

Section 10.0
Effects Found Not To Be Significant



10.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

The Town of Yucca Valley conducted an Initial Study in June 2006 to determine significant effects of the proposed Specific Plan. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not required to be included in primary analysis sections of the Draft EIR. In accordance with §15128 of the *CEQA Guidelines*, the following section provides a brief description of potential impacts found to be less than significant, as identified in the Initial Study. A copy of the Initial Study is found in Appendix 15.1, Initial Study.

AESTHETICS. *Would the Project:*

a) *Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. The Town of Yucca Valley, located in the Morongo Basin, is surrounded by steep hills and mountain ranges to the north, south, and west. Views from the Project area include the Alter's Hill area to the north, Burnt Mountain and South Park Peak to the south, the Little San Bernardino Mountains to the south and southwest, the Bartlett Mountains to the east, and the San Bernardino Mountains and Saw Tooth Range to the west. These hills and mountain ranges reach up to 4,673 feet ASL to the north, south, and west and create a scenic background from various points throughout the SPA, where the elevation is approximately 3,300 feet ASL. From various locations throughout the SPA, views of the surrounding landscapes are visible in every direction.

Table 4-2 of the Specific Plan (General Development Standards Requirements by Individual Zoning District) specifies the height limitations according to zoning districts and indicates that the maximum allowable building height would be between 40 feet and 3 stories/45 feet (whichever is less). In consideration of the distance between the SPA and the surrounding mountain ranges, and the building height limitations specified in the Specific Plan, Project implementation would not significantly impact a scenic vista.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant Impact. State Route 62, which traverses the SPA, is a designated State Scenic Highway. This roadway offers off-site views to motorists while traveling west through the SPA. Joshua trees are present within vacant lots interspersed along SR-62 and throughout the Project area. In addition, historic buildings are most likely to be found at the heart of Yucca Valley, especially on either side to the existing SR-62. The Old Yucca Elementary School (i.e., the "Scout House"), which is located at the corner of the existing Yucca Trail and Wamego Trail,



has been recognized by the Town as having local historic significance and is listed as a pending historic site.

Future development projects could result in impacts to scenic resources (i.e., Joshua trees and historic buildings) along SR-62. However, each project would be reviewed and evaluated by the Town staff to determine potential impacts to biological and cultural resources and the necessary subsequent actions. Future development would be subject to review for compliance with the procedures and regulatory provisions established by State and Federal regulatory agencies, the Municipal Code (MC) (Ordinance No. 140), and Specific Plan; refer to Responses 4.4 and 4.5. Compliance with the procedures and provisions established by regulatory agencies, the MC, