Yucca Valley Creek, is classified as an intermittent desert stream. Therefore, water courses in the Town discharge to desert basins (not water bodies). If a jurisdictional determination has been made that the project does not discharge to federal waters, then no enrollment under the General Construction Permit is necessary and no impacts are considered to occur. Furthermore, demolition, land clearing, grading, and construction activities of projects approved pursuant to the proposed General Plan Update would be required to comply with Mojave Desert Air Quality Management District (MDAQMD) Rules 403 and 403.2 regulating fugitive dust emissions, thus minimizing wind erosion from such ground-disturbing activities. Construction activities within the Town would not generate substantial erosion.

Finding: With adherence to MDAQMD rules governing fugitive dust emissions, development of projects pursuant to the General Plan Update would not generate substantial erosion, and impacts would be less than significant.

Impact 5.5-5 Adherence to the recommendations identified in the geotechnical studies required for new development associated with buildout of the proposed General Plan Update would not expose people and structures to geologic hazards from collapsible soils, compressible soils, corrosive soils, or ground subsidence.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-38 of Section 5.5, *Geology and Soils*, of the DEIR.

Collapsible Soils

Young alluvial sediments in the Yucca Valley area may be locally susceptible to soil collapse due to their low density, granular nature, rapid deposition in the alluvial fan environment, and the generally dry condition of the near-surface soils.

The potential for soils to collapse should be evaluated on a site-specific basis as part of the geotechnical studies for development. If the soils are determined to be collapsible, the hazard can be reduced by several different measures or combination of measures, including excavation and recompaction, or presaturation and preloading of the susceptible soils in place to induce collapse prior to construction. After construction, infiltration of water into the subsurface soils should be minimized by proper surface drainage design, which directs excess runoff to catch basins and storm drains.

Compressible Soils

In Yucca Valley, compressible soils are most likely to occur where young Holocene-age deposits are present, including floodplains. Compressible soils are also commonly found in

hillside areas, typically in canyon bottoms, swales, and at the base of natural slopes. The upper few feet of older alluvium, which are commonly weathered and/or disturbed, are also typically compressible.

When development is planned within areas that contain potentially compressible soils, a geotechnical soil analysis is required to identify this hazard. Projects developed pursuant to the General Plan Update would be required to comply with recommendations in geotechnical investigation report for each respective project.

Corrosive Soils

Corrosion testing is an important part of geotechnical investigations. Site-specific recommendations must be provided by an engineer who is a corrosion specialist.

Land Subsidence

To date, subsidence has not been reported in Yucca Valley; however, subsidence could occur in the event of rapid groundwater withdrawal. Preventing land subsidence requires management of groundwater conservation and recharge to avoid overdraft of groundwater basins. The HDWD has already implemented several water saving programs, including discouraging the wasteful use of water and providing public information on water conservation, desert landscaping, and resource management. The HDWD currently has water supply capabilities to meet daily demands as well as future demands into the year 2035, even for multiple dry years. Considering water supplies available in Yucca Valley and current and planned water management efforts, substantial hazards from land subsidence in Yucca Valley are unlikely.

Finding: With adherence to recommendations in geotechnical investigations reports for projects developed pursuant to the General Plan Update, such projects would not create substantial hazards arising from collapsible soils, compressible soils, soil corrosion, or ground subsidence, and no significant impact would occur.

Impact 5.5-6 New septic tanks are prohibited in parts of Yucca Valley, and new septic tanks allowed in areas outside the wastewater treatment plant phasing plan boundaries would be required to comply with the California Plumbing Code to ensure soil conditions would adequately support septic tanks.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-40 of Section 5.5, *Geology and Soils*, of the DEIR.

Soils in the Yucca Valley are mostly porous and permeable, with high percolation rates. The large number of septic tanks used in Yucca Valley has resulted in nitrate pollution of groundwater. High levels of nitrates from septic systems were found in some wells after recharge with State Water Project (SWP) water began in 1995. An estimated 880 acre-feet of septic discharge currently reaches the groundwater annually (HDWD 2012b).

The Colorado River Basin Regional Water Quality Control Board (CRBRWQCB) in 2011 prohibited discharge from septic systems in certain areas of the Town of Yucca Valley. The prohibition will be phased, with areas of the Town prohibited from discharging beginning in 2016, 2019, and 2022. A wastewater treatment and water reclamation system that would

collect, treat, and reclaim wastewater in the majority of Yucca Valley is currently being developed. The system, which is projected to begin operation in 2016, includes a sewer collection system, a wastewater treatment plant, and water reclamation recharge ponds. The prohibition of new septic tanks in parts of Yucca Valley is due to groundwater pollution and not due to physical characteristics of soils including percolation rates.

Septic systems installed in parts of the Town where they would still be permitted would be mandated to comply with requirements for septic tanks in the California Plumbing Code, California Code of Regulations, Title 24, Part 5.

Finding: With adherence to California Plumbing Code requirements, soil conditions would adequately support septic tanks where use of septic tanks would still be permitted. No significant impact would occur.

6. Greenhouse Gas Emissions

Impact 5.6-2 The Town of Yucca Valley General Plan Update would not conflict with the California Air Resources Board (CARB)'s 2008 scoping plan or the Southern California Association of Governments (SCAG)'s 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Support for this environmental impact conclusion is fully discussed starting on page 5.6-21 of Section 5.6, *Greenhouse Gas Emissions*, of the DEIR.

CARB's Scoping Plan

Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS); California Appliance Energy Efficiency regulations; California Building Standards (i.e., the California Green Building Standards Code [CALGreen] and the 2013 Building and Energy Efficiency Standards); 33 percent Renewable Portfolio Standard (RPS); changes in the corporate average fuel economy standards (e.g., Pavley I and California Advanced Clean Cars [Pavley II]); and other measures that would ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. Statewide greenhouse gas (GHG) emissions reduction measures that are being implemented over the next seven years would reduce the Town's GHG emissions. New residential and nonresidential construction in the Town would achieve the current building and energy efficiency standards. The new buildings would be constructed in conformance with CALGreen, which requires high-efficiency water fixtures for indoor plumbing and water efficient irrigation systems. Furthermore, all landscaping installed would be required to adhere to the Town's Water Efficient Landscape Ordinance. Compliance with state and local regulations regarding energy and water efficiency would ensure that the growth under the Town of Yucca Valley General Plan Update does not conflict with the Scoping Plan. Therefore, impacts would be less than significant.

SCAG's 2012 RTP/SCS

Overall, land use designations between the existing current general plan and the proposed general plan are similar. However, the proposed land use plan would allow for more intense commercial, residential, civic, and higher-density residential land uses concentrated near SR-62. The proposed land use plan would generally decrease land use density to the north and to

the south with distance from SR-62. These land use strategies are compatible with the overall goals of the 2012 RTP/SCS. The General Plan Update is consistent with the growth strategies of the 2012 RTP/SCS. Furthermore, Table 5.9-1, *SCAG's 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy Goals Consistency Analysis*, in Section 5.9, *Land Use and Planning*, provides an assessment of the proposed project's relationship to applicable RTP/SCS goals. As identified in this table, the proposed project would be consistent with the applicable RTP/SCS goals. Therefore, the General Plan Update is consistent with SCAG's 2012 RTP/SCS.

Finding: Implementation of the General Plan Update would not conflict with CARB's Scoping Plan and would be consistent with SCAG's 2012 RTP/SCS. Impacts would be less than significant.

7. Hazards and Hazardous Materials

Impact 5.7-1 Future construction and/or operations activities of development projects accommodated by the General Plan Update would involve the transport, use, and/or disposal of hazardous materials; however, existing federal, state and local regulations would ensure risks are minimized.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-26 of Section 5.7, *Hazards and Hazardous Materials*, of the DEIR.

The routine transport, use, or disposal of hazardous materials would be associated with new development, redevelopment, and demolition activities that would be permitted under the General Plan Update. Commercial project operations would involve the use of hazardous materials including solvents, cleaning agents, paints, and pesticides. However, these would generally be materials that, when used correctly, would not result in a significant hazard to residents in the proposed project area. Industrial-grade chemicals would also continue to be transported, used, and disposed of consistent with current industrial operations in the Town. In general, implementation of the General Plan Update would increase the number of businesses and residents in the Town, thereby increasing the amount of hazardous materials being transported, stored, and manufactured, and the amount of people being exposed to these materials. While businesses/users are required by federal, state, and local regulations to properly transport, use, and dispose of hazardous material within the Town, it is possible that upset or accidental conditions may arise that result in the release of hazardous materials into the environment.

Existing regulations with respect to hazardous materials transportation, management, and disposal are designed to be protective of human health. The Resource Conservation and Recovery Act (RCRA), the Emergency Planning and Community Right-to-Know Act (EPCRA), state regulations, provisions of the Yucca Valley Municipal Code, and policies in the General Plan Update all minimize potential hazardous material impacts. Therefore, no significant hazards impacts to the public or environment through the routine transport, use, or disposal of hazardous waste/materials is anticipated as a result of the proposed project.

Finding: With adherence to existing regulations, the routine use, transport, and disposal of hazardous materials by projects developed pursuant to the General Plan Update would not pose substantial hazards to the public or the environment, and impacts would be less than significant.

Impact 5.7-2	**Areas of the town are included on a list of hazardous materials sites; however, compliance with existing regulations would ensure hazards are remediated to the applicable state and federal standards.**

Support for this environmental impact conclusion is fully discussed starting on page 5.7-26 of Section 5.7, *Hazards and Hazardous Materials*, of the DEIR.

Numerous businesses in Yucca Valley have had historical releases of hazardous substances to the environment and\or are undergoing environmental investigation or remediation. Database searches identified the following types of sites in the Town. Listing does not imply that sites are contaminated or require remediation. Some sites listed may have been granted site closure by a regulatory agency.

- 29 generators of hazardous waste are listed in the Environmental Protection Agency's (EPA) EnviroMapper database, including 1 large-quantity generator, 26 small-quantity generators, and 2 generators of unknown quantities.
- 10 leaking underground storage tanks are listed in the GeoTracker Leaking Underground Storage Tank (LUST) database. All 10 sites have been remediated and closed.
- No National Priority List (NPL) sites are listed for Yucca Valley. However, there is a listed Superfund site (La Contenta Middle School) where a one-time release of mercury was cleaned up in 2007.
- No sites were listed by the EPA Toxic Chemical Release Inventory System.
- No sites in Yucca Valley were listed on the Cortese list. The closest site on the list is the Twentynine Palms Marine Air to Ground Combat Center north of Twentynine Palms.
- No oil or geothermal wells have been drilled in Yucca Valley.

Due to the fact that there are numerous sites undergoing investigation and/or remediation within and adjacent to the Town, impacts from hazardous substance contamination on or adjacent to specific project developments in the Town may occur. Future developments in the Town in accordance with implementation of the General Plan Update may be impacted by hazardous substance contamination remaining from historical operations on a particular site that may pose a significant health risk. However, properties contaminated by hazardous substances are regulated at the local, state, and federal level and are subject to compliance with stringent laws and regulations for investigation and remediation. For example, compliance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), RCRA, California Code of Regulations, Title 22, and related requirements would remedy any potential impacts caused by hazardous substance contamination. Therefore, buildout of the General Plan Update would result in a less than significant impact upon compliance with existing laws and regulations.

Finding: With adherence to existing regulations, buildout of the General Plan Update would not create substantial hazards arising from listed hazardous materials sites in the Town. Impacts would be less than significant.

Impact 5.7-3	**Buildout of the General Plan Update would place additional development and residents in the vicinity of the Yucca Valley Airport, within the airport's land use plan, and within the helicopter flight path of the Marine Corps Air Ground Combat Center; however, land uses would be compatible with the airport land use compatibility plan.**

Support for this environmental impact conclusion is fully discussed starting on page 5.7-31 of Section 5.7, *Hazards and Hazardous Materials*, of the DEIR.

Yucca Valley Airport

The General Plan Update would continue to allow a variety of uses in the Yucca Valley Airport influence area, including commercial, industrial, and mixed uses near SR-62 and residential uses to the north and south of the SR-62 corridor. Changes in land use designation proposed for the area include the transition of parcels north of the airport from Rural Living to Rural Residential and the application of a Corridor Residential Overlay on parcels in the SR-62 corridor currently planned for Commercial uses under the existing General Plan. The proposed transition of parcels from a Rural Living land use designation to a Rural Residential designation was established to reflect the existing conditions on those parcels.

Despite the above-mentioned increases in density and intensity allowed in the Yucca Valley Airport influence area under the General Plan Update, development in this area would be required to comply with the airport's Airport Land Use Compatibility Plan (ALUCP). The ALUCP establishes standards for the compatibility between the Yucca Valley Airport and surrounding parcels. The standards identify land uses that are considered incompatible with airport operations and areas where the greatest noise from aircraft is expected to occur, and establish height limits in select areas around the runway. The ALUCP identifies safety review areas, shown in Figure 5.7-5, that establish horizontal and three-dimensional airspace where obstructions to aircraft movement are prohibited. Safety Review Areas 1 and 2 are primarily limited to the footprint of the airport and the air space above it, and Safety Review Area 3 consists of the area within one mile of the airport's boundary. A variety of land uses are allowed in Safety Review Area 3 under the proposed General Plan. However, as stated above, new land uses built pursuant to the General Plan Update would be required to comply with standards outlined in the ALUCP.

The Land Use Element of the proposed General Plan is compatible with the Yucca Valley Airport Comprehensive Land Use Plan and contains the following policies aimed at reducing potential hazards relating to the airport.

Policy LU 3-1: Allow compatible and supportive land uses around the Yucca Valley Airport as determined in the Airport Comprehensive Land Use Plan.

Policy LU 3-2: Limit building heights in select areas according to the Avigation Easement map and standards provided in the Airport Compatibility Land Use Plan.

Adherence to the above policies would ensure that land use allowed under the proposed General Plan Update would not encroach into areas required for the safe takeoff and landing of aircrafts at Yucca Valley Airport. Compliance with these policies and land use restrictions included in the airport's ALUCP would minimize potential safety hazards for people residing and working near Yucca Valley Airport. Therefore, no significant impacts relating to airport hazards

are anticipated.

Marine Corps Air Ground Combat Center

The Marine Corps Air Ground Combat Center (MCAGCC) is approximately 7 miles east of Yucca Valley's town limits. The installation is a 24/7, live-fire military installation used for training. Operations at the MCAGCC include takeoffs and landings of military aircraft. Many of these aircraft—primarily helicopters—fly over portions of Yucca Valley. Despite the location of this flight route over portions of Yucca Valley, overflight of aircraft traveling to and from the MCAGCC is sporadic and at a high altitude. Therefore, hazards relating to military aircraft overflight are minimal and no significant impacts are anticipated.

Finding: Buildout of the General Plan Update would not cause substantial hazards related to aircraft approaching or departing Yucca Valley Airport or helicopters flying to or from the MCAGCC, and impacts would be less than significant.

Impact 5.7-4 Future development that would be accommodated by the General Plan Update would not affect the implementation of an adopted emergency response or evacuation plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-31 of Section 5.7, *Hazards and Hazardous Materials*, of the DEIR.

All new development that would be accommodated by the General Plan Update would be required to follow the Town's emergency response and evacuation guidelines and be compatible with emergency evacuation routes. Additionally, all construction activities associated with development in accordance with the General Plan Update would be performed per Town and San Bernardino County Fire Department (SBCFD) standards and codes, thereby avoiding any interference with emergency response or evacuation plans.

Implementation of Policy S 7-4 of the proposed General Plan would ensure that the Town's Emergency Operations Plan (EOP) and Hazard Mitigation Plan (HMP) reflect new changes in regulation and/or local conditions:

S 7-4: Update and maintain the Emergency Operations Plan and Hazard Mitigation Plan, keeping them current with county, state, and federal requirements; include measures pertaining to man-made and natural hazards such as flood, access, earthquakes, landslides, hazardous materials, evacuation, severe weather, and fire.

Implementation Actions S 30 through S 38 of the proposed Safety Element implement the above policy, ensuring that the Town's emergency plans are regularly reviewed and updated (Policies S 30 and S 35) and that the Town collaborates with the County of San Bernardino to minimize safety risks via emergency planning (Policies S 31 and S 36).

Finding: Implementation of the General Plan Update would not interfere with an adopted emergency response or evacuation plan and no significant impacts are anticipated.

Impact 5.7-5 Portions of the town are designated High and Very High Fire Hazard Zones and could expose structures and/or people to fire danger; however, new structures would be required to meet the California Building Code and California Fire Code requirements to minimize risk.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-31 of Section 5.7, *Hazards and Hazardous Materials,* of the DEIR.

Moderate, high, and very high wildland fire threats are present in Yucca Valley. Areas susceptible to high and very high fire danger are in the hillsides to the south and west-northwest of central Yucca Valley.

Implementation of Policies S 4-1 through S 4-6 of the proposed Safety Element would minimize potential wildfire impacts in Yucca Valley. Policies S 4-1 and S 4-2 emphasize the role of

homeowners and other residents in minimizing wildfire risk, while Policies S 4-3 through S 4-6 focus on planning infrastructure, land uses, and public services to prevent or minimize wildfire impacts. Successful execution of implementation actions included in the Safety Element would also minimize impacts of wildfires by ensuring that adequate emergency services are provided in Yucca Valley in the event that a fire occurs.

Because the State of California, County of San Bernardino, and the Town of Yucca Valley require adherence to building codes and review by the fire department to reduce fire hazards, project impacts on fire hazards would be less than significant.

Finding: Developments pursuant to the General Plan Update would comply with fire safety regulations—in the California Fire Code and California Building Code—for structures, including structures in the urban-wildland interface. Impacts would be less than significant.

8. Hydrology and Water Quality

Impact 5.8-1 Development pursuant to the proposed General Plan Update would increase surface water flows into drainage systems within the affected watersheds as result of an increase in impervious surfaces in the Town. However, the Town would not develop in a manner that would increase flooding on- or offsite.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-18 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

At buildout of the General Plan Update, 98.5 percent of the Town's 25,492 acres (25,106 acres) would be designated for some type of developed land use, and the remaining 386 acres would be designated for open space conservation. Currently, 65.4 percent of the Town (16,661 acres) consists of vacant land. Therefore, General Plan Update implementation would involve development of 16,275 acres of currently vacant land. Buildout of the proposed General Plan Update would increase the amount of impervious surfaces in the Town, thus increasing surface water flows into drainage systems within the watersheds in the Town. Excess flows in these drainages as a result of development has the potential to result in flooding.

To minimize flooding in the Town, 47 flood control improvements were proposed in the 1999 Master Plan of Drainage, including 27 drainage channels or channel segments, 6 detention basins, 2 storm drains, and a levee (Tettemer 1999). Implementation of the Master Plan of Drainage would minimize flood hazards in the Town. Furthermore, the General Plan Update includes several policies and implementation actions to reduce flooding, including Policies S 3-1 through S 3-11 and Implementation Actions S 10 through S 17. Specifically, Implementation Action S 10 requires developers to provide onsite retention of stormwater at a minimum of 10 percent above the incremental increase from pre-project conditions. This is enforced through the development review process and routine site inspection. With adherence to the Town's standard conditions and development of the Master Plan of Drainage, impacts from an increase in impervious surfaces within the Town would be minimized.

Finding: With adherence to the Town's standard conditions and development of the Master Plan of Drainage, impacts from an increase in impervious surfaces within the Town on drainage facilities and on flooding would be less than significant.

Impact 5.8-2 Development pursuant to the proposed General Plan Update would increase the amount of impervious surfaces in the Town of Yucca Valley. However, General Plan Update buildout would not substantially reduce groundwater recharge.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-23 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

General Plan Update implementation would involve development of 16,275 acres of currently vacant land. Buildout of the proposed General Plan Update would increase the amount of impervious surfaces in the Town, thus decreasing the amount of rain that could percolate into the groundwater basins.

Recharge Basins

Intentional recharge of the Warren Valley Groundwater Basin is conducted at three recharge basins owned and operated by the HDWD. Approval of the proposed General Plan Update would not change or require any change in land use on the three percolation basins. A groundwater recharge system in Ames Valley using imported SWP water is under construction and is planned to begin operation by the end of 2013. Approval of the General Plan Update would not interfere with that groundwater recharge system.

Proposed Increase in Impervious Area

There are currently 8,831 acres of developed land uses in the Town. Note, however, that some of the residential development in the Town is at a density of several acres per residence; most of the land at that low density is still available for groundwater recharge from rain. It should also be noted that the Town receives nominal annual rainfall (less than five inches per year). The proposed General Plan Update designates 25,106 acres of the Town for some type of developed land use, an increase of 16,275 acres above existing conditions. However, 8,929 acres, or 35 percent of the Town's area, would have residential land uses with maximum densities of one unit per five or more acres: Hillside Residential (one unit/20 acres), RL-10 (one unit/10 acres), and RL-5 (one unit/five acres). Thus, substantial portions of land within land use designations that would comprise slightly more than one-third of the Town would remain available for groundwater recharge at General Plan Update buildout.

Aside from imported SWP supplies, most other groundwater recharge is from septic and irrigation return flows (Kennedy-Jenks 2011). Natural recharge within the Warren Valley Groundwater Basin occurs through percolation of rainfall and of ephemeral flows in Water Canyon and Covington Canyon. Natural recharge within the Warren Valley Groundwater Basin is estimated as 49 acre-feet per year (afy) (HDWD 2012a), compared to 2,569 acre-feet (af) recharge with SWP water and 820 af septic and irrigation return flows in 2010 (Kennedy-Jenks 2011). Therefore, increasing the amount of impervious areas in the Town would not substantially reduce groundwater recharge.

Planned Wastewater Treatment System and Ensuing Groundwater Recharge

The first phase of the Town's planned wastewater treatment system is under construction. When all three phases of the wastewater collection and treatment system are completed (planned for 2022), most of the northern and central parts of the Warren Valley Groundwater Basin will dispose of wastewater through sewers rather than through septic tanks (see Figures

5.8-3 and 5.8-4). Septic returns to the Warren Valley Groundwater Basin will be greatly reduced by 2022 compared to current conditions. Treated wastewater would be recharged into the Warren Valley Groundwater Basin. Treated wastewater production by the treatment facility is forecast to be 1,863 afy in 2020 and to increase to 2,876 afy in 2035, compared to 820 afy of estimated septic and irrigation returns in 2010 (Kennedy-Jenks 2011). Thus, reducing use of septic systems in Yucca Valley in favor of the planned wastewater treatment and water reclamation system is not expected to reduce groundwater recharge into the Warren Valley Groundwater Basin and would improve water quality in this groundwater basin.

Impact 5.8-3 **Development pursuant to the proposed General Plan Update would increase surface water flows into drainage systems within the affected watersheds as result of an increase in impervious surfaces in the town. However, the Town would not develop in a manner that would increase flooding on- or offsite.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-24 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

At buildout of the General Plan Update, 98.5 percent of the Town's 25,492 acres (25,106 acres) would be designated for some type of developed land use, and the remaining 386 acres would be designated for open space conservation. Currently, 65.4 percent of the Town (16,661 acres) consists of vacant land. Therefore, General Plan Update implementation would involve development of 16,275 acres of currently vacant land. Buildout of the proposed General Plan Update would increase the amount of impervious surfaces in the Town, thus increasing surface water flows into drainage systems within the watersheds in the Town. Excess flows in these drainages as a result of development has the potential to result in flooding.

To minimize flooding in the Town, 47 flood control improvements were proposed in the 1999 Master Plan of Drainage, including 27 drainage channels or channel segments, 6 detention basins, 2 storm drains, and a levee (Tettemer 1999). Existing flood control facilities in the Town are described in Section 5.8-1 of the DEIR. Implementation of the Master Plan of Drainage would minimize flood hazards in the Town. Furthermore, the General Plan Update includes several policies and implementation actions to reduce flooding, including Policies S 3-1 through S 3-11 and Implementation Actions S 10 through S 17. Specifically, Implementation Action S 10 requires developers to provide onsite retention of stormwater at a minimum of 10 percent above the incremental increase from pre-project conditions. This is enforced through the development review process and routine site inspection. With adherence to the Town's standard conditions and development of the Master Plan of Drainage, impacts from an increase in impervious surfaces within the Town would be minimized.

Finding: Buildout of the proposed General Plan Update would involve implementation of the Master Plan of Drainage as well as General Plan policies and actions for reducing flooding. Impacts would be less than significant.

Impact 5.8-4 **During the construction of projects in accordance with the General Plan Update, there is the potential for short-term unquantifiable increases in pollutant concentrations. After project development, the quality of storm runoff (sediment, nutrients, metals, pesticides, pathogens, and hydrocarbons) may be altered.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-24 of

Section 5.8, *Hydrology and Water Quality*, of the DEIR.

Buildout of the Town of Yucca Valley would generate pollutants during the construction and operation of projects in accordance with the General Plan Update.

Construction

Pollutants from construction activities that can enter stormwater include sediment, metals, nutrients, soil additives, pesticides, construction chemicals, and other construction waste (CASQA 2003). The Town of Yucca Valley gets very little rainfall; the average annual rainfall over the entire Lucerne Valley Planning Area is five inches (CRBRWQCB 2006). Many of the water courses in the Town are dry washes. The Corps has identified that there are currently no Waters of the U.S. within the Town because the most prominent water course in the Town, the Yucca Valley Creek, is classified as an intermittent desert stream.[2] If a jurisdictional determination has been made that the project does not discharge to federal waters, then no enrollment under the General Construction Permit is necessary and no water quality impacts are considered to occur. Furthermore, grading or construction operations under Town grading or construction permits are prohibited from allowing loose trash, rubbish, or debris to accumulate or to be carried offsite by wind or water; are required to keep trash, rubbish, and debris contained; and are required to provide for waste collection to prevent trash containers from overfilling, by Town Municipal Code Chapter 8.03, Construction Site Maintenance and Trash Containment. Construction, grading, excavation, and land clearing operations are required to use measures to minimize wind erosion under MDAQMD Rules 403 and 403.2. Grading and construction activities pursuant to the General Plan Update would comply with existing laws and regulations aimed at minimizing or eliminating pollution of stormwater with trash and debris and pollution of air and water by dust.

Project Design and Project Operation

Pollutants from the post-construction phases of projects include sediment, metals, nutrients, pesticides, and hydrocarbons. State Water Resources Control Board (SWRCB) Order No. 2013-0001 DWQ, effective July 1, 2013, for small municipal separate storm sewer systems (MS4s) does not apply because the Town does not currently exceed a population density of 1,000 persons per square mile. However, the Town would have a population density of 1,000 persons per square mile when its population reaches 39,831 persons. The Southern California Association of Governments 2035 population forecast for Yucca Valley is 26,200. Assuming that is correct, Yucca Valley would reach the threshold population density for coverage under the small MS4 Permit well after 2035. At General Plan buildout, the Town would have a forecast population of 64,565, well over the threshold population, and the requirements under this Statewide General Permit for small MS4s would apply. The CRBRWQCB may designate the Town's MS4 system a regulated small MS4 before the Town reaches the threshold population. Such designation would be based on the potential for the Town's MS4 discharges to exceed water quality standards, including impairment of designated uses, or for other significant water quality impacts, including habitat and biological impacts.

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[2] Waters of the United States include waters used, or potentially usable, in interstate or foreign commerce; interstate waters including interstate wetlands; waters—including intermittent waters—and wetlands, the destruction of which could affect interstate or foreign commerce; tributaries to waters identified above; and wetlands adjacent to waters identified above (Code of Federal Regulations, Title 33, Section 328.3). The Corps determination is reviewed every five years.

At buildout, the Town would be required to implement the Statewide General Permit for Small MS4s. This would include a requirement for land use projects subject to the permit to prepare a site-specific WQMP that identifies best management practices (BMPs) for pollutants of concern. Site design for stormwater quality protection under the Statewide General Permit for small MS4s uses a three-level strategy:

- Reduce or eliminate post-project runoff;
- Control sources of pollutants; and, if still needed after (1) and (2),
- Treat contaminated stormwater before discharging it into the storm drain system or into receiving waters.

There are three categories of BMPs, with each category corresponding to one of the three strategies.

- Low-impact development (LID) BMPs (site design) are intended to reduce or eliminate postproject runoff
- Source control BMPs control sources of pollutants and are divided into two types:
    - Structural source control BMPs, which are included in project design
    - Nonstructural source control BMPs, which are used during project operation
- LID/treatment control BMPs treat contaminated stormwater before the water is discharged offsite (CASQA 2003).

LID BMPs, structural source control BMPs, and treatment control BMPs would all be required in the design of projects developed once the Town reaches the threshold population density for coverage under the small MS4 Permit.

Impacts to Waters of the State

Streams and riparian habitats in the Town of Yucca Valley are Waters of the State regulated by the California Department of Fish and Wildlife (CDFW) under California Fish and Game Code Sections 1602 et seq. Alterations to the natural flow, removal of material from, or deposit of material into a stream or lake are prohibited except under a lake or streambed alteration agreement. Selected requirements for notifications of lake or streambed alterations are described in Section 5.8.1. All development and redevelopment projects approved according to the General Plan Update would comply with Sections 1602 et seq. of the Fish and Game Code. Impacts to water bodies and riparian habitats must be identified and mitigated.

Groundwater Pollution from Sanitary Wastewater Treatment

Buildout of the proposed General Plan would add approximately 17,771 residential units, 43,283 residents, 17.4 million square feet of nonresidential land uses, and 27,387 employees in the Town of Yucca Valley, thus substantially increasing wastewater generation in the Town.

Waste discharge requirements are issued for certain individual projects by the CRBRWQCB.

Properties in the Town for which waste discharge requirements have been issued include stores, a restaurant, a mobile home park, and a laundromat. Some affected properties discharge to onsite wastewater treatment plants while others discharge to septic tanks/seepage pits (CRBRWQCB 2013).

The CRBRWQCB in 2011 prohibited discharge from septic systems in the Town of Yucca Valley. The prohibition will be phased, with areas of the Town prohibited from discharging beginning in 2016, 2019, and 2022. A wastewater treatment and water reclamation system that would collect, treat, and reclaim wastewater in a majority of Yucca Valley is currently being developed. The system, which is projected to begin operation in 2016, includes a sewer collection system, a wastewater treatment plant, and water reclamation recharge ponds. Wastewater treatment, groundwater recharge with treated wastewater, and withdrawal of groundwater after recharge, would all comply with requirements in Title 22, California Code of Regulations, and recommendations of the California Department of Public Health pursuant to such regulations. Recharge of the Warren Valley Groundwater Basin with treated wastewater would have a favorable impact on groundwater quality compared to existing pollution from septic system returns.

Septic systems that would be installed in parts of the Town where they would still be permitted—that is, outside of the phased prohibited areas shown on Figure 5.8-4—would be mandated to comply with requirements for septic tanks in the California Plumbing Code, California Code of Regulations, Title 24, Part 5. Adherence to the septic tank prohibition in the areas identified in Figure 5.8-4 and compliance with the California Plumbing Code in the more rural areas would reduce impacts to groundwater quality.

Finding: Buildout of the proposed General Plan Update would involve implementation of solid waste containment and collection requirements in Town Municipal Code Chapter 8.03; wind erosion control measures in MDAQMD Rules 403 and 403.2; and measures for minimizing water pollution in the Small MS4 Permit when the Town's population density reaches the threshold for coverage under that Permit, as well as General Plan policies and actions for minimizing water pollution. Impacts would be less than significant.

Impact 5.8-5 Buildout in accordance with the Yucca Valley General Plan Update would not expose people or structures to risks associated with failure of a levee.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-26 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

Levees are present along the eastern portion of the Water Canyon Channel and along Burnt Mountain Wash. There are also planned and existing detention/debris basins in the Town that contain stormwater on a temporary basis. Implementation of the proposed General Plan could expose additional population to flood hazards. The 1999 Town of Yucca Valley Master Plan of Drainage recommends the following improvements for Water Canyon:

- A detention/debris basin in Water Canyon along the north side of Pioneertown Road next to the west Town boundary. The basin would be sized to store the 100-year debris yield.

- Construction of Water Canyon Channel as a riveted soft-bottom channel 3,000 feet downstream from the proposed basin, then continuing downstream as a rock-lined channel.

These improvements have not yet been built. An area near the mouth of Water Canyon is designated as a Federal Emergency Management Agency (FEMA) 100-year flood zone (Zone A).

Seven basins were included in the Master Plan of Drainage: one existing basin (Old Woman Springs), an expansion to a second existing basin (Long Canyon), and five planned basins. All basins except Old Woman Springs Basin were sized to hold the debris volume from a 100-year storm. Selected characteristics of the five planned and one expanded basins are provided below.

- Water Canyon Basin: 438 acre-feet storage capacity, 126,000 cubic yards (cy) debris capacity, 35 acres.
- Kickapoo Basin: 32 af storage capacity, 26,500 cy debris capacity, 8 acres.
- Acoma Basin: 90 af storage capacity, 57,000 cy debris capacity, 10 acres.
- Long Canyon Basin (expanded): 130 af storage capacity, 108,000 cy debris capacity, 15 acres.
- East Burnt Mountain Basin: 194 af storage capacity, 39,000 cy debris capacity, 20 acres.
- West Burnt Mountain Basin: 96 af storage capacity, 50,000 cy debris capacity, 20 acres.

Based on a survey of locations of proposed facilities using Google Satellite View in May 2013, the Old Woman Springs Channel has been built both upstream and downstream of Old Woman Springs Basin. Remaining proposed facilities in the 1999 Master Plan of Drainage have not yet been built. The six above-listed basins, given their size and storage capacity, would be under the jurisdiction of the California Division of Safety of Dams (DOSD). The DOSD would review the design and oversee the construction of the basins and would inspect the basins annually once completed.

Developments within Yucca Valley are required to pay a development impact fee for construction and maintenance of general facilities, park facilities, trail facilities, storm drain facilities, and street and traffic facilities, pursuant to Municipal Code Chapter 3.40. Future developments would pay the required development impact fee; revenue from this fee would be available to construct and maintain storm drainage facilities. After payment of development impact fees by future developments, and review and inspection of basins by DSOD during design, construction, and operations, no substantial flooding hazard would occur due to failure of levees or of detention/debris basins.

Finding: Two existing detention/debris basins and five additional basins that would be built as part of General Plan buildout would be designed and constructed under the oversight of the California Division of Safety of Dams (DSOD) and inspected annually by DSOD. Impacts would be less than significant.

Impact 5.8-6 **Implementation of the General Plan Update would not cause substantial hazards from failure of an aboveground water tank.**

Support for this environmental impact conclusion is fully discussed starting on page 5.8-27 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

There are currently 15 aboveground water storage tanks in the Town of Yucca Valley that are owned and operated by HDWD. The HDWD provides water to over 24,000 people in the communities of Yucca Valley and Yucca Mesa. Most of the tanks are on hilltops in sparsely populated areas, but there is a remote possibility that if any of the tanks were to catastrophically fail, it would result in localized flooding in some areas of the Town.

The tanks range from 150,000 gallons to 2.2 million gallons, with a total capacity of 12.9 million gallons. All of the tanks are constructed of welded steel, except for the Hospital Reservoir, which is constructed of bolted steel. The tanks were installed between 1965 and 2010 with an average date of 1985. The newest tank, Lower Ridge Reservoir, was constructed in 2010 and is in compliance with the latest seismic standards and AWWA standards for welded steel tanks. However, some of the older tanks may lack the flexible joints and other seismic upgrades that can help limit the potential for damage to areas downstream of a failed water tank. The HDWD has a program of evaluating and retrofitting existing tanks as necessary, and all water tanks within Yucca Valley are regularly inspected.

Strong ground shaking can cause structural damage to aboveground water storage tanks if the tanks are not adequately braced and baffled. Ground movement and water inertia combine to exert stresses on the tank shell, tank foundation, anchorage of the tank to the foundation, and piping connections. A seiche, that is, the sloshing of water within the tank, also occurs with strong ground movement and can potentially lift the tank off its foundation, damage the roof, or create a bulge at the tank bottom. Movement can also shear off the inlet and outlet piping to the tank, releasing water.

In addition to the potential inundation of downslope properties, water released from these tanks can significantly reduce the water available for residential or commercial/industrial use or for fighting earthquake-induced fires. However, water from other sources, such as imported water from the State Water Project and local groundwater wells, should be able to meet the water demand of the communities served by HDWD until repairs to the tanks can be made.

During the 1994 Northridge earthquake, 40 steel water storage tanks sustained damaged, from minor damage to walkways to complete collapse of the tanks. However, the most serious damage occurred to bolted steel tanks that were constructed prior to 1972. Only one of the HDWD tanks fits these criteria—the Hospital Reservoir was constructed in 1965 of bolted steel. However, it is relatively small in size (210,000 gallons) and is on top of a hill on the southeast boundary in a sparsely populated area of the Town. If a release occurred from this tank, the nearest downslope residence is over 600 feet to the northeast, with an intervening road that would convey a portion of the released water. Buildout of the proposed General Plan Update would not cause substantial flood hazards due to failure of an aboveground water tank.

Finding: Implementation of the General Plan Update would not cause substantial hazards from failure of an aboveground water tank, and impacts would be less than significant.

Impact 5.8-7 Implementation of the General Plan Update would not cause substantial hazards from mudflow.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-28 of Section 5.8, *Hydrology and Water Quality*, of the DEIR.

Canyons in the Sawtooth and Bartlett Mountains and Little San Bernardino Mountains are susceptible to mudflows, and canyons on Burnt Mountain are susceptible to small mudflows. Projects considered for approval in those areas pursuant to the proposed General Plan would be required to have geotechnical studies conducted for their sites. Such studies would be required to evaluate the potential for slope failure onsite, including mudflow, and to include recommendations for minimizing any identified hazards. Each project would be required to comply with recommendations in its geotechnical report. Consequently, adherence to the Town's standard conditions would minimize impacts from mudflows.

Finding: Geotechnical investigations of future development and redevelopment project sites, and conformance with recommendations in such investigations by those projects, would reduce hazards arising from mudflows to less than significant.

9. Land Use and Planning

Impact 5.9-1 Implementation of the General Plan Update would not divide an established community.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-5 of Section 5.9, *Land Use and Planning*, of the DEIR.

The vast majority of land in the Town is either single-family land uses (24.8 percent) or vacant (65.4 percent). This is due to the Town's low density residential character and isolated, high desert location.

The General Plan Update is intended to shape development within the Town for at least the next 20 years. The changes in existing land use designations that would occur with implementation of the General Plan Update land use plan would not result in the physical division of an established community. Proposed land use designations would generally remain similar. For example, existing rural residential land uses in the Town would remain, and the land use designations of these areas would also remain. Additionally, the majority of the existing low, medium, and medium-high density residential land use designations within the Town boundary would remain the same under the proposed General Plan Update land use plan.

Some changes to existing residential land use designations would occur in certain areas of the Town. However, the changes involve mostly swapping one residential land use designation for another. For example, two areas in the western portion of the Town currently designated rural residential would be changed to hillside residential. However, the proposed land use changes would not divide an established community because the areas that would undergo changes to the land use designations are for the most part vacant land or consist of existing residences. In turn, the change in land use designations would help create a sense of community and attractive communities for local citizens and visitors.

Additionally, the change in land use designations (e.g., rural residential to hillside residential) would still permit residential land uses, although at different density levels than are currently permitted (depending on the land use designation proposed). Development in the Town would also be guided by policies outlined in the General Plan Update and specific development standards outlined in the Town's ordinances. Town enforcement of the policies and development standards help ensure the compatibility of land uses. Furthermore, as outlined in Chapter 3, *Project Description*, one of the goals of the General Plan Update is to maintain the community's safe and established residential neighborhoods.

Through development of compatible uses that would enhance the existing character of the Town. For example, the land use element and housing element outline specific policies for neighborhood identify and preservation and for compatibility that would reduce the amount of conflict between contrasting land uses (see housing element Policy H4-1, land use element Policies LU 1-2, LU 1-7, LU1-12, LU 1-19, LU 1-23, LU 2-3, LU 2-6, LU 2-10, and LU 2-11, and open space and conservation element Policy OSC 1-5 at the end of this section). Implementation of the pertinent policies of the General Plan Update would help ensure the development of cohesive communities, while maintaining the features that make each neighborhood unique.

Finding: The General Plan Update contains policies that encourage the preservation or enhancement of the existing residential communities and that would help ensure the development of cohesive communities. Impacts would be less than significant.

Impact 5.9-2 Implementation of the General Plan Update would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-6 of Section 5.9, *Land Use and Planning*, of the DEIR.

The proposed project is an update to the Yucca Valley General Plan. The General Plan Update is intended to shape development within the Town for at least the next 20 years.

Following is an analysis of the proposed project's consistency with the applicable state, regional and local laws, regulations, plans, and guidelines.

State Planning Law and California Complete Streets Act Consistency

The General Plan Update has been prepared in accordance with state planning law, as provided in California Government Code Section 65300. The General Plan Update is meant to be a framework for guiding planning and development in the Town for at least the next 20 years and can be thought of as the blueprint for the Town's growth and development. The update is comprehensive both in its geography and subject matter. It addresses the entire territory within the Town's boundary and also addresses the full spectrum of issues associated with management of the Town.

The General Plan Update is consistent with California Government Code Section 65302 because it addresses the seven required elements. More specifically, the General Plan Update involves a revision to the land use map and all 22 existing elements. The update would reorganize the current General Plan into the following elements: Land Use, Circulation, Safety,

Noise, Open Space and Conservation, and Housing.

The General Plan Update also includes forecasts of long-term conditions and outlines development goals and policies; exhibits and diagrams; and objectives, principles, standards, and plan proposals throughout the various elements of the General Plan Update. The proposed land use plan and the goals and policies in the General Plan Update strive to preserve and ensure land use compatibility throughout the Town. Additionally, the General Plan Update is consistent with AB 1358 because Complete Streets is one of the key components in the Circulation Element of the General Plan Update. Refer to Section 5.14, *Transportation and Traffic*, for a detailed discussion of the proposed project's consistency with AB 1358.

Furthermore, each of the specific and applicable requirements in state planning law (California Government Code Section 65300) have been examined to determine if there are environmental issues within the community that the General Plan Update should address, including but not limited to hazards and flooding. These environmental issues (air quality, hazards, flooding, traffic, etc.) are addressed in their respective elements of the General Plan Update and in their respective topical sections in Chapter 5, *Environmental Analysis*, of the DEIR.

Airport Comprehensive Land Use Plan Consistency

Airport operations and their accompanying noise and safety hazards require careful land use planning on adjacent and nearby lands to protect the residential and business communities of Yucca Valley from the potential hazards that could be created by airport operations. The Yucca Valley Airport is in the central portion of the Town, and portions of the Town fall within the safety compatibility and noise contour zones of the airport.

Airport safety hazards include hazards posed to aircraft and hazards posed by aircraft to people and property on the ground. With proper land use planning, aircraft safety risks can be reduced, primarily by avoiding incompatible land uses. The areas nearest to the airport consist of a mix of industrial, commercial, public/quasi-public, and rural, low-, and medium-density residential land use designations. Under the proposed General Plan Update, the land uses designations of these areas would remain the same for the most part. Only minor changes to land use designations of a few areas would occur: for example, swapping one residential land use for another or changing industrial land use to commercial. Additionally, new or more intense development in the areas surrounding the airport is not anticipated, since a good portion of the area is already developed with a mix of residential, commercial, and industrial uses, as shown in Figure 3-3, *Existing Land Uses*. New or more intense development is also not anticipated since the land use designations of the vacant sites surrounding the airport would remain the same for the most part. Therefore, the proposed project would not place greater numbers of people in proximity to the airport.

The ALUCP also outlines land use review criteria and development standards related to noise, overflight, safety, and air space protection to help reduce the potential impacts on land uses surrounding the airport. For example, certain development actions (e.g., amendments to the general plan, rezoning applications, conditional use permits, and major variances) for properties within the boundaries of the airport land use plan require formal review by Airport Land Use Commission (ALUC) (SBCPD 1992). The Town Council of the Town of Yucca Valley, by adoption of Resolution No. 95-18 in April of 1995, determined that the Town's Community Development Department would be the agency responsible for the preparation, adoption, and amendment of the ALUCP. Therefore, the Community Development Department would have

review authority of development proposals within the ALUCP and not ALUC. Additionally, as outlined in the ALUCP, all proposed projects that fall within the airport land use plan are subject to a number of development standards, including but not limited to:

- The proposed structures and the normal mature height of any vegetation shall not exceed the height limitations provided by Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace.
- Development of residential or other sensitive land uses shall require interior noise exposure levels of 45 dBA CNEL or less with windows and doors closed. Interior noise levels of retail commercial, banks, and restaurants shall be 50 dBA CNEL and industrial uses shall be 55 dBA CNEL.
- The proposed use or structure shall not reflect glare, emit electronic interference or produce smoke that would endanger aircraft operations.
- The proposed use does not involve the storage or dispensing of volatile or otherwise hazardous substances that would endanger aircraft operations.
- The proposed use or structure complies with the policies of the Yucca Valley General Plan and the standards of the Yucca Valley Development Code.

Consistency with the ALUCP development standards and review by ALUC (if required) is ensured through the Town's development review process for individual project proposals.

Policies are also provided in the General Plan Update (Policies LU 3-1 and LU 3-2), which are designed to minimize public exposure to risks associated with airport operations and to minimize the siting of land uses near airports that might interfere with airport operations.

SCAG 2012-2035 RTP/SCS Consistency

Table 5.9-1 in Section 5.9, *Land Use and Planning*, provides an assessment of the proposed project's relationship to pertinent 2012–2035 SCAG RTP/SCS goals. The analysis in Table 5.9-1 concludes that the proposed project would be consistent with the applicable RTP/SCS goals. Therefore, implementation of the proposed project would not result in significant land use impacts related to relevant RTP/SCS goals.

Finding: The General Plan Update would be consistent with California Government Code requirements for General Plans and for Complete Streets; the Airport Comprehensive Land Use Plan; and the 2012–2035 SCAG RTP/SCS. Impacts would be less than significant.

Impact 5.9-3 Implementation of the General Plan Update would not conflict with a Habitat Conservation Plan or Natural Community Conservation Plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-13 of Section 5.9, *Land Use and Planning*, of the DEIR.

The Town is not currently a participating agency in the West Mojave Plan (WMP), an interagency habitat conservation plan (HCP) that is being prepared by the Bureau of Land Management in collaboration with federal and state agencies. Additionally, the Town is not in

the plan area of any other existing or planned HCP or natural community conservation plan (NCCP). Therefore, implementation of the General Plan Update would not conflict with the WMP or any other HCP or NCCP.

Finding: Implementation of the General Plan Update would not conflict with a Habitat Conservation Plan or Natural Community Conservation Plan, and no impact would occur.

10. Noise

Impact 5.10-2 Sensitive land uses would not be exposed to substantial levels of aircraft noise.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-22 of Section 5.10, *Noise*, of the DEIR.

Aircraft overflights, takeoffs, and landings at airports and heliports in the region, and aircraft overflights associated with the 29 Palms MCAGCC contribute to the ambient noise environment.

Yucca Valley Airport

The Yucca Valley Airport is a public use general aviation facility. The 60 dBA CNEL noise contours shown on Figure 5.10-3 do not extend outside the homes located immediately adjacent to the airport to the north and south, or west of the SR-247 and east of Balsa Road. According to the noise level contours and guidelines included in the ALUCP, the surrounding areas are compatible with the airport's noise generated by its current operations. There are currently no plans to expand the airport's facilities and operations. Adoption or approval of any amendment to a general plan affecting the property within an airport influence area (AIA) is required to be reviewed by the ALUC for determination of consistency with the ALUCP, which in general is determined based on noise and safety compatibility issues. The ALUCP establishes standards for the compatibility between the Yucca Valley Airport and surrounding parcels. The standards identify land uses that are considered incompatible with airport operations and areas where the greatest noise from aircraft is expected to occur, and establish height limits in select areas around the runway. Development within the AIA would be required to comply with the standard outline in the airport's ALUCP.

The Land Use Element of the proposed General Plan is compatible with the Yucca Valley Airport Comprehensive Land Use Plan and contains the following policy aimed at reducing potential hazards relating to the airport.

Policy LU 3-1: Allow compatible and supportive land uses around the Yucca Valley Airport as determined in the Airport Comprehensive Land Use Plan.

Noise impacts related to the Yucca Valley Airport would be less than significant.

Heliports

Southern California Edison's (SCE) privately owned Yucca Valley Service Center Heliport is in Mid-Town Yucca Valley, approximately 500 feet south of the western end of the runway of Yucca Valley Airport. The nearest homes are as near as 500 feet to the east. At this distance, noise from helicopter take-off and landing would be clearly noticeable to the nearest homes.

However, as there are no aircraft based at this heliport, and helicopter activity is sporadic, noise impacts related to this heliport would be less than significant.

29 Palms MCAGCC Flight Path

Aircraft and helicopter overflights (mostly helicopters) occur within portions of Town. Flyovers from the MCAGCC are sporadic and occur at a high altitude. While aircraft flyovers from the base would be heard, they occur sporadically. The proposed project would not expose persons to substantial aircraft noise levels from the MCAGCC, these impacts are less than significant.

Finding: Sensitive land uses would not be exposed to substantial levels of aircraft noise, and impacts would be less than significant.

Impact 5.10-3 Noise-sensitive uses could be exposed to elevated noise levels from transportation sources.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-23 of Section 5.10, *Noise*, of the DEIR.

An impact could be significant if the proposed land use plan designates noise-sensitive land uses in areas that would not exceed the noise compatibility criteria of the Town. The Town applies the Community Noise and Land Use Compatibility guidelines, summarized in Table 5.10-3, to assess the compatibility of new development with ambient noise. Noise-reducing site design and building construction may be required in low-density residential areas with outdoor CNEL levels in excess of 60 dBA, or 65 dBA CNEL for multi-family uses, schools, libraries, churches, hospitals, nursing homes. Commercial and industrial areas are not considered noise sensitive and have much higher tolerances for exterior noise levels. The building interior of noise-sensitive structures is required to achieve noise levels of 45 dBA CNEL under the California Building Code, and Title 21 of the California Code of Regulations for noise-sensitive structures within the 65 dBA CNEL contour of an airport. Noise-sensitive land uses would be exposed to transportation sources including vehicular traffic and aircraft overflights.

Traffic Noise

Traffic noise contours were calculated for Post-2035 conditions. Noise levels do not account for noise attenuation provided by intervening structures or topographical barriers. Several portions of the Town will be located in areas exposed to noise levels above 60 dBA CNEL.

Development projects would be subject to review under CEQA. For the purpose of assessing the compatibility of new development with the anticipated ambient noise, the Town utilizes the Community Noise and Land Use Compatibility guidelines. New sensitive land uses would have to demonstrate that they are compatible with the ambient noise levels. A significant impact could occur if the proposed Land Use Plan designates noise-sensitive land uses in areas where the ambient noise level clearly exceeds levels that are compatible for the designated land use.

Aircraft Overflights

No portions of the Town are located within the 65 dBA CNEL noise contours of any airport. Implementation of the General Plan would not expose noise-sensitive land uses to incompatible levels of aircraft noise.

Land Use Compatibility

Policy N 1-6 encourages noise-compatible land uses adjacent to highways and airports. Policy N 1-2 requires noise-reducing site design and building construction in residential and mixed-projects in areas with outdoor levels in excess of 65 dBA CNEL. Implementation of the General Plan Update includes several policies—N 1-1 through N 1-12 (see DEIR Section 5.10.4, *Relevant General Plan Policies and Implementation Actions*)—to implement new noise-sensitive land uses and to reduce transportation related noise in Town.

With implementation of these policies, impacts from transportation noise sources would be less than significant.

Finding: Noise impacts from transportation sources on noise-sensitive uses would be less than significant.

Impact 5.10-4 Noise-sensitive uses could be exposed to elevated noise levels from stationary sources.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-24 of Section 5.10, *Noise*, of the DEIR.

Buildout of the proposed land use plan would result in an increase in residential, commercial, industrial, and institutional development within the Town. The primary noise sources from residential, commercial, and institutional land uses are landscaping, maintenance activities, and air conditioning systems. In addition, future commercial uses may include loading docks. Noise generated by residential or commercial uses is generally short and intermittent, and these uses are not a substantial source of noise. The Town of Yucca Valley requires that noise from new stationary sources in the Town comply with the Town's Development Code summarized in Table 5.10-4, which limits the acceptable noise at the property line of the impacted property to reduce nuisances to sensitive land uses. Noise that exceeds the limitations of the Development Code is considered a noise nuisance by the Town and may be punishable. Consequently, stationary-source noise from proposed land uses would not substantially increase the noise environment.

Finding: Noise impacts from stationary sources on noise-sensitive uses would be less than significant.

Impact 5.10-5 Implementation of the General Plan would not substantially elevate noise and vibration exposure from activities at the Twentynine Palms Marine Corps Air Ground Combat Center.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-27 of Section 5.10, *Noise*, of the DEIR.

The MCAGCC is a 24/7, live-fire military training installation. Noise from the MCAGCC is mostly due to aircraft overflights (mostly helicopters) within portions of Town, military convoys passing by the Town on SR-62, and the use of military equipment at the MCAGCC. Sound levels above 65 dBA rarely, if ever, leave the installation boundaries, and according to Town's officials, complaints from Town residents are not widespread. Temporarily increasing traffic noise on uses along SR-62 would continue to occur sporadically. These noise impacts to a given receptor are short term during the convoy pass-by and limited to a few days per year.

New residents would experience similar noise and vibration impacts as existing residents in Town. Policies N 1-21 to N 1-23 would be implemented to reduce potential noise impacts from the MCAGCC to persons residing and working in Yucca Valley. Existing residents would continue to experience sporadic noise from operations of the MCAGCC. Implementation of the General Plan would not develop new land uses in close proximity to the base, since it is approximately seven miles east of the Town's limits. Therefore, noise and vibration impacts related to the MCAGCC would be less than significant.

Finding: Noise and vibration impacts related to the Twentynine Palms Marine Corps Air Ground Combat Center would be less than significant.

11. Population and Housing

Impact 5.11-1 Implementation of the General Plan Update would directly result in population growth in the Town.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-10 of Section 5.11, *Population and Housing*, of the DEIR.

One of the purposes of the General Plan Update is to adequately plan and accommodate future growth. As discussed in Chapter 3, *Project Description*, of the DEIR, implementation of the land use plan would result in buildout of 27,229 dwelling units. Consequently, the General Plan Update accommodates 64,565 people. According to the Department of Finance (DOF), in 2012, the population of Town of Yucca Valley was approximately 20,916. Buildout in accordance with the General Plan Update would therefore result in a population increase of 43,649, a substantial increase in population compared to existing conditions.

Buildout of the proposed land use plan would also involve the development of 1,751 acres of job-generating land uses in Yucca Valley by designating parcels for commercial, industrial, and mixed uses. These land uses would accommodate an estimated 20,963,702 square feet of commercial space and are estimated to generate 34,926 jobs in the Town. According to DOF, in 2012, Yucca Valley provided 6,700 jobs. Buildout in accordance with the General Plan Update would therefore result in 27,387 additional jobs in the Town, a substantial increase in employment compared to existing conditions and an increase that would indirectly induce population growth.

Hypothetical buildout of the proposed land use plan would triple the population of Yucca Valley and quadruple the number of jobs in Yucca Valley. However, despite these direct and indirect inducements of population growth, buildout of the proposed project would substantially improve the jobs-housing balance in the Town.

Jobs-Housing Balance

Jobs-housing balance is one of the General Plan Update's primary objectives:

- Improve the community's jobs-housing balance and fiscal sustainability by planning for a diversified employment base provided by a variety of commercial, industrial, and mixed use land uses.

Full buildout of the proposed General Plan Update is not anticipated to occur in the near future, and it is unknown when full buildout may occur. However, this DEIR is tasked with determining the significance of impacts based on the maximum development potential allowed under the proposed project. Based on this standard, buildout of the proposed project would result in substantial population growth, but would also result in a dramatically improved jobs-housing balance. Table 5.11-8 compares the Town's post-2035 buildout projections for population, households, and employment to SCAG projections. SCAG projects that the Town will be job-poor and housing-rich in 2035, with a jobs-housing ratio of approximately 2 to 1. The table shows that post-2035 buildout projections for population, household, and employment growth under the proposed project are substantially higher than 2035 estimates projected for the Town by SCAG. Growth consistent with post-2035 buildout projections would result in a jobs-housing ratio of 1.28, which means that all working adults that reside in the Town could hypothetically also work in the Town. This is a healthier job-housing ratio than both existing conditions and the ratio projected for 2035 by SCAG (0.48). Therefore, although buildout of the General Plan Update would occur far in the future and would substantially induce population, it would dramatically improve the Town's balance of housing and jobs and would fulfill the General Plan Update objective identified above.

Conclusion

The population, housing, and employment projections for buildout of the proposed project would substantially exceed SCAG's growth forecasts for the Town of Yucca Valley. Implementation of the General Plan Update would directly induce substantial population growth in the area. However, the General Plan Update accommodates future growth within the Town by providing for infrastructure and public services to accommodate this projected growth (see Section 5.8, *Hydrology and Water Quality*, Section 5.12, *Public Services*, Section 5.15, *Transportation and Traffic*, and Section 5.17, *Utilities and Service Systems*). Furthermore, population growth would be offset by the level of employment growth required for the Town and would improve the Town's jobs-housing balance. Therefore, implementation of the proposed project would result in a less than significant impact relating to population growth.

Finding: Implementation of the General Plan Update would directly induce substantial population growth in the area. However, the General Plan Update accommodates future growth within the Town by providing for infrastructure and public services to accommodate this projected growth. Furthermore, population growth would be offset by the level of employment growth required for the Town and would improve the Town's jobs-housing balance. Impacts would be less than significant.

Impact 5.11-2 Buildout of the General Plan Update would not result in the displacement of people or housing.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-12 of Section 5.11, *Population and Housing*, of the DEIR.

The purpose of General Plan Update is to provide orderly growth in the Town of Yucca Valley through the distribution, location, balance, and extent of land uses. The Yucca Valley General Plan Land Use Element does not change land use designations from residential to nonresidential and thus would not result in the displacement of people or housing. Furthermore, the General Plan Update guides planning for new growth in the Town, in part through designation of land uses that result in additional housing. Examples of new opportunities for additional housing include the proposed application of mixed-use designations in areas of the Mid-Town and East Side focus areas and the application of higher-density residential designations in existing residential areas. The proposed land use map identifies land use designations for a variety of housing types and provides for additional residential opportunities in areas that currently do not allow residential uses. Furthermore, the housing element of the proposed General Plan includes numerous polices and implementation actions that, upon implementation, would ensure that a broad range of housing opportunities are offered in Yucca Valley. These include implementation actions aimed at encouraging an expanded range of housing types (Actions H 1-1 through H 1-8) and actions aimed at conserving existing dwelling units (Actions H 4-1 through H 4-4). Therefore, impacts relating to displacement would be less than significant.

Finding: Buildout of the General Plan Update would not displace people or housing, and impacts would be less than significant.

12. Public Services

Impact 5.12-1 Buildout in accordance with the General Plan Update would introduce new structures, residents, and workers into the San Bernardino County Fire Department's service boundaries, increasing the demand for fire protection facilities and personnel.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-7 of Section 5.12, *Public Services*, of the DEIR.

Buildout of General Plan Update would result in an increased number of persons and businesses within the Town, thereby resulting in an increase in demand for fire services. Firefighter staffing needs are determined by the SBCFD by the number of calls and requests for fire services within the service area. However, SBCFD has indicated that staffing and equipment levels are currently below optimum for the number of calls generated within the Town. The SBCFD has also stated that additional fire stations with paramedic services in the southern and western areas of Yucca Valley are desired (Benfield 2013).

Under the General Plan Update, staffing levels for fire protection and emergency services in Yucca Valley would continue to be established by the SBCFD. Public safety in Yucca Valley, including fire protection and emergency services provided by the SBCFD, is paid for with county

revenue generated by property taxes. Although there is no direct fiscal mechanism that ensures that funding for fire and emergency services would grow exactly proportional to an increased need for services resulting from population growth in the Town, property taxes would be expected to grow roughly proportionate to any increase in residential units and/or businesses in Yucca Valley.

Furthermore, policies and implementation programs in the proposed General Plan Update encourage periodic review of public safety services provided in Yucca Valley and require that fire and emergency services reflect the growing needs of residents. In particular, Policy S 7-7 of the Safety Element requires that the Town coordinate with the SBCFD to ensure that adequate equipment, personnel, and services are provided as needed. Future increased need for fire services is also addressed in Implementation Action S 37, which requires that the Town analyze the possibility of establishing a Public Safety Assessment District to offset the costs of providing police and fire services to new development.

As the Town's population increases, additional fire stations may be required. Various localized environmental impacts related to construction of new fire stations would occur; however, since specific site locations have not been selected, it would be speculative to analyze these impacts as part of this first-tier Program EIR, other than to note that such impacts would likely fall within the envelope of construction impacts analyzed elsewhere in the EIR. Future environmental review would occur once specific locations have been determined. If an initial study is prepared and the Town determines the impacts to be significant, the project would be required to comply with project-specific mitigation measures, which for facilities as small as a fire station are likely to be successful in mitigating to less than significant.

The county would maintain appropriate firefighter staffing to ensure compliance with the National Fire Protection Association standards for response time and coverage, as discussed above. In addition, future projects would be reviewed by the Town of Yucca Valley and SBCFD on an individual basis and would be required to comply with requirements in effect at the time building permits are issued. Policies and programs in the proposed General Plan Update are designed to ensure collaboration between Town departments, SBCFD, and other involved agencies to achieve the Town's development goals in phases, working within the budget and infrastructure constraints of the Town. Following this process, sufficient revenue would be available for necessary service improvements to provide for adequate fire facilities, equipment, and personnel upon buildout of the General Plan Update. Impacts on fire services would be less than significant.

Finding: Buildout in accordance with the General Plan Update would introduce new structures, residents, and workers into the San Bernardino County Fire Department's service boundaries, increasing the demand for fire protection facilities and personnel. Sufficient revenue would be available for necessary service improvements to provide for adequate fire facilities, equipment, and personnel upon buildout of the General Plan Update, and impacts would be less than significant.

Impact 5.12-2 **Buildout in accordance with the General Plan Update would introduce new structures, residents, and workers into the San Bernardino County Sheriff's Department service boundaries, increasing the demand for police protection facilities and personnel.**

Support for this environmental impact conclusion is fully discussed starting on page 5.12-10 of Section 5.12, *Public Services*, of the DEIR.

Buildout of the General Plan Update would result in an increase in demand for police protection services within the Town. New facilities, equipment, and personnel would be necessary to maintain adequate levels of service. At buildout, the Town is anticipated to result in a total of approximately 17,771 new residential units, 17,403,385 additional square feet of nonresidential space, 43,283 new residents, and 27,387 additional employees compared to existing conditions. In particular, the generation of population growth under the General Plan Update would substantially increase the demand for police protection services.

Yucca Valley's population upon buildout of the General Plan Update is projected to be approximately 64,565 people, based on the land use types and densities of the proposed land use plan. In order for the San Bernardino County Sheriff's Department (SBCSD) to maintain its current ratio of 0.6 sworn officers per 1,000 residents, a population of 64,565 would require 39 sworn officers. This is more than double the number of officers currently provided by SBCSD in Yucca Valley. As a result, additional police equipment, facilities, and personnel would be required to provide adequate response times, acceptable public service ratios, and other performance objectives for law enforcement services.

Under the General Plan Update, staffing levels for police services in Yucca Valley would continue to be established by the SBCSD based on its contract with the Town. Public safety in Yucca Valley, including contract police protection services provided by the SBCSD, is paid for with funding from the Town's General Fund. Although the Town collects development impact fees per Chapter 3.40 of its Municipal Code, these fees are used to fund capital facilities and infrastructure projects and are not used to fund daily operation of public services. There is no direct fiscal mechanism that ensures that funding for police services would grow exactly proportional to an increased need for police services resulting from population growth in the Town. However, revenue sources that contribute to funding the Town's General Fund, including property and sales taxes, would be expected to grow in rough proportion to any increase in residential units and/or businesses in Yucca Valley.

Furthermore, policies and implementation programs in the proposed General Plan Update encourage periodic review of public safety services provided in Yucca Valley and require that police protection services reflect the growing needs of residents. In particular, Policy S 7-7 of the Safety Element requires that the Town coordinate with the SBCSD to ensure that adequate equipment, personnel, and services are provided as needed. Future increased need for police services is also addressed in Implementation Action S 37, which requires that the Town analyze the possibility of establishing a Public Safety Assessment District to offset the costs of providing police and fire services to new development.

The SBCSD is currently able to meet the Town's police protection needs, but buildout of the General Plan Update would result in an impact on the SBCSD and their ability to deliver police services in a timely manner. Buildout of the General Plan Update would require the hiring of

new staff and could potentially require the building of new facilities. Environmental impacts would result from the construction of new facilities. The physical impacts cannot be analyzed in this EIR because the locations and sizes of these facilities are unknown. Future projects would be reviewed by the Town of Yucca Valley on an individual basis and would be required to comply with regulations in effect at the time building permits are issued (i.e., payment of impact fees), or if an initial study is prepared and the Town determines the impacts to be significant, the project would be required to comply with project-specific mitigation measures. The need for additional structures and personnel would be financed through the Town's General Fund, and the impacts of General Plan Update on police services would be less than significant.

Finding: Buildout in accordance with the General Plan Update would introduce new structures, residents, and workers into the San Bernardino County Sheriff's Department service boundaries, increasing the demand for police protection facilities and personnel. The need for additional structures and personnel would be financed through the Town's General Fund, and the impacts would be less than significant.

Impact 5.12-3 Buildout in accordance with the General Plan Update would generate approximately 15,179 additional students in the Morongo Unified School District.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-15 of Section 5.12, *Public Services*, of the DEIR.

Buildout of the General Plan Update would allow up to 17,771 additional dwelling units in Yucca Valley. The Morongo Unified School District (MUSD) assesses its needs based on a student generation factor of 0.7 students per dwelling unit (Smith 2013) and charges developers accordingly.

Based on the MUSD's student generation rate, the student population in Yucca Valley at buildout would be approximately 19,061 students. The number of additional students generated by new dwelling units allowed under the General Plan Update—approximately 15,179 students—is above the current unused classroom capacity of 1,945 students. Therefore, classroom capacity would need to be expanded to accommodate students generated by buildout of the General Plan Update.

The number of new classroom seats needed, 13,234, is the net increase in student generation, 15,179, less the number of existing unused school seats, 1,945. This estimate assumes that all additional students would be housed in new schools rather than expanded existing schools. Buildout of the General Plan Update would require approximately 13 new schools.

It should be noted that, while MUSD assesses school needs based on a generation factor of 0.7 students per dwelling unit, this likely overestimates the number of students that would be generated at buildout of the General Plan Update. Based on the Town's existing number of dwelling units (9,458) and the current enrollment of 3,882 students in Yucca Valley schools, there is approximately 0.41 student per dwelling unit in the Town. When calculated by school level, there is approximately 0.18 elementary student, 0.08 middle school student, and 0.15 high school student per dwelling unit under existing conditions. A generation rate of 0.41 student per dwelling unit would result in 11,164 total students at buildout of the General Plan Update, considerably less than the 19,061 total students projected above using MUSD's student generation rate.

Development in Yucca Valley in accordance with the General Plan Update would require payments to the MUSD for the construction of new schools. Development impact fees charged by the MUSD are as follows:

- Residential: $2.63/square foot
- Commercial/Industrial: $0.42/square foot

Impact fees levied by MUSD are set within the limits of California Senate Bill 50 (5B 50). Although the increased demand for school facilities would result in substantial impact, payment of impact fees in compliance with SB 50 would reduce the impacts to an acceptable level. The General Plan Update is meant to guide future development in the Town but it is not a development project. New dwelling units in the Town overall may generate 16,582 additional students, but the number of students that would be generated within the enrollment area of each school cannot be determined specifically at this point. Therefore, it would be speculative to analyze the impacts of future student generation on specific schools.

Furthermore, implementation of policies and implementation actions included in the proposed General Plan would address the future adequacy of school services under the proposed project. Policy LU 1-3, in particular, requires new development projects to pay their fair share cost of, or make necessary improvements to, public services that face growth in demand from new dwelling units and businesses. Policy LU 1-26 states the Town's commitment to working with other organizations and agencies to provide Yucca Valley residents with public facilities that meet local needs. Implementation Action LU 11 implements this policy by ensuring that the Town and MUSD work together in their efforts to meet local demands for educational services.

Conclusion

Population growth in Yucca Valley under the General Plan Update would result in additional students in MUSD elementary, middle, and high schools. Although schools in Yucca Valley currently provide unused excess classroom capacity, the addition of 16,582 students in Yucca Valley would require expanded school services and new or expanded school facilities. Despite this increased need, payment of SB 50 development impact fees and expenditure of Bond Measure "O" funds would provide funding for the financing of new or expanded school facilities. Therefore, impacts on school services resulting from buildout of the General Plan Update would be less than significant.

Finding: Population growth in Yucca Valley under the General Plan Update would result in additional students in MUSD elementary, middle, and high schools and would thus require expanded school services and new or expanded school facilities. Despite this increased need, payment of SB 50 development impact fees and expenditure of Bond Measure "O" funds would provide funding for the financing of new or expanded school facilities, and impacts would be less than significant.

Impact 5.12-4 Buildout in accordance with the General Plan Update would generate additional population in yucca valley, increasing the need for library services in the Town.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-19 of Section 5.12, *Public Services*, of the DEIR.

Buildout of the General Plan Update would result in an increase in demand for library services in Yucca Valley. At buildout, Yucca Valley is projected to have a population of approximately 64,565 residents. Using the San Bernardino County Library's standard service ratios, the Yucca Valley Library would need 29,700 square feet of library space and 233,725 volumes of material. Existing library space and materials, even with the planned renovation (Hernandez 2013), would not be adequate to serve the Town's approximately 43,283 additional residents, leaving a deficiency of 21,450 square feet and 193,725 volumes. New facilities, books, and personnel would be necessary to reach adequate levels of service. However, additional Town and county tax revenues generated from new dwelling units and businesses in Yucca Valley would contribute toward the financing of additional library space and services in the Town. Implementation of policies and implementation actions in the proposed General Plan would ensure that the Town and the San Bernardino County Library provide library services that meet local needs. Residents of the Town also have access to the entirety of the county's library system and its materials. For all of the above reasons, buildout of the General Plan Update is not anticipated to have a significant impact on library services.

Finding: While General Plan buildout would increase population in the Town, and thus demands for library services, tax revenues from new developments, in addition to implementation of policies and implementation actions in the proposed General Plan, would ensure that the Town and the San Bernardino County Library provide the Town with adequate library services. Impacts would be less than significant.

13. Recreation

Impact 5.13-1 The proposed project would generate additional residents that would increase the use of existing park and recreational facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.13-7 of Section 5.13, *Recreation*, of the DEIR.

Buildout of the General Plan Update would generate additional residents, increasing the demand for parks and increase existing park usage. Per the Park Dedication and In-Lieu Fee Ordinance and based on a projected General Plan Update buildout population of 64,565, a total of 322.8 acres of parkland would be required at buildout. The 504 acres designated for open space in the proposed Land Use Plan would accommodate the expansion and addition of recreational facilities in Yucca Valley proportional to population growth anticipated at buildout of the General Plan Update. In addition, as future development occurs in accordance with the General Plan, applicants are required to comply with the Town's park dedication and in-lieu fee program. Collected park fees would go toward acquiring parkland to meet the needs of additional residents and comply with the Town's adopted parkland standard of 5 acres per 1,000 residents. As a result, under the General Plan Update, development of park facilities would keep pace with the anticipated increase in population and no significant impacts would occur.

Finding: The proposed project would generate additional residents that would increase the use of existing park and recreational facilities. Future projects would be required to comply with the Town's park dedication and in-lieu fee program. Thus, development of park facilities would keep pace with the anticipated increase in population and no significant impacts would occur.

Impact 5.13-2 Project implementation would result in environmental impacts from the provision of new and/or expanded recreational facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.13-9 of Section 5.13, *Recreation*, of the DEIR.

The proposed General Plan Update guides growth and development within the town and is not a development project. However, the proposed land use plan includes 118 acres of land designated for Open Space Recreation (OSR), much of which is currently undeveloped. As the population of the Town grows, portions of this undeveloped open space would be improved to provide residents with new recreational opportunities and to meet the Town's adopted standard of 5 acres of parkland per 1,000 residents. Parks are also a permitted use under other land use designations, which could result in the development of recreational facilities outside of OSR-designated parcels.

Development of new or expanded recreational facilities may have an adverse physical effect on the environment, potentially including impacts relating to biological resources, lighting, noise, and traffic. Environmental impacts associated with the construction of new and/or expansion of existing recreational facilities in accordance with the proposed land use plan are addressed separately in Sections 5.1, *Aesthetics*; 5.3, *Biological Resources*; 5.10, Noise; and 5.14, *Transportation and Traffic* of the DEIR However, it is speculative to identify the location and scale of proposed park facilities in the Town and impacts arising from development of individual park projects. The General Plan Update's goals, policies, and actions, in addition to existing federal, state, and local regulations, would mitigate potential adverse impacts to the environment that may result from buildout of the proposed land use plan, including expansion of parks, recreational facilities, and multiuse trails. Furthermore, subsequent environmental review would be required for development of park projects under the General Plan Update. Consequently, the General Plan Update would not result in significant impacts relating to the provision of new or expanded recreational facilities.

Finding: General Plan buildout would involve development of additional park facilities. The General Plan Update's goals, policies, and actions—in addition to existing federal, state, and local regulations and subsequent environmental review required for development of park projects—would mitigate potential adverse impacts to the environment that may result from expansion of parks, recreational facilities, and multiuse trails. Impacts would be less than significant.

14. Transportation and Traffic

Impact 5.14-1 Project-related trip generation would not cause intersections and roadway segments to exceed the town's level of service "D" requirements.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-22 of Section 5.14, *Transportation and Traffic*, of the DEIR.

Under long-range post-2035 conditions, with the future intersection lane configurations and the anticipated traffic volumes, all roadways and intersections would operate within the Town's LOS D standards. With implementation of the proposed land use and circulation plan, no mitigation would be required to meet the Town's LOS D standards.

Finding: At General Plan buildout, roadways and intersections would operate at acceptable standards, and impacts would be less than significant.

Impact 5.14-3 Circulation improvements associated with future development that would be accommodated by the General Plan would be designed to adequately address potentially hazardous conditions (sharp curves, etc.), potential conflicting uses, and emergency access.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-25 of Section 5.14, *Transportation and Traffic*, of the DEIR.

Buildout of the proposed General Plan would result in some changes to the Town's circulation network, but would not increase hazards or impact emergency access due to design features. Proposed as part of the General Plan effort are improvements of certain arterials throughout the Town to accommodate projected circulation needs.

All future roadway system improvements associated with development and redevelopment activities under the General Plan would be designed in accordance with the established roadway design standards, some of which have also been incorporated into the Circulation Element of the General Plan. These improvements would be subject to review and future consideration by the Town of Yucca Valley engineering staff. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would have to be made in accordance with the Town's Circulation Plan and roadway functional design guidelines, and meet design guidelines in the California Manual of Uniform Traffic Control Devices and the Caltrans Roadway Design Manual. Policy C 1-19 in the Circulation Element encourages traffic-calming techniques in residential neighborhoods and special policy areas to slow and manage traffic volumes and speeds as deemed appropriate by the Town Engineer. Implementation of the General Plan would not result in hazardous conditions, create conflicting uses, or cause a detriment to emergency vehicle access. Since roadway improvements would have to be made in accordance with the Circulation Plan—especially Policy C 1-19—impacts would be less than significant.

Finding: Buildout of the General Plan would not create hazards due to roadway designs, conflicting uses, or impede emergency access. Impacts would be less than significant.

Impact 5.14-4 The proposed project complies with adopted policies, plans, and programs for alternative transportation and does not decrease the safety of alternative transportation.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-26 of Section 5.14, *Transportation and Traffic*, of the DEIR.

As part of a network-based approach, the Town has identified a complete network for each travel mode and will work to deliver infrastructure to support that travel mode and integration of multiple travel options, as appropriate. Since the complete streets network will accommodate all users of the system, and the Town's complete streets network is based on the type of user, it is helpful to understand how the system is classified. Yucca Valley's network is broken into three types of facilities—pedestrian, bicycle, and public transit. The proposed General Plan would support plans and programs for alternative transportation, as follows:

Bicycle Routes

Future bike routes and bike lanes are proposed on major arterials and collectors throughout Yucca Valley according to the San Bernardino County Non-Motorized Transportation Plan and the Yucca Valley Parks and Recreation Master Plan Update. These plans identify current bicycle facilities throughout the Town and provide policy and implementation strategies for enhancing the networks. The plans are intended to be cohesive and integrated, with a comprehensive pedestrian and bicycle system.

The Town proposes to enhance the bicycle network by upgrading nine existing bike routes to bike lanes and by implementing two new bike paths, nine new segments of bike lanes, and five bike routes to provide connectivity between key uses and destinations. The proposed bicycle network would have connections to the Yucca Valley Bus Transfer Center, Park & Ride Facility, and townwide bus stops. Bicycle routes should be updated as part of a master plan effort, and the proposed network may change with future master plans.

Pedestrian Facilities

The San Bernardino County Non-Motorized Transportation Plan and the Yucca Valley Parks and Recreation Master Plan Update outline several trails available and proposed to the Yucca Valley community. Currently, limited continuous sidewalks are provided along major routes in the Town. Sections of discontinuous sidewalks exist, but most roads throughout Yucca Valley lack sidewalks. It is recommended in the Town General Plan Circulation Element to improve the sidewalk network by providing more connectivity through new sidewalk routes and making the existing sidewalk network smooth and continuous.

Public Transit

As discussed above, public transportation in Yucca Valley consists of public bus service operated by Morongo Basin Transit Authority (MBTA) and the Ready-Ride service. Implementation of the proposed General Plan would promote the use of alternative transportation modes. Policies C 1-13, "Work with new development to implement MBTA's Transit Guidelines in Project Development" and Policy C1-14, "Encourage employers to support Transportation Demand Management technique," are included in the proposed General Plan to promote the use of public transit.

Summary

The Circulation Element policies support public transit, bicycle improvements, and improvements to the pedestrian facilities by closing gaps in the network, expanding the network, and coordinating with regional agencies (such as MBTA). They are also consistent with regional plans, such as the San Bernardino County Non-Motorized Transportation Plan and goals identified by MBTA. Additionally, General Plan policies support implementation of Complete Streets through a layered network approach, consistent with the state's Complete Streets Act. They are consistent with the existing adopted policies, plans, and programs regarding public transit, bicycle, or pedestrian facilities.

Finding: The proposed General Plan Update complies with adopted policies, plans, and programs for alternative transportation and does not decrease the safety of alternative transportation. Impacts would be less than significant.

15. Utilities and Service Systems

Impact 5.15-1 Projected water supplies are adequate to accommodate water demand for the Town of Yucca Valley at General Plan Buildout.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-11 of Section 5.15, *Utilities and Service Systems*, of the DEIR.

Water Demand Forecasts

Total projected water demand for the Town of Yucca Valley is 2,923 afy in 2012, 2,754 afy in 2020, 3,040 afy in 2035 (SCAG), and 7,989 afy at post-2035 General Plan buildout.[3]

Water Demands Compared to Water Supplies

HDWD is required to update its urban water management plan (UWMP) once every five years; each update must assess the reliability of HDWD water supplies over a 20-year period.

Total forecast HDWD water supplies in 2035, 37,470 afy, are more than four times larger than total forecast water demands in the Town of Yucca Valley at General Plan buildout, 7,989 afy. Approximately 83 percent of forecast HDWD water supplies in 2035 are cumulative reserves of banked groundwater obtained from the SWP. Uncertainty about future annual SWP deliveries also applies to forecasts of cumulative banked groundwater derived from SWP imports.

The Town of Yucca Valley and applicants for future projects considered for approval under the proposed General Plan would comply with state laws governing water supply planning and water conservation, as well as with the restriction in sales of new water meters relative to groundwater reserves in the Warren Valley Basin set forth as HDWD Policy 26-04, discussed in Section 5.15.1.1 of the DEIR. With these restrictions, forecast 2035 HDWD water supplies would be adequate for water demands resulting from General Plan buildout.

Water Storage

HDWD's service area is divided into 17 pressure zones, shown on Figure 5.15-2 of the DEIR. Additional reservoir capacity would be needed in two pressure zones to accommodate growth pursuant to the General Plan Update.

Pressure Zone 3797 in the southeast part of the Town: Additional storage of 0.25 million gallons or more would be needed to accommodate planned residential growth.

Pressure Zone 3589 in the east-central part of the Town: Pressure Zone 3589 does not contain a water storage reservoir to provide an emergency water supply during electrical outages or fire suppression efforts. The pressure zone is controlled utilizing stored water from pressure zone 3797, which is reduced through the use of pressure-reducing valves on Joshua Lane crossing

[3] In million gallons per day (mgd), the water demands are 2.61 mgd in 2012, 2.46 mgd in 2020, 2.71 mgd in 2035 (SCAG), and 7.13 mgd (post-2035 General Plan buildout). The reduction in total projected water demands for the Town between 2012 and 2020 reflects the water conservation requirement in SBX7-7, the Water Conservation Act of 2009.

Onaga Trail and Palomar crossing Onaga Trail. Increased residential growth within this area would require the construction of an additional water storage reservoir (1.25 MG) and booster station capable of delivering 600 gpm of "firm" capacity (Ban 2013).

Construction of the needed reservoirs described above would be subject to independent CEQA review for each project to ensure sufficient water storage for each project.

Water Delivery

Buildout of the General Plan would require construction of additional water pipelines. HDWD replaces water mains within its service boundaries at a rate of 25,000 to 40,000 linear feet per year. The program is intended to mainly replace aging steel water mains that are undersized and failing. Additional mains built of materials other than steel and also insufficient in capacity are also scheduled for replacement. As a result, some of the proposed changes listed within the General Plan Update may be met with inadequate capacity for fire flow/high demand conditions. Replacement of mains serving such areas should be considered as development occurs. These improvements are generally covered by HDWD rates and fees; however, in the event development occurs prior to replacement by the HDWD, the developer may be required to replace water mains or other infrastructure.

Additional water mains would generally be built in roadways. Impacts of construction of additional water mains would be part of the impacts of construction of General Plan buildout as a whole that are analyzed throughout Chapter 5 of the Draft EIR. No additional impacts would occur.

Finding: Total forecast HDWD water supplies in 2035, 37,470 afy, are more than four times larger than total forecast water demands in the Town of Yucca Valley at General Plan buildout, 7,989 afy. Additional reservoir capacity would be needed in two pressure zones to accommodate growth pursuant to the General Plan Update. Buildout of the General Plan would require construction of additional water pipelines. Impacts of construction of additional reservoirs and water mains would be part of the impacts of construction of General Plan buildout as a whole that are analyzed throughout Chapter 5 of the Draft EIR. No additional impacts would occur.

Impact 5.15-2 The Hi-Desert Water District would need to expand existing wastewater treatment and water reclamation systems to serve the Town of Yucca Valley at General Plan Buildout.

Forecast Wastewater Generation Due to General Plan Update Buildout

Wastewater generation of 80 gallons per person per day (gpcd) was assumed in design of the proposed wastewater treatment system for Yucca Valley (Ban 2013). No reduction in wastewater generation in future years related to water conservation measures is assumed. Therefore, at General Plan Update buildout population of 64,565, estimated wastewater generation is approximately 5.17 mgd.

Most of the northern part of the Town and the southwest corner of the Town are outside of the service area of the proposed wastewater treatment and water reclamation system. Until or unless HDWD chooses to expand the wastewater treatment and collection system beyond

Phase 3, residents and businesses in those areas would continue to dispose of wastewater via septic tanks or packaged wastewater treatment systems.

Planned Wastewater Treatment Capacity

At completion of Phases 1, 2, and 3, the wastewater treatment system would have capacity of 4 mgd. Completion of Phase 3 is scheduled for 2022. In 2035, wastewater generation in HDWD's entire service area is forecast at about 2.57 mgd (Kennedy-Jenks 2011).

Wastewater generation from the Town of Yucca Valley at full buildout of the General Plan Update, 5.17 mgd, would exceed the 4 mgd capacity of the wastewater treatment system at completion of Phase 3. At ultimate buildout, the wastewater treatment system would have capacity of 6 mgd, adequate for wastewater generation from the Town at full General Plan buildout. Expansions of the wastewater treatment system beyond Phase 3 have not been planned or funded. Such expansions would be planned and funded as required by growth in the Town and in HDWD's service area.

Finding: General Plan Update buildout would increase wastewater generation to approximately 5.17 mgd, more than the 4 mgd capacity of the wastewater treatment system at completion of Phase 3. Expansions of the wastewater treatment system would be needed to accommodate full General Plan buildout; such expansions would be planned and funded as required by growth in the Town and in HDWD's service area. Impacts would be less than significant.

Impact 5.15-3 Development pursuant to the proposed general plan update would increase surface water flows into drainage systems within the affected watersheds as a result of an increase in impervious surfaces in the town. However, the Town's Master Plan of Drainage would accommodate anticipated stormwater flows within the Town of Yucca Valley.

Increases in Impervious Areas and Drainage Flows

The proposed General Plan Update would apply to the entire Town. At buildout of the General Plan Update, 98.5 percent of the Town's 25,492 acres—that is, 25,106 acres—would be designated for some type of developed land use, with the remaining 386 acres designated for Open Space – Conservation. Currently, 16,661 acres, or 65.4 percent of the Town, consist of vacant land. Therefore, General Plan Update implementation would involve development of 16,275 acres (of currently vacant land that is, 16,661 – 386; or 63.8 percent of the Town's area). Buildout of the proposed General Plan Update would increase the amount of impervious surfaces in the Town, thus increasing surface water flows into drainage systems within the four watersheds in the Town.

Required Drainage Improvements

Buildout of the General Plan Update would require completion of all of the planned facilities in the MPD. Each development pursuant to the General Plan Update would be required to pay a Development Impact Fee to the Town of Yucca Valley to pay for construction and maintenance of public infrastructure facilities, including drainage facilities. Each development would be subject to independent CEQA review that would analyze impacts of construction of required offsite infrastructure improvements to ensure no flooding on- or offsite. In addition, once the Town reaches the threshold population density to be included in the Statewide Small MS4 Permit, SRWCB Order No. 2013-0001-DWQ, (1,000 persons per square mile), projects developed pursuant to the General Plan Update that build or replace 5,000 square feet of impervious surfaces would be required to minimize runoff per provisions of the Small MS4 Permit.

Finding: While buildout of the General Plan Update would increase runoff flows into drainage systems in the Town, completion of the planned facilities in the MPD—in addition to compliance with the Small MS4 Permit after the Town reaches the population threshold for required compliance—would reduce impacts to drainage systems to less than significant levels.

Impact 5.15-4 Existing and/or proposed facilities would be able to accommodate project-generated solid waste and comply with related solid waste regulations.

Forecast Solid Waste Generation

Solid waste generation from the Town of Yucca Valley, including both residential and employment-generating land uses, was estimated in modeling for the greenhouse gas emissions analysis. The forecast is based on average solid waste generation during the three years 2009–2011, using data from CalRecycle, and is adjusted for estimated future increases in population and employment. Forecast generation in tons per year is:

- Existing Conditions: 17,151
- 2020: 18,174
- 2035 (SCAG):[4] 20,092
- Full buildout: 56,983

Landfill Capacity

The Landers Sanitary Landfill is described in Section 5.15.4.1of the DEIR. Landers Sanitary Landfill is scheduled to close in 2018 (Richardson 2013), but the San Bernardino County Solid Waste Management Division (SWMD) plans to expand the Landers Sanitary Landfill. Permitted capacity at the facility after the expansion has not been determined yet. Postexpansion capacity is expected to comply with the requirement of AB 939 that counties identify 15 years solid waste disposal capacity for all jurisdictions within the county; thus, it is anticipated to be adequate solid waste disposal capacity for the Town at least through 2030.

Finding: There is adequate planned landfill capacity at the Landers Sanitary Landfill for the Town through 2030, and impacts would be less than significant.

Impact 5.15-5 Existing and/or proposed facilities would be able to accommodate project-generated utility demands.

Electricity Demands

Electricity demands resulting from implementation of the General Plan Update are forecast as follows in kilowatt hours (Kwh) per year (one Gwh is 1,000,000 Kwh):

- 2012: 118 million
- 2020: 126 million
- 2035 SCAG:5 139 million
- Full buildout: 426 million

Total electricity consumption in SCE's service area is forecast to be 103,791 GWh in 2015 and to increase to 112,535 GWh in 2022 (CEC 2012a). SCE is forecast to have adequate electricity

[4] Uses 2035 population and employment estimates for Town of Yucca Valley from SCAG 2012 Regional Transportation Plan growth forecast.

[5] Uses 2035 population and employment estimates for Town of Yucca Valley from SCAG 2012 Regional Transportation Plan growth forecast.

supplies to meet electricity demands resulting from General Plan Update buildout. Buildout of the General Plan Update would not require SCE to obtain additional electricity supplies beyond its currently forecast supplies. Electricity demands of full buildout would likely require new substations to transmit electricity for peak demands. Proposed substations would be subject to independent CEQA review; impacts of construction and operation of any additional needed substations would be identified and mitigated in CEQA review for those projects by SCE.

Natural Gas Demands

Forecast natural gas demands resulting from General Plan Update buildout, in therms per year,[6] are:

- 2012: 3.50 million
- 2020: 3.71 million
- 2035 SCAG:7 4.10 million
- Full buildout: 11.49 million

Total supplies of natural gas available to SoCalGas are expected to remain stable at 3.875 billion cubic feet per day (bcfd), that is, 14.57 billion therms per day, between 2015 and 2030 (CGEU 2012). SoCalGas expects to have adequate natural gas supplies to meet demands from General Plan Update buildout, and buildout would not require SoCalGas to obtain new or expanded natural gas supplies.

Finding: SCE and SoCalGas forecast that they will have sufficient electricity and natural gas supplies, respectively, to meet utility demands of General Plan Update buildout, and impacts would be less than significant.

D. IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the DEIR, these impacts would be considered less than significant.

1. Air Quality

Impact 5.2-5 Placement of new sensitive receptors near major sources of toxic air contaminants in the Town of Yucca Valley could expose people to substantial pollutant concentrations.

Potential sources of toxic air contaminants (TAC) within the Town of Yucca Valley include stationary sources permitted by MDAQMD and roadways with more than 50,000 average daily traffic volumes. The highest forecast volumes on SR-62 at buildout of the General Plan (post-2035) would be 70,440 vehicles per day. No other roadways in the Town at buildout would generate 50,000 vehicles per day or more. The majority of currently permitted sources are minor

[6] One therm is equivalent to 97.1 cubic feet of natural gas.

[7] Uses 2035 population and employment estimates for Town of Yucca Valley from SCAG 2012 Regional Transportation Plan growth forecast.

sources of emissions (e.g., emergency diesel generators, auto body repair and refinishing facilities, gas stations, dry cleaners). Because of the lack of major stationary sources of emission, the potential to expose sensitive receptors to substantial pollutant concentrations from these sources in the Town is low.

MDAQMD identifies the following project types (and associated buffer distance) that would require further evaluation to ensure that sensitive receptors would not be exposed to substantial pollutant concentrations

- Industrial projects within 1000 feet;
- Distribution centers (40 or more trucks per day) within 1,000 feet;
- Major transportation projects (50,000 or more vehicles per day) within 1,000 feet;
- Dry cleaners using perchloroethylene within 500 feet;
- Gasoline dispensing facilities within 300 feet. (MDAQMD 2011)

Implementation of the following General Plan implementation actions would ensure that review of air quality compatibility would be conducted when siting receptors near major sources.

OSC 41: Amend the Development Code to identify land use sources of toxic air contaminants and adopt standards for the regulation of location and protection of sensitive receptors from excessive and hazardous emissions.

LU 5: Amend the development code to create standards addressing appropriate treatments to buffer industrial and commercial uses from residential and other sensitive uses.

However, placement of sensitive receptors proximate to the sources above is considered a potentially significant impact of the project.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

2-3 Applicants for sensitive land uses within the following distances as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, from these facilities:

- Industrial facilities within 1000 feet
- Distribution centers (40 or more trucks per day) within 1,000 feet
- Major transportation projects (50,000 or more vehicles per day) within 1,000 feet
- Dry cleaners using perchloroethylene within 500 feet
- Gasoline dispensing facilities within 300 feet

shall submit a health risk assessment (HRA) to the Town of Yucca Valley prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the Mojave Desert Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-

06) or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:

- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters.

Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the Town and shall be verified by the Town's Planning Department.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

2. Biological Resources

Impact 5.3-1 Development pursuant to the General Plan Update could impact sensitive plant and animal species known to occur in and/or near the Town of Yucca Valley.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-39 of Section 5.3, *Biological Resources*, of the DEIR.

Development according to the proposed land use plan would replace existing natural lands in the Town with developed land uses. Development of natural lands could impact sensitive plant and animal species known to occur in the Town, as described above in Tables 5.3-1 and 5.3-2. Sensitive species other than those listed in these tables may also be impacted.

Sensitive biological resources are regulated by the US Fish and Wildlife Service (USFWS) and the CDFW. These agencies require an assessment of the presence or potential presence of special status species and the vegetation communities in which they are likely to occur within the project vicinity prior to the approval and construction of a proposed development project.

The General Plan Open Space and Conservation Element identifies several implementation actions to reduce impacts:

OSC 1: Implement development regulations and guidelines that minimize or eliminate impacts of development on natural open space areas.

OSC 15: Establish standards and regulations that implement, support, and protect open space, wildlife corridors, and protected biological resources.

OSC 16: Establish standards and regulations in the Development Code which minimize impacts of new development on open space and conservation areas.

OSC 22: Explore the possibility of developing a Transfer of Development Rights (TDR) ordinance, to allow the transfer of units or square footage from one property to another to preserve properties with significant biological resources, hillside areas and natural slopes. This may result in an increased density or intensity of the "receiving site" to preserve property development potential.

While these implementation actions would assist in reducing impacts, under the California Endangered Species Act (CESA) and Federal Endangered Species Act (FESA), future development projects consistent with the proposed land use plan would require more detailed evaluations of biological resources and formulation of mitigation measures by a qualified biologist. Consequently, impacts to sensitive plant and animal species are considered potentially significant in the absence of mitigation.

Mitigation Measures

3-1 The Town of Yucca Valley shall require applicants for future development projects that disturb undeveloped land to prepare a biological resources survey. The biological resources survey shall be conducted by a qualified biologist. The biological resources survey shall include, but not be limited to:

- Analysis of available literature and biological databases, such as the California Natural Diversity Database, to determine sensitive biological resources that have been reported historically from the proposed development project vicinity.
- Review of current land use and land ownership within the proposed development project vicinity.
- Assessment and mapping of vegetation communities present within the proposed development project vicinity.
- Evaluation of potential local and regional wildlife movement corridors.
- General assessment of potential jurisdictional areas, including wetlands and riparian habitats.

a) If the proposed development project site supports vegetation communities that may provide habitat for special status plant or wildlife species, a focused habitat assessment shall be conducted by a qualified biologist to determine the potential for special status plant and/or animal species to occur within or adjacent to the proposed development project area.

b) If one or more special status species has the potential to occur within the proposed development project area, focused species surveys shall be conducted to determine the presence/absence of these species to adequately evaluate potential direct and/or indirect impacts to these species.

c) If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species

surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act, to assure impacts are avoided or minimized to the extent feasible. If preconstruction activities are required, a qualified biologist will perform these surveys as required for each special status species that is known to occur or has a potential to occur within or adjacent to the proposed development project area.

The results of the biological survey shall be presented in a biological resources survey letter report (for proposed development projects with no significant impacts) or biological resources technical report (for proposed development projects with significant impacts that require mitigation to reduce the impacts to below a level of significance) and submitted to the Town's Planning Department.

3-2 If sensitive biological resources are identified within or adjacent to the proposed development project area, as outlined in the biological resources survey letter report/biological resources technical report, the construction limits shall be clearly flagged to assure impacts to sensitive biological resources are avoided or minimized, to the extent feasible. Prior to implementing construction activities, the Town of Yucca Valley shall require applicants to contract with a qualified biologist to verify that the flagging clearly delineates the construction limits and sensitive resources to be avoided.

3-3 If sensitive biological resources are known to occur within or adjacent to the proposed development project area, as outlined in the biological resources survey letter report/biological resources technical report, the Town of Yucca Valley shall require applicants to contract with a qualified biologist to develop and implement a project-specific contractor training program to educate project contractors on the sensitive biological resources within and adjacent to the proposed development project area and measures being implemented to avoid and/or minimize impacts to these species.

3-4 If sensitive biological resources are present within or adjacent to the proposed development project area and impacts may result from construction activities, as outlined in the biological resources survey letter report/biological resources technical report, a qualified biological monitor may be required during a portion or all of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible. The specific biological monitoring requirements shall be evaluated on a project by project basis. The qualified biological monitor shall be approved by the Town on a project by project basis based on applicable experience with the sensitive biological resources that may be impacted by the proposed development project activities.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-3 Development of the proposed project would result in the loss of undetermined amounts of riparian habitats.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-40 of Section 5.3, *Biological Resources*, of the DEIR

Riparian habitats could occur in several areas in the Town. Watercourses in the Town included in the National Hydrography Dataset (NHD) have the potential to support riparian habitat. Development of the proposed General Plan Update could impact riparian habitats. Riparian habitats are jurisdictional to the CDFW.

General Plan Open Space and Conservation Element implementation actions OSC 1, OSC 15, and OSC 16, presented above under Impact 5.3-1, would reduce impacts to riparian habitats. Projects considered for approval by the Town of Yucca Valley would also require biological resources assessments of each respective project site by a qualified biologist. A jurisdictional delineation of such areas would be required by CDFW if there is potential riparian habitat onsite. If the assessment identified jurisdictional resources onsite, mitigation measures for impacts to jurisdictional waters, wetlands, and/or riparian habitat would be required. Consequently, impacts to riparian habitat are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

3-5 The Town of Yucca Valley shall require applicants of development projects that have the potential to affect jurisdictional resources, to contract with a qualified biologist to conduct a jurisdictional delineation following the methods outlined in the 1987 US Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (2008) to map the extent of wetlands and nonwetland waters, determine jurisdiction, and assess potential impacts. The results of the delineation shall be presented in a wetland delineation letter report and shall be incorporated into the CEQA document(s) required for approval and permitting of the proposed development project.

3-6 The Town of Yucca Valley shall require applicants of development projects that have the potential to impact jurisdictional features to obtain permits and authorizations from the US Army Corps of Engineers, California Department of Fish and Wildlife, and/or Colorado River Basin Regional Water Quality Control Board. The agency authorization would include impact avoidance and minimization measures as well as mitigation measures for unavoidable impacts. Specific avoidance, minimization, and mitigation measures for impacts to jurisdictional resources shall be determined through discussions with the regulatory agencies during the proposed development project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-4 **Buildout of the proposed general plan update could impact undetermined amounts of waters and wetlands jurisdictional to the Us Army Corps of Engineers, California Department of Fish And Wildlife, and Colorado River Basin Regional Water Quality Control Board.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-41 of Section 5.3, *Biological Resources*, of the DEIR.

Developments according to the General Plan Update could impact waters and wetlands jurisdictional to the CDFW, Corps, and CRBRWQCB. Waters of the US are jurisdictional to the Corps; Waters of the State are jurisdictional to the CRBRWQCB and the CDFW; and wetlands meeting certain criteria are jurisdictional to the Corps and/or the CDFW. Watercourses in the Town included on the NHD could be jurisdictional to these agencies. General Plan Open Space and Conservation Element implementation actions OSC 1, OSC 15, and OSC 16, presented above under Impact 5.3-1, would reduce impacts to jurisdictional waters and wetlands. Projects considered for approval by the Town of Yucca Valley would also require a biological resources assessment of the project site by a qualified biologist. Where an assessment identified potential jurisdictional waters and/or wetlands onsite, a jurisdictional delineation of such areas would be required. Mitigation measures for impacts to jurisdictional waters, wetlands, and/or riparian habitat would be required if jurisdictional resources were impacted onsite. Consequently, impacts to jurisdictional waters are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

Implementation of Mitigation Measures 3-5 and 3-6.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-5 **Developments pursuant to the proposed General Plan Update could impact wildlife movement in wildlife linkages identified in the town in regional wildlife connectivity studies and designated as Wildlife Corridor Evaluation Areas by the town.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-41 of Section 5.3, *Biological Resources*, of the DEIR.

Residential and nonresidential development according to the proposed General Plan Update would occur within the wildlife corridor evaluation area (WCEAs). The WCEAs in the Town are designated based on regional wildlife connectivity studies.

The Joshua Tree-29 Palms linkage crosses the northern "pan handle" portion of the Town, as well as a portion of the Town on its eastern border (see Figure 5.3-4 of the DEIR). This linkage is somewhat constrained in the northern part of the Town as it passes through a developed industrial area. While constrained, it still provides east–west connectivity between larger open space areas. The area within this linkage on the eastern border of the Town is on a hilly area and supports mostly undisturbed native habitat. Proposed General Plan land uses in this linkage include hillside residential, rural living, rural residential, open space, industrial, and commercial.

The San Bernardino-Little San Bernardino linkage passes through mostly undeveloped, hilly terrain in the southwestern corner of the Town. This area supports high quality native habitat and provides connectivity between Joshua Tree National Park, Big Morongo Canyon, and open space areas to the west. Proposed General Plan Update land uses in the San Bernardino-Little San Bernardino linkage include hillside residential, rural living, rural residential, medium-density residential, and open space.

The General Plan Open Space and Conservation Element identifies several implementation actions to reduce impacts to wildlife movement:

> **OSC 10:** Review development proposals adjacent to designated open space lands and assure that land uses are compatible, and buffers and/or linkages are provided when necessary to maintain natural resource value.
>
> **OSC 15, OSC-16,** and **OSC-22**, presented above under Impact 5.3-1
>
> **OSC 21:** Develop standards and guidelines for the WCEA and OSRA areas that includes the following strategies:
>
> a) Maintain residential land use designations with low and very low densities in WCEA and OSRA areas.
> b) Discourage conversion of low density residential uses in the WCEA and OSRA to higher density or non-residential uses, retaining on-site areas for undeveloped, natural open space.
> c) Apply design features in the WCEA and OSRA that interface with the natural environment such as: limiting the amount of grading that can occur on site or identifying the type of fencing that can be installed that supports wildlife movement.
> d) Develop and implement standards and guidelines which limit the maximum disturbance of the land in WCEAs and OSRAs. Design standards and guidelines shall address wildlife corridor connectivity, limitations of ground disturbance, and the retention of native, undisturbed open space.

However, residential and nonresidential development within the WCEAs could interfere with wildlife movement. Projects considered for approval by the Town of Yucca Valley would require biological resources assessments of each respective project site by a qualified biologist. Mitigation measures would be required if impacts to wildlife movement and/or migration are

identified. Consequently, impacts to wildlife movement are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

3-7 The Town of Yucca Valley shall require a habitat connectivity evaluation for development projects proposed within a Wildlife Corridor Evaluation Area (WCEA) and/or an Open Space Resource Area (OSRA). The results of the evaluation will be incorporated into the project's biological report required under Mitigation Measure 3-1. The habitat connectivity evaluation shall assess the potential for the project to adversely affect the intended functions of the WCEA and/or OSRA. The evaluation shall also identify project design features that would reduce potential impacts and maintain functionality as habitat and for wildlife movement. To this end, the Town shall incorporate the following measures, to the extent practicable, into projects that would propose development within a WCEA and/or an OSRA:

- Adhere to low density zoning standards
- Encourage clustering of development
- Avoid known sensitive biological resources
- Provide shielded lighting adjacent to sensitive habitat areas
- Encourage development plans that maximize wildlife movement
- Provide buffers between development and wetland/riparian areas
- Protect wetland/riparian areas through regulatory agency permitting process
- Encourage wildlife-passable fence designs (e.g., 3-strand barbless wire fence) on property boundaries
- Encourage preservation of native habitat on the undeveloped remainder of developed parcels
- Minimize road/driveway development to help prevent loss of habitat due to roadkill and habitat loss
- Use native, drought-resistant plant species in landscape design
- Require implementation of mitigation measures within an OSRA
- Encourage participation in local/regional recreational trail design efforts

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-6 Buildout of the general plan update could impact migratory birds protected under the Migratory Bird Treaty Act and the California Fish And Game Code.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-42 of Section 5.3, *Biological Resources*, of the DEIR.

Buildout of the General Plan Update could impact migratory birds protected under federal and state laws. Numerous species of migratory birds occur in the Town, including sensitive species. The Town is in the Pacific Flyway, an interconnected set of bird migration routes in the western portions of Mexico, the United States including Alaska, and Canada (CDFW 2013; USFWS 2001). Many bird species are abundant at the Big Morongo Canyon Preserve during spring and fall migration seasons (FBMCP 2013). Buildout of the General Plan Update would develop approximately 16,275 acres of currently vacant land and would remove vegetation that could be used for nesting by migratory birds. General Plan Open Space and Conservation Element implementation actions OSC 1, OSC 15, OSC 16, OSC 20, OSC 21, and OSC 22 would reduce impacts to migratory birds. However, impacts to migratory birds are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

3-8 The Town of Yucca Valley shall require applicants for new development projects to conduct a pre-construction general nesting bird survey within all suitable nesting habitat that may be impacted by active construction during the general avian breeding season (February 1 through August 31). The pre-construction surveys shall be conducted no more than seven days prior to initiation of construction. If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-7 **Projects developed according to the proposed General Plan Update could impact plants protected by the town's Proposed Plant Protection and Management Ordinance.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-42 of Section 5.3, *Biological Resources*, of the DEIR.

Several plant species within the Town are considered valuable resources that warrant protection. The Town has proposed a Plant Protection and Management Ordinance (proposed Ordinance No. 140) to protect these locally important plant species. Buildout of the proposed General Plan Update could impact plants protected under the Town's proposed Plant Protection and Management Ordinance (proposed Ordinance No. 140), which would protect Joshua trees, California juniper, desert willow, single-leaf pinyon pine, all species of palo verde, all species of manzanita, all species of mesquite with stems 2 inches or greater in diameter or 6 feet or greater in height, all species of yucca and our Lord's candle, and all creosote rings measuring 10 feet or greater in diameter. General Plan Open Space and Conservation Element implementation actions OSC 1, OSC 15, OSC 16, OSC 20, OSC 21, and OSC 22, would reduce impacts to these plants.

Harvesting of many species of California native desert plants is prohibited by the California Desert Native Plants Act; clearing native plants from a building site, road, or other right-of-way by a landowner or their agent is permitted if the plants are not to be transported from the site or offered for sale.

Projects considered for approval by the Town of Yucca Valley would require biological resources assessments of each respective project site by a qualified biologist. Where impacts to plants protected by the Plant Protection and Management Ordinance or the California Desert Native Plants Act were identified, mitigation measures identified by the project biologist would be required. Consequently, impacts to locally protected plants are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

Implementation of Mitigation Measures 3-1, 3-2, 3-3, and 3-4.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.3-8 **Buildout of the proposed General Plan Update would include development of projects within the Open Space Resource Areas and would thus impact biological resources in those areas.**

Support for this environmental impact conclusion is fully discussed starting on page 5.3-43 of Section 5.3, *Biological Resources*, of the DEIR.

General Plan Update implementation would include development of projects in the three OSRAs designated by the Town, as shown in Figure 5.3-5. The open space resource area (OSRAs) include areas of blackbush scrub, nonnative grassland, semidesert chaparral, urban or built-up land, Mojavean pinyon and juniper woodlands, Mojave mixed woody scrub, and Mojave creosote bush scrub (see Figure 5.3-2). Historical occurrences of sensitive species in Yucca Valley are also mapped on Figure 5.3-2. Sensitive species have historically occurred in Yucca Valley in all of the above-mentioned land cover types. Land use types and permitted densities in the land use plan are shown on Figure 3-5, *Proposed Land Use Plan*. Developments within the OSRAs would impact sensitive species and their habitats. General Plan Open Space and Conservation Element implementation actions OSC 1, OSC 10, OSC 15, OSC 16, OSC 20, OSC 21, and OSC 22, presented above under Impacts 5.3-1, 5.3-2, and 5.3-5, would reduce impacts to biological resources in OSRAs. However, impacts to these open space conservation areas are considered potentially significant in the absence of mitigation.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

Implementation of Mitigation Measures 3-1, 3-2, 3-3, 3-4, and 3-7.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

3. Cultural Resources

Impact 5.4-1 Future development in the Town that would be accommodated by the General Plan Update could impact historic resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-8 of Section 5.4, *Cultural Resources*, of the DEIR.

Adoption of the General Plan Update in itself would not directly affect any historical structures or resources. However, historic structures and sites may be vulnerable to development activities accompanying infill, redevelopment, or revitalization that would be accommodated under the General Plan Update. In addition, other structures that could meet the National Register criteria upon reaching 50 years of age might be impacted by development or redevelopment activity.

Historical resources are protected by a wide variety of state policies and regulations under the California Public Resources Code. The open space and conservation element of the General Plan Update also contains a number of policies that specifically address sensitive known and potential historical resources and their protection, including policies OSC 7-1, OSC 7-2, OSC 7-4, and OSC 7-5. For example, policy OSC 7-1 requires development proposals to locate, identify, and evaluate archaeological, historical, Native American, and other cultural sites and ensure that appropriate action is taken to protect these resources.

Additionally, at the time a development project is proposed adjacent or in proximity to a known

or potential historic structure or resource, the project-level CEQA document of the development project would need to identify any impacts (direct or indirect) that the project could have on it. The CEQA Guidelines require a project that will have potentially adverse impacts on historical resources to conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties. Furthermore, historic sites or resources listed in the national, state, or local registers maintained by the Town would be protected through local ordinances, the General Plan Update policies, and state and federal regulations restricting alteration, relocation, and demolition of historical resources.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

4-1 Applicants for future development projects with intact extant building(s) more than 45 years old shall provide a historic resource technical study to the Yucca Valley Planning Department. The historic resources technical study shall be prepared by a qualified architectural historian meeting Secretary of the Interior Standards. The study shall evaluate the significance and data potential of the resource in accordance with these standards. If the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852), mitigation shall be identified within the technical study that ensures the value of the historic resource is maintained.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.4-2 Future development in the town that would be accommodated by the General Plan Update could impact known and unknown archaeological and/or paleontological resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-11 of Section 5.4, *Cultural Resources*, of the DEIR.

Adoption of the General Plan Update in itself would not directly affect archaeological or paleontological resources or Native American resources. However, the majority of the Town consists of vacant land. As shown in Table 4-1, *Existing Land Use Summary*, and Figure 3-3, *Existing Land Use*, if the DEIR, the vast majority of Town land is either single-family land uses (24.8 percent) or vacant (65.4 percent). This is due to the Town's low density residential character and isolated, high-desert location. The Town's abundant vacant land generally consists of undeveloped desert saltbrush scrub, Joshua tree woodland, and pinyon-juniper woodland.

Long-term implementation of the General Plan Update land use plan (see Figure 3-5, *Proposed Land Use Plan*, of the DEIR) could allow development (e.g., new development, infill development, redevelopment, and revitalization/restoration), including grading, of known and unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that

requires more intensive soil excavation than in the past could potentially cause the disturbance of archeological, paleontological, or Native American resources. Therefore, future development that would be accommodated by the General Plan Update could potentially unearth previously recorded unrecorded archeological, paleontological, or Native American resources.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

4-2 Applicants for future development projects that require excavation greater than five feet below the current ground surface in undisturbed sediments with a moderate or higher fossil yield potential shall provide a technical paleontological assessment to the Yucca Valley Planning Department consisting of a record search, survey, background context, and project-specific recommendations performed by a qualified paleontologist. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan that requires monitoring during grading and other earthmoving activities in undisturbed sediments; provides a fossil recovery protocol that includes data to be collected; requires professional identification, radiocarbon dates, and other special studies, as appropriate; requires curation at an accredited museum such as the San Bernardino County Museum for fossils meeting significance criteria; and requires a comprehensive final mitigation compliance report, including a catalog of fossil specimens with museum numbers and an appendix containing a letter from the museum stating that it is in possession of the fossils.

4-3 Applicants for future development projects in areas of known or inferred archaeological resources, prehistoric or historic, shall provide a technical cultural resources assessment to the Yucca Valley Planning Department. The technical cultural resources assessment shall be performed by a qualified archaeologist and shall include a record search, survey, background context, and project-specific requirements to mitigate impacts, if any are found. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan that requires monitoring during grading and other earthmoving activities in undisturbed sediments; provides a treatment plan for potential resources that includes data to be collected; requires professional identification and other special studies as appropriate; requires curation at an accredited museum such as the San Bernardino County Museum for artifacts meeting significance criteria; and requires a comprehensive final mitigation compliance report, including a catalog of specimens with museum numbers and an appendix containing a letter from the museum stating that it is in possession of the materials.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Impact 5.10-7 Buildout of the individual land uses and projects for implementation of the General Plan could expose sensitive uses to strong groundborne vibration.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-29 of Section 5.10, *Noise*, of the DEIR.

Transportation-Related Vibration Impacts

Caltrans has studied the effects of propagation of vehicle vibration on sensitive land uses and notes that "heavy trucks, and quite frequently buses, generate the highest earthborn vibrations of normal traffic." Caltrans further notes that the highest traffic-generated vibrations are along freeways and state routes. Their study finds that "vibrations measured on freeway shoulders (five meters from the centerline of the nearest lane) have never exceeded 0.08 inches per second, with the worst combinations of heavy trucks. This level coincides with the maximum recommended safe level for ruins and ancient monuments (and historic buildings)." Typically, trucks do not generate high levels of vibration because they travel on rubber wheels and do not have vertical movement, which generates ground vibration. Because there are no major of transportation-related vibration sources in Town such as heavy rail, or any freeway, any potential for significant vibration impacts is less than significant.

Stationary-Related Vibration Impacts

The use of heavy equipment associated with heavy industrial operations can create elevated vibration levels in their immediate proximity. As shown in Figure 3-5, *Proposed Land Use Plan*, of the DEIR, industrial and business park land uses are designated in portions of the Town adjacent to sensitive uses such as residential areas. In general, the majority of heavy industrial uses would not be immediately adjacent to vibration-sensitive uses. However, heavy industrial uses adjacent to sensitive receptors could generate vibration levels that would be perceptible and annoying, and this would be a potential significant impact.

Construction Vibration Impacts

Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures, but can achieve the audible and perceptible ranges in buildings close to the construction site.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

10-2 Individual projects that involve vibration-intensive construction activities, such as blasting, pile drivers, jack hammers, and vibratory rollers, within 200 feet of sensitive receptors shall be evaluated for potential vibration impacts. A study shall be conducted for individual projects where vibration-intensive impacts may occur. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., nonexplosive blasting methods, drilled piles as opposed to pile driving, etc.).

10-3 Development of heavy industrial projects that involve vibration-intensive machinery or activities occurring near sensitive receptors shall be evaluated for potential vibration impacts. Prior to occupancy permits, or issue of business licenses, a study shall be conducted for individual projects where vibration-intensive impacts may occur. Vibration impacts to nearby receptors shall not exceed the levels for annoyance (in RMS inches/second) as follows: Workshop = 0.032, Office = 0.015, Residential Daytime (7 AM–10 PM)= 0.008, and Residential Nightime (10PM to 7 AM) = 0.004.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

E. SIGNIFICANT UNAVOIDABLE IMPACTS

The following summary describes the unavoidable impacts of the proposed project where mitigation measures were found to be infeasible, or it would not lessen impacts to less than significant. The following impacts would remain significant and unavoidable:

1. Air Quality

Impact 5.2-1 The General Plan Update would be consistent with the regional control measures, but development associated with the buildout of the General Plan update would generate more growth than the current general plan. Therefore, the project would be inconsistent with the Mojave Desert Air Quality Management District's Air Quality Management Plans.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-13 of Section 5.2, *Air Quality*, of the DEIR.

Although individual development projects would be consistent with the control measures/regulations identified in MDAQMD's Air Quality Management Plan (AQMP), the General Plan Update would generate substantially more growth for the Town than the current general plan. It should be noted that the General Plan Update assumes full theoretical buildout of the Town post-2035, since there is no schedule for when this development would occur. In contrast, the growth projections that are integrated in the AQMPs are based on SCAG's RTP/SCS. Full buildout associated with the General Plan Update is not currently included in the emissions inventory for the MDAB. The proposed project would not be consistent with the AQMP because buildout of the Town of Yucca Valley under the proposed General Plan Update

would exceed the forecasts in the current general plan. Consequently, the General Plan Update would cumulatively contribute to the existing nonattainment designations in the MDAB because these emissions are not included in the current regional emissions inventory for the MDAB. The proposed project would be considered inconsistent with the MDAQMD's AQMPs, resulting in a significant impact in this regard.

Mitigation Measures

Mitigation measures incorporated into future development projects and adherence to the General Plan Update policies and implementation actions for operation and construction phases described under Impacts 5.2-2 and 5.2-3 below would reduce criteria air pollutant emissions associated with buildout of the General Plan Update. Goals and policies in the General Plan Update would facilitate continued Town participation/cooperation with MDAQMD and SCAG to achieve regional air quality improvement goals, promotion of energy conservation design and development techniques, encouragement of alternative transportation modes, and implementation of transportation demand management strategies. However, no mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP due to the magnitude of growth and associated emissions that would be generated by the buildout of the Town in accordance with the General Plan Update.

Finding: No mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP to a less than significant level. The Town of Yucca Valley finds that impacts associated with air quality compatibility (Impact 5.2-1) would be Significant and Unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-2 **Construction activities associated with the buildout of the General Plan Update would generate criteria air pollutant emissions that exceed Mojave Desert Air Quality Management District's regional significance thresholds and would contribute to the ozone and particulate matter nonattainment designations of the Mojave Desert Air Basin.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-14 of Section 5.2, *Air Quality*, of the DEIR.

Construction activities associated with development that would be accommodated by the General Plan Update would occur over the buildout horizon (post-2035) of the General Plan Update and cause short-term emissions of criteria air pollutants. The primary source of oxides of nitrogen (NO_x), carbon monoxide (CO), and sulfur oxides (SO_x) emissions is the operation of construction equipment. The primary sources of particulate matter (PM_{10} and $PM_{2.5}$) emissions are activities that disturb the soil, such as grading and excavation road construction, and building demolition and construction. The primary source of volatile organic compound (VOC) emissions is the application of architectural coating and off-gas emissions associated with asphalt paving. A discussion of health impacts associated with air pollutant emissions generated by construction activities is included under "Air Pollutants of Concern" in section 5.2-1, *Environmental Setting*.

Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with construction activity. Due to the scale of development activity associated with theoretical buildout of the General Plan

Update, emissions would likely exceed the MDAQMD regional significance thresholds and therefore, in accordance with the MDAQMD methodology, would cumulatively contribute to the nonattainment designations of the MDAB. The MDAB is currently designated nonattainment for ozone (O_3) and particulate matter (PM_{10} and $PM_{2.5}$). Emissions of VOC and NO_x are precursors to the formation of O_3. In addition, NO_x is a precursor to the formation of particulate matter (PM_{10} and $PM_{2.5}$). Therefore, the proposed project would cumulatively contribute to the existing nonattainment designations of the MDAB for O_3 and particulate matter (PM_{10} and $PM_{2.5}$).

Air quality emissions related to construction must be addressed on a project-by-project basis. For this broad-based General Plan Update, it is not possible to determine whether the scale and phasing of individual projects would result in the exceedance of MDAQMD's short-term regional or localized construction emissions thresholds. An estimate of construction emissions is included in the operational phase regional criteria air pollutant emissions inventory in Impact 5.2-3 below. In addition to regulatory measures (e.g., MDAQMD Regulation XIII for new source review; Regulation II, which includes Rule 201 for a permit to construct and Rule 203 for a permit to operate; Regulation IV, which includes Rules 403 and Rule 403.2 for fugitive dust control, and CARB's airborne toxic control measures), mitigation may include extension of construction schedules and/or use of special equipment. Nevertheless, because of the likely scale and extent of construction activities pursuant to the future development that would be accommodated by the General Plan Update, at least some projects would likely continue to exceed the relevant MDAQMD thresholds. Consequently, construction-related air quality impacts associated with development in accordance with the General Plan Update are deemed significant.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

2-1 If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the Mojave Desert Air Quality Management District (MDAQMD) adopted thresholds of significance, the Town of Yucca Valley Planning Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include but are not limited to:

- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
- Water all active construction areas at least three times daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent

airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

- Pave, apply water three times daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.

- Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas, and staging areas at the construction site to control dust.

- Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.

- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.

- Enclose, cover, water three times daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. These changes are identified in the form of the mitigation measures above. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Although mitigation measures have been incorporated into the project, the Town of Yucca Valley finds that impacts associated with construction air pollutant emissions (Impact 5.2-2) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-3 **Buildout of the proposed Land Use Plan would generate additional vehicle trips and area sources of criteria air pollutant emissions that exceed Mojave Desert Air Quality Management District's regional significance thresholds and would contribute to the ozone and particulate matter nonattainment designations of the Mojave Desert Air Basin.**

Support for this environmental impact conclusion is fully discussed starting on page 5.2-15 of Section 5.2, *Air Quality*, of the DEIR.

For the purpose of the following analysis, it is important to note that, based on the requirements of CEQA, this analysis is based on a comparison of the General Plan update land use map to existing land uses and not to the current General Plan land use map, from which there is little variation (see Chapter 7 of the DEIR, *Alternatives to the Proposed Project*).

It is also important to note that the General Plan Update is a regulatory document that sets up the framework for future growth and development and does not directly result in development in and of itself. Before any development can occur in the Town, all such development is required to be analyzed for conformance with the General Plan, zoning requirements, and other applicable local and state requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

The General Plan Update guides growth and development within the Town of Yucca Valley by designating land uses in the proposed land use plan and through implementation of the goals and policies of the General Plan Update. New development would increase air pollutant emissions in the Town and contribute to the overall emissions inventory in the MDAB. A discussion of health impacts associated with air pollutant emissions generated by operational activities is included in the Air Pollutants of Concern discussion in section 5.2-1, *Environmental Setting*, of the DEIR.

The proposed project sets the direction for the development of residential and non-residential land uses within developed and undeveloped portions of the Town. Theoretical buildout of the General Plan Update would result in an increase in land use intensity in the Town.

Town of Yucca Valley Emissions Inventory Forecasts

The increase in criteria air pollutant emissions is based on the difference between existing land uses and land uses associated with buildout of the General Plan Update as well as an estimate of population and employment within the Town at 2035 based on SCAG forecasts (SCAG 2012).[8]

Theoretical buildout of the General Plan Update would generate long-term emissions that exceed the daily MDAQMD thresholds for all criteria pollutants except SO_x. Emissions of VOC and NO_x are precursors to the formation of O_3. In addition, NO_x is a precursor to the formation of particulate matter (PM_{10} and $PM_{2.5}$). Consequently, emissions of VOC and NO_x that exceed the MDAQMD regional significance thresholds would contribute to the O_3 nonattainment designation of the MDAB, while emissions of NO_x, PM_{10}, and $PM_{2.5}$ that exceed the MDAQMD regional significance thresholds would contribute to the particulate matter (PM_{10} and $PM_{2.5}$) nonattainment designation of the MDAB.

Implementation of the General Plan policies and implementation actions would reduce impacts to the extent feasible. For example, Policy C 1-20 would require future development to pave roadways that would serve 500 or more daily trips unless paving of that facility is considered infeasible by the Town, there is no funding for the improvement, or the majority of the residents on that facility desire it to be unpaved. In addition, Policy C 1-21 identifies that it is a policy of the Town to pursue funding to pave unpaved roadways where the traffic volume exceeds 500 daily trips. Nonetheless, operational-related air quality impacts associated with future development that would be accommodated by the General Plan Update are significant.

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[8] SCAG forecasts in 2035 identify less employment than identified in Table 4-1 of the DEIR. Therefore, the SCAG forecast for employment was adjusted based on the relative increase in employment from 2008 to 2035. The increase in employment between 2008 to 2035 identified by SCAG was added to the baseline employment identified in Table 4-1.

Mitigation Measures

Goals and policies are included in the General Plan Update that would reduce air pollutant emissions. However, due to the magnitude of emissions generated by the buildout of residential, office, commercial, industrial, and warehousing land uses in the Town, no mitigation measures are available that would reduce impacts below MDAQMD's thresholds.

Finding: No mitigation measures are available that would reduce impacts below MDAQMD's thresholds. The Town of Yucca Valley finds that impacts associated with operational air pollutant emissions (Impact 5.2-3) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-4 Buildout of the Yucca Valley General Plan could result in new sources of criteria air pollutant emissions and/or toxic air contaminants proximate to existing or planned sensitive receptors.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-17 of Section 5.2, *Air Quality*, of the DEIR.

Operation of new land uses, consistent with the land use plan of the General Plan Update, would generate new sources of criteria air pollutants and TACs.

Localized Significance Thresholds

MDAQMD considers projects that cause or contribute to an exceedance of the California or National AAQS to result in significant impacts. Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with future development projects. Due to the scale of development activity associated with theoretical buildout of the General Plan Update, emissions could exceed the MDAQMD regional significance thresholds and therefore, in accordance with the MDAQMD methodology, may result in significant localized impacts. Air quality emissions would be addressed on a project-by-project basis. For this broad-based General Plan Update, it is not possible to determine whether the scale and phasing of individual projects would result in the exceedance of MDAQMD's localized emissions thresholds. Nevertheless, because of the likely scale of future development that would be accommodated by the General Plan Update, at least some projects would likely exceed the relevant MDAQMD thresholds.

Toxic Air Contaminants

Operation of new land uses, consistent with the General Plan Update, could also generate new sources of TACs within the Town from various industrial and commercial processes. Land uses that have the potential to generate substantial stationary sources of emissions that would require a permit from MDAQMD include industrial land uses, such as chemical processing facilities, dry cleaners, and gasoline-dispensing facilities. In addition to stationary/area sources of TACs, warehousing operations could generate a substantial amount of diesel particulate matter emissions from off-road equipment use and truck idling. New land uses in the Town that generate trucks trips (including trucks with transport refrigeration units) could generate an increase in diesel particulate matter (DPM) that would contribute to cancer and noncancer health risk in the MDAB. These new land uses could be near existing sensitive receptors within the Town. Stationary sources of emissions would be controlled by MDAQMD through permitting

and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under MDAQMD Regulation XIII, New Source Review. Because the nature of those emissions cannot be determined at this time and they are subject to further regulation and permitting, they will not be addressed further in this analysis but are considered a potentially significant impact of the General Plan Update. MDAQMD identifies the following project types (and associated buffer distance) that would require further evaluation to ensure that sensitive receptors would not be exposed to substantial pollutant concentrations:

- Industrial projects within 1000 feet;
- Distribution centers (40 or more trucks per day) within 1000 feet;
- Major transportation projects (50,000 or more vehicles per day) within 1000 feet;
- Dry cleaners using perchloroethylene within 500 feet;
- Gasoline dispensing facilities within 300 feet. (MDAQMD 2011)

Implementation of the following General Plan implementation actions would ensure that review of air quality compatibility would be conducted when siting receptors near major sources.

OSC 41: Amend the Development Code to identify land use sources of toxic air contaminants and adopt standards for the regulation of location and protection of sensitive receptors from excessive and hazardous emissions.

OSC 44: Require all projects that have the potential to generate significant levels of air pollution to provide detailed impact analyses and design mitigation that incorporates the most advanced technological methods available. Prior to the issuance of construction permits, the Town shall review and determine the effectiveness of proposed mitigation measures and set additional measures as needed.

LU 5: Amend the development code to create standards addressing appropriate treatments to buffer industrial and commercial uses from residential and other sensitive uses.

However, operation of new sources of emissions near existing or planned sensitive receptors is considered a potentially significant impact of the project.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

2-2 New industrial or warehousing land uses that: 1) have the potential to generate 40 or more diesel trucks per day and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the Town of Yucca Valley Planning Department prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the Mojave Desert Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (I0E-06)or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level,

including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, restricting idling onsite or electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. These changes are identified in the form of the mitigation measures above. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Although mitigation measures have been incorporated into the project, the Town of Yucca Valley finds that impacts associated with criteria air pollutant emissions and/or toxic air contaminants near existing or planned sensitive receptors (Impact 5.2-4) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

2. Biological Resources

Impact 5.3-2 Buildout of the General Plan Update would impact habitat types inhabited by sensitive species.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-39 of Section 5.3, *Biological Resources*, of the DEIR.

Each of the habitat/land cover types in the Town, except for disturbed lands and urban/developed lands, are identified as habitats for one or more sensitive species. In addition, vegetation communities may become sensitive and/or species may become listed in the future. Buildout of the General Plan Update would convert some of each the sensitive habitat types in the Town to developed land uses. At buildout of the General Plan Update, 25,106 acres (98.5 percent of the Town) would be designated for some type of developed land use. The remaining 386 acres would be designated for Open Space – Conservation. Currently, 16,661 acres (65.4 percent of the Town) consists of vacant land.[9] Therefore, implementation of the General Plan Update would involve development of 16,275 acres (i.e., the remaining 63.8 percent of the Town) of currently vacant land.

The General Plan Open Space and Conservation Element identifies several implementation actions to reduce impacts:

OSC 1, 15, 16: (presented above under Impact 5.3-1 in Section C.2)

OSC 20: Identify and assess lands, based upon site specific biological resources evaluations within the WCEAs and OSRAs that are suitable for preservation and may be preserved as public or private lands and as passive or active open space.

[9] No category of existing land use is specified as open space (conservation); thus, no land presently designated for conservation is included in the acreage currently vacant.

OSC 21: (presented above under Impact 5.3-5 in Section C.2)

OSC 22: (presented above under Impact 5.3-1 in Section C.2)

Growth accommodated through long-term buildout of the Town of Yucca General Plan would result in significant loss of habitat. To this date, no regional HCP/NCCP has been prepared for the Mojave Desert/Sonoran Desert that mitigates the cumulative loss of habitat as a result of future development. Consequently, while impacts from loss of habitat would be mitigated on a case-by-case basis for each individual development through consultation with the relevant federal and state agencies, cumulative impacts of habitat loss are considered significant. The area over which cumulative impacts are considered is the Mojave Desert Bioregion designated by the California Natural Resources Agency, which spans 20 million acres covering most of San Bernardino and Inyo Counties and parts of Riverside, Los Angeles, Kern, Tulare, and Mono counties.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

Implementation of Mitigation Measures 3-1, 3-2, 3-3, and 3-4.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. These changes are identified in the form of the mitigation measures above. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Although mitigation measures have been incorporated into the project, the Town of Yucca Valley finds that impacts associated with habitat types inhabited by sensitive species (Impact 5.3-2) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

3. Greenhouse Gas Emissions

Impact 5.6-1 **Buildout of the Town of Yucca Valley pursuant to maximum level allowed by the land use designations of the General Plan Update would generate a substantial increase in GHG emissions over existing conditions.**

Development under the General Plan would contribute to global climate change through direct and indirect emissions of GHG from land uses within the Town. The increase in GHG emissions is based on the difference between existing land uses (see Table 4-1 of the DEIR, *Existing Land Use Summary*) and land uses associated with buildout of the General Plan Update (see Table 3-2, *Proposed General Plan Land Use Designations and Buildout Projections*) as well as an estimate of population and employment within the Town at 2035 based on SCAG forecasts (SCAG 2012).

2020 - AB 32 Target Year

The community-wide GHG business-as-usual business as usual (BAU) and adjusted BAU (ABAU) emissions inventory for the Town in 2020 compared to existing conditions is included in

Table 5.6-6 of the DEIR. The ABAU inventory includes reductions from federal and state measures identified in CARB's Scoping Plan, including the Pavley fuel efficiency standards, LCFS for fuel use (transportation and off-road), and a reduction in carbon intensity from electricity use (see the discussion of the inventory methodology). For 2020, the Scoping Plan measures account for a reduction of 45,697 MTCO2e (metric tons of CO_2 equivalent gases) compared to BAU (19 percent reduction in GHG emissions). Based on SCAG demographic forecasts, the Town is not anticipated to grow substantially between 2012 and 2020. As a result, compared to the Town's existing emissions inventory, the Town will experience a decrease of 40,803 MTCO2e of GHG emissions (17 percent reduction in GHG emissions from 2012 conditions). Consequently, GHG emissions in the Town would not exceed 100,000 tons (90,718 MTCO2e/year) during this time frame. Impacts would be less than significant for short-term growth anticipated under the General Plan.

2035 - SCAG Forecast Year

The community-wide GHG emissions inventory for the Town in 2035 compared to existing conditions is included in Table 5.6-7 of the DEIR. The ABAU inventory includes reductions from federal and state measures identified in CARB's Scoping Plan, including the Pavley fuel efficiency standards, LCFS for fuel use (transportation and off-road), and a reduction in carbon intensity from electricity use (see the discussion of the inventory methodology). For 2035, the Scoping Plan measures account for a reduction of 60,125 MTCO2e compared to BAU (23 percent reduction in GHG emissions).

Based on SCAG demographic forecasts, the Town is not anticipated to grow substantially between 2012 and 2035. As a result, compared to the Town's existing emissions inventory, the Town will experience a decrease of 31,781 $MTCO_2e$ of GHG emissions. Consequently, GHG emissions in the Town would not exceed 100,000 tons (90,718 $MTCO_2e$/year) during this (2012–2035) time frame. Impacts would be less than significant for short-term growth anticipated under the General Plan Update.

Post-2035 - Full Buildout of the General Plan Update

The community-wide GHG emissions inventory at buildout of the General Plan Update compared to existing conditions is included in Table 5.6-8 of the DEIR. The ABAU inventory includes reductions from federal and state measures identified in CARB's Scoping Plan, including the Pavley fuel efficiency standards, LCFS for fuel use (transportation and off-road), and a reduction in carbon intensity from electricity use (see the discussion of the inventory methodology). For buildout, the Scoping Plan measures account for a reduction of 173,097 $MTCO_2e$ compared to BAU (23 percent reduction in GHG emissions).

Buildout of the Town is not linked to a development timeline and is based on reasonable worst-case buildout of the parcels as identified in the land use plan. Based on the historic rate of growth in the Town,[10] the amount of development that the Town of Yucca Valley can accommodate in the land use plan is not likely to occur within the next 50 years, let alone within the 20-year planning horizon identified by SCAG. As a result, compared to the Town's existing emissions inventory, the Town will experience a substantial increase of 352,267 $MTCO_2e$ of

[10] According to the U.S. Census and California Department of Finance (DOF) population counts for the Town of Yucca Valley, the Town has experienced an average annual growth rate of 1.82 percent since 2000.

GHG emissions at buildout. Consequently, GHG emissions in the Town would exceed 100,000 tons (90,718 $MTCO_2e$/year) by full buildout of the General Plan Update.

CARB is currently updating the Scoping Plan to identify additional measures to achieve the long-term GHG reduction targets. At this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under S-03-05. As identified by the California Council on Science and Technology, the state cannot meet the 2050 goal without major advancements in technology (CCST 2012). Impacts from GHG emissions within the Town of Yucca Valley would be significant for long-term growth anticipated under the General Plan Update.

Mitigation Measure

Mitigation Measure 6-1 was included in the DEIR and FEIR and is applicable to the proposed project. The measure as provided includes any revisions incorporated in the FEIR.

6-1 The Town of Yucca Valley shall participate in the San Bernardino Regional Greenhouse Gas Reduction Plan being prepared by the San Bernardino Association of Governments (SANBAG). The Town shall achieve a 15 percent reduction in greenhouse gas emissions from baseline (2008) conditions. The Town shall implement the following local measures, as identified in the preliminary plan:

- Energy Efficiency for Existing Buildings (Energy-1): The Town shall promote energy efficiency in existing residential buildings and commercial buildings, and remove funding barriers for energy efficiency improvements through one or more of the following actions:
  - Implementing a low-income weatherization program,
  - Launching energy efficiency outreach/education campaigns targeted at residents and businesses
  - Promoting the smart grid and funding and schedule scheduling energy efficiency tune-ups
  - Promoting energy efficiency management services for large energy users
- Solar Installation for New Commercial (Energy-2): The Town shall reduce electricity consumption above and beyond the requirements of AB 1109 by requiring 50 percent of outdoor lighting fixtures use halogen bulbs and 100 percent of traffic signals use light emitting diode (LED) bulbs by 2020.
- Solar Installation for Existing Housing (Energy-7): The Town shall establish a goal to have 15 percent of existing homes be supplied with solar power.

Finding: Implementation of Mitigation Measure 6-1 and General Plan policies and implementation actions would reduce greenhouse gas emissions impacts of General Plan Update buildout. However, impacts (5.6-1) would remain significant and unavoidable, and a Statement of Overriding Considerations is required.

4. Noise

Impact 5.10-1 Buildout of the proposed Land Use Plan would result in an increase in traffic on local roadways and state routes 62 and 247 in the Town of Yucca Valley, which would substantially increase the existing noise environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-19 of Section 5.10, *Noise*, of the DEIR.

Future development in accordance with the General Plan update would cause increases in traffic along local roadways. Traffic on SR-62 and SR-247 is also projected to increase due to regional growth and Town-related traffic. For the purpose of assessing the compatibility of new development with the anticipated ambient noise, the Town utilizes the state's Community Noise and Land Use Compatibility standards. A significant impact could occur if the proposed Land Use Plan designates noise-sensitive land uses in areas where the ambient noise level clearly exceeds levels that are compatible for the designated land use, or if the future ambient noise would be incompatible with existing noise-sensitive land uses, including residential, schools, churches, nursing homes, hospitals, and open space/recreation areas. Commercial and industrial areas are not considered noise sensitive and have much higher tolerances for exterior noise levels.

The traffic noise levels were estimated using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (RD-77-108). The FHWA model predicts noise levels through a series of adjustments to a reference sound level. These adjustments account for distances from the roadway, traffic flows, vehicle speeds, car/truck mix, length of exposed roadway, and road width. The distances to the 70, 65, and 60 CNEL contours for selected roadway segments in the vicinity of proposed project site are included in DEIR Appendix H.

Traffic noise increases along roadways at Post-2035 conditions due to implementation of the proposed land use plan, the implementation of the circulation plan, and regional growth would range from 0.0 to 10.2 dBA CNEL. The affected segments that would experience substantial noise increases greater than 5 dBA over existing conditions, resulting at noise levels greater than 65 dBA CNEL, and that include sensitive receptors along those segments are:

- Acoma Trail from Mountain View Trail to Onaga Trail
- Airway Avenue from SR-62 to Aviation Drive
- Avalon Avenue from Sunnyslope Drive to SR-62
- Camino del Cielo Trail from SR-62 to Yucca Trail
- Joshua Lane east of Anacoma Trail
- La Contenda Road from Yucca Trail to SR-62
- Palomar Avenue from Yucca Trail to Joshua Drive
- Palomar Avenue from Joshua Lane to Joshua Drive
- Paxton Drive from SR-247 to Balsa Avenue
- Pioneertown Road from SR-62 to Sunnyslope Drive
- Sunnyslope Drive from SR-247 to Sage Avenue

The noise increases along roadway segments are related to traffic volumes increases due to population and employment growth in the Town and regional growth. Traffic noise increases would occur over a period of many years and would not be readily discernible on an annual basis because traffic and noise would increase steadily over time over a long period. However, the future ambient noise would be substantially higher when compared to existing conditions at

receptors along the roadway segments identified above, and therefore noise impacts are significant.

Mitigation Measures

Existing noise-sensitive land uses would be affected by the substantial increase in traffic noise levels. Because most homes front the affected streets, sound walls would not be feasible. Rubberized pavement would not be effective because of the relatively low speeds on the roadways. Consequently, there are no feasible effective mitigation measures available that would prevent noise levels along major transportation corridors from increasing as a result of substantial increases in traffic volumes. Though new uses can be designed for the expected noise exposure, there would be no feasible mitigation measures to reduce potential noise impacts to existing noise-sensitive uses.

Finding: No feasible mitigation measures would reduce potential noise impacts to existing noise-sensitive uses to less than significant levels. The Town of Yucca Valley finds that traffic noise impacts (Impact 5.10-1) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

Impact 5.10-6 Construction activities associated with buildout of the individual land uses and projects for implementation of the General Plan would substantially elevate noise levels in the vicinity of noise-sensitive land uses.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-27 of Section 5.10, *Noise*, of the DEIR.

Implementation of the Draft General Plan would result in construction of new residential, commercial, and industrial uses throughout the planning area. Two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of short-term noise impact is related to demolition, site preparation, grading, and/or physical construction. Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics.

Construction equipment generates high levels of noise ranging from 71 dBA to 101 dBA. Construction of individual developments associated with buildout of the proposed land use plan would temporarily increase the ambient noise environment, and would have the potential to affect noise-sensitive land uses in the vicinity of each individual project. The Town of Yucca Valley restricts the hours of construction activities to the least noise-sensitive portions of the day. Construction activities that occur from 7:00 AM and 7:00 PM are exempt from the noise ordinance standards. However, construction activities may occur outside of these hours if the Town determines that the maintenance, repair, or improvement is necessary to maintain public services or cannot feasibly be conducted during normal business hours, or if construction activities comply with the stationary source noise standards of the Development Code. Building- or demolition-related activities are prohibited between the hours of 10 PM to 7 AM in residential areas, and between 10 PM to 5 AM in a commercial or industrial area.

Draft General Plan policies require construction noise to remain within acceptable noise limits and protect existing areas with acceptable noise environments. Implementation of the Yucca

Valley General Plan policy N 1-18 would reduce construction noise by enforcing the limits on nonemergency construction hours to the less sensitive hours of the day.

Mitigation Measures

The following mitigation measures were included in the DEIR and FEIR and are applicable to the proposed project. The measures as provided include any revisions incorporated in the FEIR.

10-1 Applicants for new development projects within 500 feet of sensitive receptors shall implement the following best management practices to reduce construction noise levels:

- Install temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive structures
- Equip construction equipment with mufflers
- Restrict haul routes and construction-related traffic
- Reduce nonessential idling of construction equipment to no more than five minutes

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR. These changes are identified in the form of the mitigation measures above. The Town of Yucca Valley hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Although mitigation measures have been incorporated into the project, the Town of Yucca Valley finds that construction noise impacts to noise-sensitive land uses (Impact 5.10-6) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

5. Transportation and Traffic

Impact 5.14-2 Future development that would be accommodated by the General Plan would conflict with the applicable congestion management program.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-25 of Section 5.14, *Transportation and Traffic*, of the DEIR.

San Bernardino County's Congestion Management Plan (CMP) designated the SR-62 and SR-247 as CMP facilities within the Town of Yucca Valley; they are required to operate at "the middle of LOS D or better." The intersections on the SR-62 and on the SR-247 must be consistent with the adopted CMP threshold, which is more stringent than the adopted Town threshold.

The intersection of SR-62 at SR-247 is projected to operate at LOS D with a delay of 51.7 seconds during the PM peak hour, which is in excess of the 45-second CMP maximum. Approximately 20 percent of the total volume in that intersection is anticipated to be regional based on model runs completed as part of this project—these trips are outside of the Town's land use control. Finally, it should be noted that the growth projection assumed in the model will take many years to achieve, and the intersection will likely satisfy the CMP operating

requirements well beyond Year 2035, depending on the ultimate absorption of the land use plan. However, because this intersection is projected in the long range to operate with delays in excess of CMP requirements, it would be inconsistent with the CMP and would result in a significant impact.

Mitigation Measures

No feasible mitigation measures are available to reduce impacts at this intersection.

Finding: No feasible mitigation measures are available to reduce traffic impacts at the SR-62/SR-247 intersection to below the CMP threshold. The Town of Yucca Valley finds that traffic impacts to this CMP intersection (Impact 5.14-2) would remain Significant and Unavoidable and a Statement of Overriding Considerations is required.

F. FINDINGS ON GROWTH-INDUCING IMPACTS AND SIGNIFICANT IRREVERSIBLE EFFECTS

1. Growth Inducing Impacts of the Proposed Project

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also required is an assessment of other projects that would foster activities that could affect the environment, individually or cumulatively. Based on the analysis in the FEIR, the proposed project would have the following growth-inducing impacts:

- Buildout of the General Plan Update would directly induce substantial growth in the Town of Yucca Valley.

- The proposed land use plan would permit residential development in mixed-use designations in areas of the Mid-Town and East Side focus areas, parts of which are now designated for commercial uses, and would permit increased residential densities in some existing residential areas. Buildout of all residential uses permitted by the proposed General Plan Update would increase the Town's population to 64,565, an increase of 43,649 over the 2012 population and an increase of 2,342 over full buildout of the existing General Plan.

- Implementation of the proposed General Plan Update would not encourage or facilitate economic effects that could result in other activities that could significantly affect the environment. Buildout of the General Plan Update would increase employment in the Town to 34,926, an increase of 27,387 over estimated 2012 employment. Impacts of the increases in job-generating land uses and employment pursuant to the General Plan Update are analyzed throughout Chapter 5 of the Draft EIR. No additional impacts would occur.

- Buildout of the General Plan Update would require completion of all of the planned drainage and flood control facilities in the 1999 Master Plan of Drainage, thus reducing areas in the Town where flood hazards constrain growth. Proposed drainage facilities are discussed in Section 5.15, *Utilities and Service Systems* of the DEIR.

- General Plan Update buildout would require additional firefighting and police protection staffing and may require construction of new and/or expanded fire stations and sheriff's station. Buildout would also require construction and operation of approximately nine new elementary schools, three middle schools, two high schools, and a new or expanded library facility. Needed increases in public services facilities are discussed in Section 5.12, *Public Services* of the DEIR.

- Buildout of roadways per roadway classifications in the proposed General Plan Circulation Element would increase roadway capacity in the Town. Proposed roadway classifications are described in Section 5.14, *Transportation and Traffic* of the DEIR.

- General Plan Update buildout would require construction of the planned wastewater treatment and water reclamation system to its ultimate buildout capacity of six million gallons per day. Discharges from septic tanks in most of the Town will be prohibited in three phases, with the first phase effective in 2016 and the third in 2022. The prohibition on septic discharges would be a severe constraint on growth in the Town without development of the wastewater treatment and water reclamation system, which is described further in Section 5.15, *Utilities and Service Systems* of the DEIR.

Consequently, implementation of the proposed project would have growth-inducing impacts. The environmental impacts of such growth are discussed in the FEIR and in Sections B, C, and D of these CEQA Findings of Fact.

2. Significant Irreversible Effects of the Proposed Project

Section 15126.2(c) of the CEQA Guidelines requires that an environmental impact report (EIR) describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented.

- Future development will involve construction activities that entail the commitment of nonrenewable and/or slowly renewable energy resources, including gasoline, diesel fuel, and electricity; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, and water.

- An increased commitment of social services and public maintenance services (e.g., police, fire, and sewer and water services) would also be required. The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.

- Population growth related to project implementation would increase vehicle trips over the long term. Emissions associated with such vehicle trips would continue to contribute to the Mojave Desert Air Basin's nonattainment designation for ozone (O3) and particulate matter (PM_{10} and $PM_{2.5}$).

- Future development of the proposed project is a long-term irreversible commitment of vacant parcels of land or redevelopment of existing developed land in the Town of Yucca Valley.

Given the low likelihood that the land would revert to lower intensity uses, the proposed project would generally commit future generations to these environmental changes.

G. FINDINGS ON PROJECT ALTERNATIVES

1. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

Alternative Project Sites

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (Guidelines Sec. 15126[5][B][1]). The proposed project is the General Plan Update for the Town of Yucca Valley. The project is necessarily limited to the Town of Yucca Valley, since the Town does not have the authority to impose policies outside its boundaries. Therefore, no alternative development areas were considered.

Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative identified in the FEIR (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

SR-62 Realignment

A significant and unavoidable traffic impact would occur on SR-62 with full buildout of the proposed General Plan. One alternative considered for reducing traffic impacts on SR-62 was realignment of SR-62 between Santa Fe Trail and Kickapoo Trail in the west-central part of the Town. The realigned SR-62 would extend westward from Santa Fe Trail along the current alignment of Yucca Trail for about 0.5 mile, then curve southward to rejoin the existing SR-62 alignment. The roadway currently designated SR-62 would remain in place as a four-lane divided highway serving the existing commercial and civic corridor along that roadway. CEQA Guidelines Section 15126.6(f)(1) requires that alternatives to a project be feasible. An alternative for which implementation is out of the control of the project applicant is not considered feasible. SR-62 is a Caltrans facility. Realignment of SR-62 would be under the control of Caltrans, not the Town of Yucca Valley. Therefore, realignment of SR-62 is not a feasible alternative to the proposed General Plan.

Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative identified in the FEIR (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

2. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project.

A. No Project / Current General Plan Alternative

In the No Project/ Current General Plan Alternative, the General Plan Update would not be implemented by the Town. The current 1995 General Plan would remain in effect. Buildout statistics for the proposed General Plan and the current 1995 General Plan are compared in Table 7-2.

Table 7-2
No Project / Current General Plan Buildout Summary Compared to Proposed General Plan

Category	Proposed Project	No Project/ Current General Plan Alternative	Change	Percent Change
Dwelling Units	27,229	24,401	-2,828	-10.4%
Population	64,565	62,223	-2,342	-3.6%
Nonresidential (SQFT)	20,963,702	17,633,100	-3,330,602	-15.9%
Employment	34,926	27,370	-7,556	-21.6%
Jobs-to-Housing Ratio	1.28	1.12	-0.16	-12.5%

Overall, land use designations between the current general plan and the proposed general plan are similar. However, the proposed land use plan would allow for more intense commercial, residential, and civic uses, and higher-density residential land uses concentrated near SR-62. The proposed land use plan would generally decrease land use density to the north and to the south with distance from SR-62. The following changes were made to the land use designations in the current land use plan under the proposed project:

- Large areas of the Town would be designated Hillside Residential
- Four specific plan areas are designated—three abutting SR-62 and the fourth straddling SR-247 near the northern end of the Town.
- Some additional area south of SR-62 in the western part of the Town would be converted to designated Medium Density Residential designation from Rural Living designation.

Under the No Project/Current General Plan Alternative, these changes would not occur.

Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative identified in the FEIR. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

Impacts of this alternative would be neutral to those of the proposed project for aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, population and housing, and transportation and traffic. Impacts of this alternative would be slightly reduced compared to those of the proposed project for hydrology and water quality, noise, public services, recreation, and utilities and service systems. This alternative would reduce air quality impacts compared to those of the proposed project; however, such impacts would remain significant and unavoidable in this alternative. This alternative could reduce greenhouse gas emissions impacts; however, such impacts would also remain significant and unavoidable. This alternative would not reduce any significant and unavoidable impacts of the proposed project to less than significant.

This alternative would not provide a comprehensive update to the Town's General Plan consistent with California Government Code Sections 65300 et seq. This alternative would not

revise the Town's General Plan pursuant to various state requirements for General Plans, for instance, AB 1358, the Complete Streets Act of 2008.

B. Clustered Development Alternative

The Clustered Development Alternative is proposed to reduce significant and irreversible impacts to biological resources from the cumulative loss of sensitive habitat. In this alternative, development would be concentrated in the central parts of the Town, along SR-62, to minimize or avoid development in Wildlife Corridor Evaluation Areas (WCEAs) and in Open Space Resource Areas (OSRAs), as shown on Figure 5.3-2 of the DEIR, *Biological Resources*. Increased intensity would occur in commercial, mixed-use, medium-high-density residential, medium-density residential, and low-density residential designations near SR-62 and SR-247. Total permitted development intensity in the Town in this alternative would be the same as the proposed project.

Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative identified in the FEIR. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

This alternative would reduce impacts of the proposed General Plan to aesthetics, cultural resources, land use and planning, and geology and soils. Impacts of this alternative to hazards and hazardous materials, hydrology and water quality, population and housing, public services, recreation, and utilities and service systems would be neutral to those of the proposed General Plan. This alternative would reduce air quality, biological resources, and GHG emissions compared to those of the proposed project; however, each of these impacts would remain significant and unavoidable in this alternative. This alternative would decrease noise impacts in rural areas of the Town and increase impacts in urbanized areas of the Town; therefore, noise impacts under this alternative would remain significant. In addition, this alternative would increase the traffic impacts by reallocating growth along the SR-62 and SR-247 corridors and exacerbating traffic conditions at affected intersections.

This alternative would achieve all of the objectives of the proposed General Plan; however, at General Plan buildout, the development pattern in the Town would be slightly more urbanized and slightly more concentrated in the central parts of the Town, compared to the proposed General Plan, in which much of the Town would be built out with very low density single-family residential development (rural residential, rural living, and hillside residential designations).

C. Reduced Intensity Alternative

The Reduced Intensity Alternative is proposed to reduce significant and unavoidable impacts to air quality, biological resources, transportation and traffic, noise, and greenhouse gas (GHG) emissions. In this alternative, residential and nonresidential development potential at General Plan buildout is reduced by 25 percent compared to the proposed project (see Table 7-3). Note that the buildout population of this alternative (48,424 people) would be less than that of the current General Plan (62,223 people). The distribution of land use designations would be the same in this alternative as in the proposed project (i.e., 98.5 percent of the Town would be designated for some type of developed land use at General Plan buildout in this alternative).

Table 7-3
Reduced Intensity Alternative Buildout Summary Compared to Proposed General Plan and Current 1995 General Plan

Category	*Proposed Project*	*Reduced Intensity Alternative*	*Change*	*Percent Change*
Dwelling Units	27,229	20,422	-6,807	25.0%
Population	64,565	48,424	-16,141	25.0%
Nonresidential (SQFT)	20,963,702	15,722,777	-5,240,925	25.0%
Employment	34,926	26,195	-8,731	25.0%
Jobs-to-Housing Ratio	1.28	1.28	0	0%

Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible this project alternative identified in the FEIR. (Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3)).

This alternative would slightly reduce impacts to cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems, compared to those of the proposed General Plan. Impacts to aesthetics and biological resources would be similar between the two scenarios. Impacts to land use and planning would be increased by this alternative. This alternative would reduce impacts to air quality and greenhouse gas emissions compared to those of the proposed project; however, these two impacts would remain significant and unavoidable in this alternative.

This alternative would meet most of the objectives for the General Plan, but would meet some of the objectives to a lesser degree than the proposed General Plan would. Two objectives promote conservation of the Town's hillsides, wildlife corridors, and desert character and environment. This alternative and the proposed General Plan would each designate almost the entire Town for development; however, in this alternative, development would be at lower density as well as dispersed over almost the whole Town.

The Reduced Intensity Alternative has been identified as the environmentally superior alternative because it meets the majority of the project objectives and would lessen impacts to 12 resources. However, this alternative would increase impacts to one resource, Land Use and Planning.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and the Guidelines Section 15093, the Town has balanced the benefits of the proposed project against the following unavoidable adverse impacts associated with the Proposed Project and has adopted all feasible mitigation measures with respect to these impacts: (1) Air Quality, (2) Biological Resources, (3) Noise, and (4) Transportation/Traffic. The Town also has examined alternatives to the proposed project, none of which both meet the project objectives and is environmentally preferable to the proposed project.

A. BACKGROUND

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (State CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.

The following sections provide a description of each of the project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

B. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The following adverse impacts of the proposed project are considered significant, unavoidable, and adverse based on the DEIR, FEIR, Mitigation Monitoring Program, and the findings discussed in Section II, *Findings and Facts Regarding Impacts*, of this document.

1. Air Quality

Impact 5.2-1: The General Plan Update would be consistent with the regional control measures, but development associated with the buildout of the general plan update would generate more growth than the current general plan. Therefore, the project would be inconsistent with the Mojave Desert Air Quality Management District's Air Quality Management Plans.

Although individual development projects would be consistent with the control measures/regulations identified in MDAQMD's AQMP, the General Plan Update would generate substantially more growth for the Town than the current general plan. It should be noted that the General Plan Update assumes full theoretical buildout of the Town post-2035, since there is no schedule for when this development would occur. In contrast, the growth projections that are integrated in the AQMPs are based on SCAG's RTP/SCS. Full buildout associated with the General Plan Update is not currently included in the emissions inventory for the MDAB. The proposed project would not be consistent with the AQMP because buildout of the Town of Yucca Valley under the proposed General Plan Update would exceed the forecasts in the current general plan. Consequently, the General Plan Update would cumulatively contribute to the existing nonattainment designations in the MDAB because these emissions are not included in the current regional emissions inventory for the MDAB. The proposed project would be considered inconsistent with the MDAQMD's AQMPs, resulting in a significant impact in this regard.

No mitigation measures are available that would make impacts consistent with MDAQMD's AQMP; thus, impacts associated with inconsistency with the AQMP would remain Significant and Unavoidable.

Impact 5.2-2: Construction activities associated with the buildout of the General Plan Update would generate criteria air pollutant emissions that exceed Mojave Desert Air Quality Management District's regional significance thresholds and would contribute to

the ozone and particulate matter nonattainment designations of the Mojave Desert Air Basin.

Construction activities associated with development that would be accommodated by the General Plan Update would occur over the buildout horizon (post-2035) of the General Plan Update and cause short-term emissions of criteria air pollutants. The primary source of NOx, CO, and SOx emissions is the operation of construction equipment. The primary sources of particulate matter (PM10 and PM2.5) emissions are activities that disturb the soil, such as grading and excavation road construction, and building demolition and construction. The primary source of VOC emissions is the application of architectural coating and off-gas emissions associated with asphalt paving. A discussion of health impacts associated with air pollutant emissions generated by construction activities is included under "Air Pollutants of Concern" in section 5.2-1 of the DEIR, *Environmental Setting*.

Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with construction activity. Due to the scale of development activity associated with theoretical buildout of the General Plan Update, emissions would likely exceed the MDAQMD regional significance thresholds and therefore, in accordance with the MDAQMD methodology, would cumulatively contribute to the nonattainment designations of the MDAB. The MDAB is currently designated nonattainment for O_3 and particulate matter (PM_{10} and $PM_{2.5}$). Emissions of VOC and NO_x are precursors to the formation of O_3. In addition, NO_x is a precursor to the formation of particulate matter (PM_{10} and $PM_{2.5}$). Therefore, the proposed project would cumulatively contribute to the existing nonattainment designations of the MDAB for O_3 and particulate matter (PM_{10} and $PM_{2.5}$).

Air quality emissions related to construction must be addressed on a project-by-project basis. For this broad-based General Plan Update, it is not possible to determine whether the scale and phasing of individual projects would result in the exceedance of MDAQMD's short-term regional or localized construction emissions thresholds. An estimate of construction emissions is included in the operational phase regional criteria air pollutant emissions inventory in Impact 5.2-3 below. In addition to regulatory measures (e.g., MDAQMD Regulation XIII for new source review; Regulation II, which includes Rule 201 for a permit to construct and Rule 203 for a permit to operate; Regulation IV, which includes Rules 403 and Rule 403.2 for fugitive dust control, and CARB's airborne toxic control measures), mitigation may include extension of construction schedules and/or use of special equipment. Nevertheless, because of the likely scale and extent of construction activities pursuant to the future development that would be accommodated by the General Plan Update, at least some projects would likely continue to exceed the relevant MDAQMD thresholds. Consequently, construction-related air quality impacts associated with development in accordance with the General Plan Update are deemed significant.

Implementation of Mitigation Measure 2-2 would reduce this impact; however, construction emissions would remain a significant and unavoidable impact.

Impact 5.2-3: Buildout of the proposed Land Use Plan would generate additional vehicle trips and area sources of criteria air pollutant emissions that exceed Mojave Desert Air Quality Management District's regional significance thresholds and would contribute to the ozone and particulate matter nonattainment designations of the Mojave Desert Air Basin.

Theoretical buildout of the General Plan Update would generate long-term emissions that exceed the daily MDAQMD thresholds for all criteria pollutants except SO_x. Emissions of VOC and NO_x are precursors to the formation of O_3. In addition, NO_x is a precursor to the formation of particulate matter (PM_{10} and $PM_{2.5}$). Consequently, emissions of VOC and NO_x that exceed the MDAQMD regional significance thresholds would contribute to the O_3 nonattainment designation of the MDAB, while emissions of NO_x, PM_{10}, and $PM_{2.5}$ that exceed the MDAQMD regional significance thresholds would contribute to the particulate matter (PM_{10} and $PM_{2.5}$) nonattainment designation of the MDAB.

Implementation of the General Plan policies and implementation actions would reduce impacts to the extent feasible. For example, Policy C 1-20 would require future development to pave roadways that would serve 500 or more daily trips unless paving of that facility is considered infeasible by the Town, there is no funding for the improvement, or when the majority of the residents on that facility desire it to be unpaved. In addition, Policy C 1-21 identifies that it is a policy of the Town to pursue funding to pave unpaved roadways where the traffic volume exceeds 500 daily trips. Nonetheless, operational-related air quality impacts associated with future development that would be accommodated by the General Plan Update are significant.

No mitigation measures are available that would reduce impacts below MDAQMD's thresholds; thus, impacts associated with operational air pollutant emissions would remain Significant and Unavoidable.

Impact 5.2-4: Buildout of the Yucca Valley General Plan could result in new sources of criteria air pollutant emissions and/or toxic air contaminants proximate to existing or planned sensitive receptors.

Operation of new land uses, consistent with the land use plan of the General Plan Update, would generate new sources of criteria air pollutants and TACs.

Localized Significance Thresholds

MDAQMD considers projects that cause or contribute to an exceedance of the California or National AAQS to result in significant impacts. Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with future development projects. Due to the scale of development activity associated with theoretical buildout of the General Plan Update, emissions could exceed the MDAQMD regional significance thresholds and therefore, in accordance with the MDAQMD methodology, may result in significant localized impacts. Air quality emissions would be addressed on a project-by-project basis. For this broad-based General Plan Update, it is not possible to determine whether the scale and phasing of individual projects would result in the exceedance of MDAQMD's localized emissions thresholds. Nevertheless, because of the likely scale of future development that would be accommodated by the General Plan Update, at least some projects would likely exceed the relevant MDAQMD thresholds.

Toxic Air Contaminants

Operation of new land uses, consistent with the General Plan Update, could also generate new sources TACs within the Town from various industrial and commercial processes (e.g., manufacturing, dry cleaning). Land uses that have the potential to generate substantial stationary sources of emissions that would require a permit from MDAQMD include industrial land uses, such as chemical processing facilities, dry cleaners, and gasoline-dispensing facilities. In addition to stationary/area sources of TACs, warehousing operations could generate a substantial amount of diesel particulate matter emissions from off-road equipment use and truck idling. New land uses in the Town that generate trucks trips (including trucks with transport refrigeration units) could generate an increase in DPM that would contribute to cancer and noncancer health risk in the MDAB. These new land uses could be near existing sensitive receptors within the Town. Stationary sources of emissions would be controlled by MDAQMD through permitting and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under MDAQMD Regulation XIII, New Source Review. Because the nature of those emissions cannot be determined at this time and they are subject to further regulation and permitting, they will not be addressed further in this analysis but are considered a potentially significant impact of the General Plan Update. MDAQMD identifies the following project types (and associated buffer distance) that would require further evaluation to ensure that sensitive receptors would not be exposed to substantial pollutant concentrations:

- Industrial projects within 1000 feet;
- Distribution centers (40 or more trucks per day) within 1000 feet;
- Major transportation projects (50,000 or more vehicles per day) within 1000 feet;
- Dry cleaners using perchloroethylene within 500 feet;
- Gasoline dispensing facilities within 300 feet. (MDAQMD 2011)

Implementation of Mitigation Measure 2-2 would reduce this impact; however, emissions of criteria air pollutants and/or toxic air contaminants near existing or planned sensitive receptors would remain a significant and unavoidable impact.

2. Biological Resources

Impact 5.3-2: Buildout of the General Plan Update would impact habitat types inhabited by sensitive species.

Each of the habitat/land cover types in the Town, except for disturbed lands and urban/developed lands, are identified as habitats for one or more sensitive species. In addition, vegetation communities may become sensitive and/or species may become listed in the future. Buildout of the General Plan Update would convert some of each the sensitive habitat types in the Town to developed land uses. At buildout of the General Plan Update, 25,106 acres (98.5 percent of the Town) would be designated for some type of developed land use. The remaining 386 acres would be designated for Open Space – Conservation. Currently, 16,661 acres (65.4 percent of the Town) consists of vacant land. Therefore, implementation of the General Plan Update would involve development of 16,275 acres (i.e., the remaining 63.8 percent of the Town) of currently vacant land.

Implementation of Mitigation Measures 3-1, 3-2, 3-3, and 3-4 would reduce this impact; however, impacts to habitat types inhabited by sensitive species would remain significant and unavoidable.

3. Greenhouse Gas Emissions

Impact 5.6-1: Buildout of the Town of Yucca Valley pursuant to maximum level allowed by the land use designations of the General Plan Update would generate a substantial increase in GHG emissions over existing conditions.

Buildout of the Town of Yucca Valley to the maximum level allowed by the land use designations of the General Plan Update land use plan would generate a substantial increase in greenhouse gas (GHG) emissions over existing conditions. Goals and policies are included in the General Plan Update that would reduce GHG emissions. Compliance with the goals in the San Bernardino Association of Government's (SANBAG) proposed Regional GHG Reduction Plan (identified as Mitigation Measure 6-1) and policies and implementation measures of the General Plan Update would ensure that long-term GHG emissions from buildout of the General Plan Update are reduced to the extent feasible. However, due to the magnitude of emissions generated by the buildout of residential, office, commercial, industrial, and warehousing land uses in the Town, and the fact that no statewide long-term strategy to reduce emissions beyond year 2020 are available that would reduce impacts below MDAQMD's thresholds at buildout of the General Plan this impact would remain significant and unavoidable.

4. Noise

Impact 5.10-1 Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways and State Routes 62 and 247 in the Town of Yucca Valley, which would substantially increase the existing noise environment.

Traffic generated by buildout of the General Plan would substantially increase traffic noise along major traffic corridors in the Town and could expose existing and planned residents to substantial noise levels. To reduce potential noise impacts to new sensitive land uses, Noise Element Policy N 1 would require noise-reducing, site design, and building construction features in residential and mixed-use projects in areas where outdoor average daily noise levels exceed of 65 dBA CNEL. However, no feasible mitigation measures are available that would prevent impacts to existing homes fronting the major transportation corridors. Though new uses can be designed for the expected noise exposure, there would be no feasible mitigation measures to reduce potential noise impacts to existing noise-sensitive uses, despite the application of mitigation measures. Impacts would remain significant and unavoidable.

Impact 5.10-6: Construction activities associated with buildout of the individual land uses and projects for implementation of the General Plan would substantially elevate noise levels in the vicinity of noise-sensitive land uses.

Implementation of the Draft General Plan would result in construction of new residential, commercial, and industrial uses throughout the planning area. Two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of short-term noise impact is related to demolition, site preparation, grading, and/or physical construction. Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics.

Construction equipment generates high levels of noise ranging 71 dBA to 101 dBA. Construction of individual developments associated with buildout of the proposed land use plan

would temporarily increase the ambient noise environment and would have the potential to affect noise-sensitive land uses in the vicinity of each individual project. The Town of Yucca Valley restricts the hours of construction activities that occur to the least noise-sensitive portions of the day. Construction activities that occur from 7:00 AM and 7:00 PM are exempt from the noise ordinance standards. However, construction activities may occur outside of these hours if the Town determines that the maintenance, repair, or improvement is necessary to maintain public services or cannot feasibly be conducted during normal business hours, or if construction activities comply with the stationary source noise standards of the Development Code. Building- or demolition-related activities are prohibited between the hours of 10 PM to 7 AM in residential areas, and between 10 PM to 5 AM in a commercial or industrial area.

Draft General Plan policies require construction noise to remain within acceptable noise limits and protect existing areas with acceptable noise environments. Implementation of the Yucca Valley General Plan Policy N 1-18 would reduce construction noise by enforcing the limits on nonemergency construction hours to the less sensitive hours of the day.

Implementation of Mitigation Measure 10-1 would reduce this impact; however, construction noise impacts near sensitive land uses would remain significant and unavoidable.

5. Transportation and Traffic

Impact 5.14-2: Future development that would be accommodated by the General Plan would conflict with the applicable congestion management program.

San Bernardino County's CMP designated the SR-62 and SR-247 as CMP facilities within the Town of Yucca Valley; they are required to operate at "the middle of LOS D or better." The intersections on the SR-62 and on the SR-247 must be consistent with the adopted CMP threshold, which is more stringent that the adopted Town threshold.

The intersection of SR-62 at SR-247 is projected to operate at LOS D with a delay of 51.7 seconds during the PM peak hour, which is in excess of the 45-second CMP maximum. Approximately 20 percent of the total volume in that intersection is anticipated to be regional based on model runs completed as part of this project—these trips are outside of the Town's land use control. Finally, it should be noted that the growth projection assumed in the model will take many years to achieve, and the intersection will likely satisfy the CMP operating requirements well beyond Year 2035, depending on the ultimate absorption of the land use plan. However, because this intersection is projected in the long range to operate with delays in excess of CMP requirements, it would be inconsistent with the CMP and would result in a significant impact.

No feasible mitigation measures are available to reduce impacts to this CMP intersection, and impacts to CMP roadways would remain significant and unavoidable.

C. CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Town of Yucca Valley has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the proposed project.

1. Implements the Objectives Established for the Project

The proposed project implements the following objectives:

1. Provide a comprehensive update to the Town's General Plan that establishes goals, policies, and implementation actions related to land use, circulation, housing, conservation and open space, safety, and noise.

2. Designate the distribution, location, and extent of land uses, including residential, commercial, mixed use, industrial, open space, and public facilities.

3. Maintain balanced, sustainable growth and the desert character and environment, while expanding the Town's position as the economic hub of the Morongo Basin.

4. Implement a series of distinct mixed-use activity nodes along SR-62 to promote and encourage sustainable development and create a sense of place along the corridor.

5. Provide flexibility in Special Policy Areas to respond to unique goals, and provide development opportunities in changing market conditions.

6. Maintain the community's safe and established residential neighborhoods.

7. Encourage a range of residential product types on vacant infill sites to meet local housing needs.

8. Improve the community's jobs-housing balance and fiscal sustainability by planning for a diversified employment base, provided by a variety of commercial, industrial, and mixed-use land uses.

9. Provide appropriate community services and efficient infrastructure (roads, sewer, and water) to meet local needs.

10. Ensure new development covers its proportionate share of infrastructure improvement costs.

11. Adopt and implement a circulation network based on mobility demands and land use patterns, with a variety of mobility options to reduce vehicle miles traveled and minimize greenhouse gas emissions.

12. Encourage infill development along SR-62 and on vacant sites in developed areas to conserve the Town's hillsides and wildlife corridors to the greatest extent practical.

13. Seek opportunities to build upon recreation tourism afforded by the Town's natural features and proximity to the Joshua Tree National Monument.

14. Prepare for and mitigate exposure to natural, human-made, and noise-related hazards.

2. Improves the Jobs-to-Housing Balance in the Town of Yucca Valley

Ultimate buildout of the Town of Yucca Valley General Plan Update would result in a jobs-housing ratio in the Town of 1.28. Currently, the Town's jobs-housing balance is 0.80 and is

very housing-rich. According to SCAG, the ideal jobs-to-housing ratios is around 1.36. A job-to-housing ratio of 1.28 is more desirable for the Town because it will bring a more balanced distribution of housing and employment opportunities in the area. More employment opportunities in the Town would reduce the need for people to travel farther to work. This helps create a more sustainable economy in the Town and reduce total VMT, which improves air quality and reduces GHG emissions.

3. Encourages Mixed-Use in the Downtown Areas

The General Plan Update would promote sustainable mixed-use infill development through incorporation of a new Mixed Use (MU) designation for the Town. Its purpose is to allow highly integrated commercial, residential, and office uses that facilitate pedestrian access and walkability. The Mixed Use designation in Yucca Valley provides flexibility for a variety of commercial and residential uses to be developed on one site in a vertical or horizontal configuration. These areas allow greater variety of land uses, which in turn provides more development options in different markets. Mixed use developments are often centers of activity and can be vibrant places to live, work and shop. The Mixed Use land use designation is strategically located in two areas along SR-62 where infill development and reinvestment should be encouraged. Creating two mixed use nodes will vary the development pattern, distinguish different areas along the corridor from one another, and help make Yucca Valley's primary thoroughfare a more inviting and interesting place to stop and shop. Proximity of residential uses near employment and activity centers can reduce vehicle trips and greenhouse gas emissions.

4. Improves Quality of Life and the Physical Environment

Although development in Yucca Valley would have significant impacts on the environment (such as those on air quality, greenhouse gas emissions, noise, and transportation), a number of the policies found in the General Plan would reduce these impacts on the environment and promote more environmentally sustainable development than would otherwise result in the development of Yucca Valley. These types of policies include those that:

- Promote efficient energy use:
  - Policy OSC 9-2 Support the development of renewable energy generation within the Town, provided that significant adverse environmental impacts associated with such development can be successfully mitigated.
  - Policy OSC 9-3 Encourage the use of clean and/or renewable alternative energy
  - Policy OSC 9-7 Encourage development proposals to participate in state, federal, and/or regional solar rebate and incentive programs.
  - Policy OSC 9-8 Encourage new construction provided for in whole or in part with Town funds, to incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.
  - Policy OSC 9-9 Promote building design and construction that integrates alternative energy systems, including but not limited to solar, thermal, photovoltaics and other clean energy systems.

- Policy OSC 11-2 Encourage new development to be designed to take advantage of the desert climate through solar orientation, shading patterns, and other green building practices and technologies.

- Promote the wise use of water:
  - Policy OSC 6-3 Require low water use, drought resistant landscape planting to reduce water demand.
  - Policy OSC 6-4 Require new development to incorporate Best Management Practices (BMPs) for water use and efficiency and demonstrate specific water conservation measures.
- Improve air quality:
  - Policy OSC 10-1 Participate in the monitoring of all air pollutants of regional concern on a continuous basis.
  - Policy OSC 10-2 Coordinate air quality planning efforts with other local, regional, and federal agencies.
  - Policy OSC 10-3 Promote the safe and efficient movement of people and materials into and through the Town as a means of reducing the impact of automobiles on local air quality.
  - Policy OSC 10-4 Coordinate land use planning efforts to assure that sensitive receptors are reasonably separated from polluting point sources.
  - Policy OSC 10-5 Provide consistent and effective code enforcement for construction and grading activities to assure ground disturbances do not contribute to blowing sand and fugitive dust emissions.
  - Policy LU 1-19 Encourage the relocation of industrial operations that are not compatible with adjacent uses to areas that are conducive to such operations.
  - Policy LU 1-22 Attract and retain non-polluting, clean industrial development that expands the economic opportunities in the Town.
  - Policy C 1-20 Require future development to pave roadways that will serve 500 or more daily trips as noted in [the Yucca Valley General Plan] Table 4-1 unless paving of that facility is considered infeasible by the Town, there is no funding for the improvement, or when the majority of the residents on that facility desire it to be unpaved.
  - Policy C 1-21 Pursue funding to pave unpaved roadways where the traffic volume exceeds 500 daily trips unless paving of that facility is infeasible or when the majority of the residents on that facility desire it to be unpaved.
  - Policy C 1-22 Minimize dust emissions on existing and new unpaved roads where traffic volumes exceed 500 daily trips.
- Manage the roadway network and encourage use of alternative transportation:

- Policy OSC 9-6 Promote use of ride-sharing and mass transit as means of reducing transportation-related energy demand.

- Policy OSC 10-3 Promote the safe and efficient movement of people and materials into and through the Town as a means of reducing the impact of automobiles on local air quality.

- Policy OSC 11-3 Maintain General Plan Land Use, Housing, and Transportation goals and policies to be aligned with, support, and enhance SCAG's Regional Transportation Plan and Sustainable Communities Strategy to achieve reductions in GHG emissions.

- Policy LU 1-1 Encourage infill development to maximize the efficiency of existing and planned public services, facilities, and infrastructure.

- Policy LU 1-9 Encourage infill residential development around public facilities and with pedestrian linkages to encourage walkable residential neighborhoods.

- Reduce greenhouse gas emissions (see also policies listed above):

  - Policy OSC 11-1 Continue to participate in and support the provisions of the San Bernardino Regional Greenhouse Gas Reduction Plan.

- Ensure noise compatibility for noise-sensitive uses:

  - Policy N 1-1 Separate excessive noise-generating uses from residential uses and other sensitive receptors through building design and aesthetically pleasing buffers such as landscaping, berms, and setbacks.

  - Policy N 1-2 Require noise-reducing site design and building construction in residential and mixed-use projects in areas with outdoor CNEL levels in excess of 65 dBA.

  - Policy N 1-3 Require daytime only truck deliveries to commercial and industrial uses adjacent to residential uses and other sensitive receptors unless there is no feasible alternative.

  - Policy N 1-4 Encourage the use of alternative transportation such as busing, bicycling, and walking to reduce peak traffic volumes and therefore transportation-related sources of noise.

  - Policy N 1-5 Encourage traffic-calming road design and engineering methods, where appropriate, to decrease excessive motor vehicle noise.

  - Policy N 1-6 Encourage noise-compatible land uses and thoughtful site planning and building design adjacent to highways and airports.

  - Policy N 1-7 Support Caltrans efforts to use attractive landscaping and other buffers and materials to reduce highway traffic noise.

- Policy N 1-8 Support the efforts of Caltrans and other agencies in developing and funding roadway noise-mitigation programs.

- Policy N 1-9 Encourage the use of landscaping, berms, setbacks and architecture rather than conventional walls to reduce motor vehicle noise in an aesthetically pleasing manner.

- Policy N 1-10 Encourage all law enforcement agencies operating within the Town to enforce the State Vehicle Code noise standards.

- Policy N 1-11 Encourage civilian airport operators to monitor aircraft noise and implement noise-reducing operation measures.

- Policy N 1-12 Consider limiting the development of heliports and helipads to areas where noise impacts on adjacent uses can be properly mitigated and where helicopter access has a demonstrated Townwide benefit and noise will not adversely affect adjacent uses.

- Policy N 1-13 Enforce Town noise limits and monitor compliance with noise standards.

- Policy N 1-14 Seek public and grant funding for noise mitigation programs for Town facilities and Town projects.

- Policy N 1-15 Require the design and construction of industrial and commercial development to minimize excessive offsite noise impacts.

- Policy N 1-16 Encourage existing and proposed industrial uses to use operation methods that minimize excessive noise.

- Policy N 1-17 Consider potential noise impacts before purchasing large or heavy equipment for Town facilities and encourage selection of equipment that generates the least noise.

- Policy N 1-18 Enforce limits on the hours of operation for nonemergency construction.

- Policy N 1-19 Enforce limits on the hours of refuse collection, street and parking lot sweeping, and other property maintenance operations.

- Policy N 1-20 Encourage special events to be planned to minimize the potential effects of noise on adjacent properties to the degree feasible.

- Policy N 1-21 Consult with the Marine Corp Air Ground Combat Center on solutions to noise complaints that are sensitive to the residents of the Town and do not impede the mission of the Marine Corps Base.

- Policy N 1-22 Consult Twentynine Palms Base officials on base operations that could adversely affect the noise environment in Yucca Valley.

- Policy N 1-23 Notify Yucca Valley residents of periodic base operations that will temporarily increase noise and vibration in the community.

- Improve pedestrian environments and create healthy, safe neighborhoods in Yucca Valley:

  - Policy LU 1-1 Encourage infill development to maximize the efficiency of existing and planned public services, facilities, and infrastructure.

  - Policy LU 1-2 Require that adjacent land uses and development types complement one another.

  - Policy LU 1-9 Encourage infill residential development around public facilities and with pedestrian linkages to encourage walkable residential neighborhoods.

- Encourage the preservation of open space and critical habitats for endangered resources and natural communities:

  - Policy OSC 1-2 Support regional, state, and federal efforts to evaluate, acquire, and conserve open space areas in and around Yucca Valley.

  - Policy OSC 1-3 Support the Mojave Desert Land Trust in their efforts to preserve open space resources within the Morongo Basin.

  - Policy OSC 1-4 Offer flexible development standards in exchange for providing open space and trail easements or rights-of-way.

  - Policy OSC 1-5 Encourage new development to retain natural open space areas as part of project design to the greatest extent practicable.

  - Policy OSC 1-6 Encourage the preservation, integrity, function, productivity and long term viability of environmentally sensitive habitats, wildlife corridors and significant geological features within the Town.

  - Policy OSC 4-1 Protect, conserve, and preserve the Town's biological resources, especially sensitive, rare, threatened or endangered species of plants and wildlife and their habitats.

  - Policy OSC 4-2 Support practical efforts to maintain a broad variety of habitats, with priority given to suitable habitat for rare and endangered species occurring in the Town and vicinity.

  - Policy OSC 4-3 Require new development proposals to minimize impacts to existing habitat and wildlife to the maximum extent practicable. Require revegetation of disturbed natural habitat areas with native or non-invasive naturalized species.

  - Policy OSC 4-4 Minimize and mitigate urban development impacts on sensitive habitat and wildlife areas.

- Policy OSC 4-5 Encourage and participate in the planning and development of multi-use corridors along drainage channels and utility easements to provide wildlife corridors and public interconnection between open space areas in the community and vicinity.

- Policy OSC 4-6 Require the use of native and approved, non-native, drought tolerant plant species in development projects which provide or enhance wildlife habitat and serve to extend the local desert environment into the urban design of the Town.

- Policy OSC 4-7 Promote biodiversity by protecting natural communities with high habitat value, protecting habitat linkages to prevent further fragmentation, and encouraging an appreciation for the natural environment and biological resources.

- Policy OSC 4-8 Require that development projects provide copies of required permits, or verifiable statements that permits are not required, from the California Department of Fish and Game (2081 Individual Take Permit) and US Fish and Wildlife Service (Section 7 Take Authorization) prior to receiving grading permits or other approvals that would permit land disturbing activities and conversion of habitats or impacts to protected species.

- Policy OSC 4-9 Require each future proposed development project to conduct an analysis to determine if sensitive biological resources and wildlife corridors would be impacted by the development application and adopt process and mitigation regulations for potential resource impacts.

- Policy OSC 4-10 Encourage context sensitive development within OSRAs and WCEAs while preserving biological resources and wildlife movement.

- Policy OSC 4-11 Require biological resource surveys and assessments as part of the application process for new developments within or adjacent to OSRAs and WCEAS.

- Policy OSC 4-12 Coordinate with CDFW and USFWS in the review of biological resource assessments and surveys for private land development applications when applicable.

- Policy OSC 4-13 Coordinate with CDFW and USFWS to ensure that state and federal protections required by the Endangered Species Act and the Migratory Bird Treaty Act are addressed during the planning process.

5. Conclusion

The Town of Yucca Valley has balanced the project's benefits against the project's significant unavoidable impacts. The Town finds that the project's benefits outweigh the project's significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project's benefits. The Town finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the project's significant unavoidable impacts.

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MITIGATION MONITORING PROGRAM FOR:

YUCCA VALLEY

GENERAL PLAN

UPDATE

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NOVEMBER 2013

Table of Contents

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3. Mitigation Monitoring Requirements

3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring team responsibilities. Team rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.4 COORDINATION WITH CONTRACTORS

The construction manager of each project approved pursuant to the General Plan Update is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the San Bernardino County Fire Department.

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Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
5.2 AIR QUALITY					
2-1	If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the Mojave Desert Air Quality Management District (MDAQMD) adopted thresholds of significance, the Town of Yucca Valley Planning Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include but are not limited to: ◦ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. ◦ Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. ◦ Limiting nonessential idling of construction equipment to no more than five consecutive minutes. ◦ Water all active construction areas at least three times daily, or as often as needed to control dust emissions. Watering should be sufficient to	Town of Yucca Valley Planning Division and applicants for new development projects	During subsequent project-level environmental review	Town of Yucca Valley Planning Division	

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
P.155	prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). • Pave, apply water three times daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas, and staging areas at the construction site to control dust. • Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. • Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. • Enclose, cover, water three times daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).				

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
2-2	New industrial or warehousing land uses that: 1) have the potential to generate 40 or more diesel trucks per day and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the Town of Yucca Valley Planning Department prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the Mojave Desert Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (I0E-06)or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, restricting idling onsite or electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project.	Applicants of new industrial or warehousing land uses as specified in Mitigation Measure 2-2	Prior to future discretionary project approval for industrial/warehousing	Town of Yucca Valley Planning Division	

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
	mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.				
5.4 CULTURAL RESOURCES					
4-1	Applicants for future development projects with intact extant building(s) more than 45 years old shall provide a historic resource technical study to the Yucca Valley Planning Department. The historic resources technical study shall be prepared by a qualified architectural historian meeting Secretary of the Interior Standards. The study shall evaluate the significance and data potential of the resource in accordance with these standards. If the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852), mitigation shall be identified within the technical study that ensures the value of the historic resource is maintained.	Applicants for future development projects with intact extant building(s) more than 45 years old, and qualified architectural historian	Prior to future discretionary project approval	Town of Yucca Valley Planning Division	
4-2	Applicants for future development projects that require excavation greater than five feet below the current ground surface in undisturbed sediments with a moderate or higher fossil yield potential shall provide a technical paleontological assessment to the Yucca Valley Planning Department consisting of a record search, survey, background context, and project-specific recommendations performed by a qualified paleontologist. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan that requires monitoring during grading and other earthmoving activities in	Applicants for future development projects that require excavation as specified in Mitigation Measure 4-2, and qualified paleontologists retained by those projects	Prior to future discretionary project approval	Town of Yucca Valley Planning Division	

P.157

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	undisturbed sediments; provides a fossil recovery protocol that includes data to be collected; requires professional identification, radiocarbon dates, and other special studies, as appropriate; requires curation at an accredited museum such as the San Bernardino County Museum for fossils meeting significance criteria; and requires a comprehensive final mitigation compliance report, including a catalog of fossil specimens with museum numbers and an appendix containing a letter from the museum stating that it is in possession of the fossils.				
P.158 3	Applicants for future development projects in areas of known or inferred archaeological resources, prehistoric or historic, shall provide a technical cultural resources assessment to the Yucca Valley Planning Department. The technical cultural resources assessment shall be performed by a qualified archaeologist and shall include a record search, survey, background context, and project-specific requirements to mitigate impacts, if any are found. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan that requires monitoring during grading and other earthmoving activities in undisturbed sediments; provides a treatment plan for potential resources that includes data to be collected; requires professional identification and other special studies as appropriate; requires curation at an accredited museum such as the San Bernardino County Museum for artifacts meeting significance criteria; and requires a	Applicants for future development projects in areas of known or inferred archaeological resources, and qualified archaeologists retained by those projects	Prior to future discretionary project approval	Town of Yucca Valley Planning Division	

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
	comprehensive final mitigation compliance report, including a catalog of specimens with museum numbers and an appendix containing a letter from the museum stating that it is in possession of the materials.				
5.6 GREENHOUSE GAS EMISSIONS					
6-1	The Town of Yucca Valley shall participate in the San Bernardino Regional Greenhouse Gas Reduction Plan being prepared by the San Bernardino Association of Governments (SANBAG). The Town shall achieve a 15 percent reduction in greenhouse gas emissions from baseline (2008) conditions. The Town shall implement the following local measures, as identified in the preliminary plan: • Energy Efficiency for Existing Buildings (Energy-1): The Town shall promote energy efficiency in existing residential buildings and commercial buildings, and remove funding barriers for energy efficiency improvements through one or more of the following actions: o Implementing a low-income weatherization program, o Launching energy efficiency outreach/education campaigns targeted at residents and businesses o Promoting the smart grid and funding and schedule scheduling energy efficiency tune-ups o Promoting energy efficiency management	Town of Yucca Valley	During the 20-year period the General Plan Update is in effect	Town of Yucca Valley Planning Division	

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
	services for large energy users • Solar Installation for New Commercial (Energy-2): The Town shall reduce electricity consumption above and beyond the requirements of AB 1109 by requiring 50 percent of outdoor lighting fixtures for new Town facilities and new non-residential developments use halogen bulbs and 100 percent of traffic signals use light emitting diode (LED) bulbs by 2020. • Solar Installation for Existing Housing (Energy-7): The Town shall establish a goal to have 15 percent of existing homes be supplied with solar power.				
5.10 NOISE					
10-1	Applicants for new development projects within 500 feet of sensitive receptors shall implement the following best management practices to reduce construction noise levels: • Install temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive structures • Equip construction equipment with mufflers • Restrict haul routes and construction-related traffic • Reduce nonessential idling of construction equipment to no more than five minutes	Applicants for new development projects within 500 feet of sensitive receptors	During construction of future projects	Town of Yucca Valley Planning Division	

P.160

Table 3-1
Mitigation Monitoring Requirements

	Mitigation Measure	*Responsibility for Implementation*	*Timing*	*Responsibility for Monitoring*	*Monitor (Signature Required) (Date of Compliance)*
10-2	Individual projects that involve vibration-intensive construction activities, such as blasting, pile drivers, jack hammers, and vibratory rollers, within 200 feet of sensitive receptors shall be evaluated for potential vibration impacts. A study shall be conducted for individual projects where vibration-intensive impacts may occur. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., nonexplosive blasting methods, drilled piles as opposed to pile driving, etc.).	Applicants of Individual projects that involve vibration-intensive construction activities, such as blasting, pile drivers, jack hammers, and vibratory rollers, within 200 feet of sensitive receptors; and noise consultants for those projects	Prior to future discretionary approvals	Town of Yucca Valley Planning Division	
10-3	Development of heavy industrial projects that involve vibration-intensive machinery or activities occurring near sensitive receptors shall be evaluated for potential vibration impacts. Prior to occupancy permits, or issue of business licenses, a study shall be conducted for individual projects where vibration-intensive impacts may occur. Vibration impacts to nearby receptors shall not exceed the levels for annoyance (in RMS inches/second) as follows: Workshop = 0.032, Office = 0.015, Residential Daytime (7AM–10PM) = 0.008, and Residential Nightime (10PM to 7 AM) = 0.004.	Applicants of heavy industrial projects, and noise consultants for those projects	Prior to future discretionary approvals	Town of Yucca Valley Planning Division	

P.161

4. Mitigation Monitoring Reports

Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report (AER) is prepared to document the outcome of arbitration committee review and becomes a portion of the ICR.

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5. Community Involvement

Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the arbitration committee by the general public.

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6. REPORT PREPARATION

6.1 LIST OF PREPARERS

Lead Agency

Shane Stueckle, Deputy Town Manager

The Planning Center|DC&E

Nicole Vermilion, Associate Principal

Michael Milroy, Associate Planner

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RESOLUTION NO. 13-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE YUCCA VALLEY GENERAL PLAN BY ADOPTING THE YUCCA VALLEY GENERAL PLAN UPDATE PROJECT, YUCCA VALLEY GENERAL PLAN HEARING DRAFT DATED AUGUST 2013, AS RECOMMENDED BY THE PLANNING COMMISSION

WHEREAS, Section 65300 of the California Government Code of the State of California authorizes cities to prepare long-range comprehensive guides known as general plans; and

WHEREAS, the Town of Yucca Valley has been operating under the General Plan adopted in 1995 along with their respective General Plan text and maps; and

WHEREAS, the Town of Yucca Valley's General Plan Update Project complies with Section 65300 in that it meets the state mandate of a general plan; and

WHEREAS, the General Plan Update Project advances regional planning policies; and

WHEREAS, Section 65361 limits the amendment of a mandatory element of the General Plan to not more than four (4) times per year; and

WHEREAS, the General Plan Update Project contains seven elements: 1) Land Use, 2) Housing; 3) Circulation; 4) Open Space; 5) Conservation; 6) Safety; 7) Noise; and

WHEREAS the Land Use, Housing, Circulation, Open Space, Conservation, Safety and Noise elements are mandatory elements of the General Plan per Government Code Section 65302; and

WHEREAS, the Town of Yucca Valley has determined that the existing General Plan required revision to bring the document into conformance with state law and to make all the elements internally consistent; and

WHEREAS, the Town of Yucca Valley has prepared the General Plan Update Project to replace the 1995 General Plan; and

WHEREAS, The Yucca Valley General Plan Update- General Plan Draft Environmental Impact Report (EIR, SCH No. 2012111021) and Final Environmental Impact Report and its appendices were reviewed, studied, and found to comply with the California Environmental Quality Act (CEQA) as more fully described in Resolution No. 13-XX; and

WHEREAS, the Town of Yucca Valley made The Yucca Valley General Plan Update Project available on the Town's website (including the General Plan, available to the public on the Internet for review beginning in 2011; and

WHEREAS, the Town of Yucca Valley held twelve (12) Community Workshops throughout the General Plan Update Project process; and

WHEREAS, the Town Council and Planning Commission held a joint workshop on June 26, 2012; and

WHEREAS, the Town Council adopted the conceptual land use plan on July 17, 2012; and

WHEREAS, the Town Council and Planning Commission held two public hearings on the Yucca Valley General Plan Update Project including November 19, 2013 and December 17, 2013; and

WHEREAS, the Town Council is responsible for reviewing updates to the General Plan, including associated maps and graphics and related documents as recommended by the Planning Commission; and

WHEREAS, on November 19, 2013 and December 17, 2013, the Town Council of the Town of Yucca Valley conducted a duly noticed public hearing on the General Plan Update Project at which time all persons wishing to testify in connection with the General Plan Update Project were heard; and

WHEREAS, in accordance with California Government Code Section 65300 et. seq., the General Plan Update Project has been developed to be comprehensive, internally consistent, long term and to address mandatory elements; and

WHEREAS, the State Department of Housing and community Development (HCD) reviewed the Draft Housing Element for compliance with State Housing Element Law; and

WHEREAS, the Yucca Valley General Plan Update Project constitutes a comprehensive, long term document capable of guiding the future development of the Town; and

WHEREAS, the Yucca Valley General Plan Update Project meets all the requirements of such plans as contained in the Planning and Zoning Law (Government Code, sections 65300-65303.4) and all other related laws; and

WHEREAS, the Implementation Actions implement the General Plan Update Project but are not a part of the General Plan Update Project when adopted; and

WHEREAS, the Goals, Policies and Implementation Actions and other relevant content contained in the Yucca Valley General Plan Update Project, pursuant to Government Code Section 65302.3 (a) are consistent with and do not conflict with the applicable airport land use compatibility policies and criteria contained in the Yucca Valley Airport Comprehensive Land Use Plan; and

WHEREAS, the Yucca Valley General Plan Update Project includes goals, policies and implementation actions related to the reduction of greenhouse gas emissions and adaptation strategies as identified in the San Bernardino Associated Governments Regional Greenhouse Gas Reduction Plan; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY:

SECTION 1. Based on the entire record before the Town Council, all written and oral evidence presented, and the findings made in this Resolution, the Town Council of the Town of Yucca Valley amends the General Plan as set forth the Yucca Valley General Plan Hearing Draft Dated August 2013; (The Yucca Valley General Plan Update Project – General Plan).

SECTION 2. Based on the entire record before the Town Council and all written and oral evidence presented, the Town Council finds the General Plan Update (The Yucca Valley General Plan Update Project – General Plan) promotes the goals and objectives of the Town of Yucca Valley and leaves the General Plan Update Project a long-term, compatible, integrated, and internally consistent statement of policies.

SECTION 3. Based on the entire record before the Town Council and all written and oral evidence presented to the Town Council, the Town Council finds that the environmental effects of the General Plan Update Project (The Yucca Valley General Plan Update – General Plan) have been analyzed and discussed in compliance with CEQA, and pursuant to the Draft Town Council Resolution No.13-xx.

SECTION 4. The location and custodian of the documents and any other material which constitute the record of proceedings upon which the Town Council based its decision is as follows: Town Clerk, Town of Yucca Valley, 57090 29 Palms Highway, Yucca Valley CA 92284.

SECTION 5. The Town Clerk shall certify the adoption of the Resolution.

APPROVED AND ADOPTED by the members of the Town Council of the Town of Yucca Valley this 17th day of December 2013.

_____
Town Council

_____
Town Clerk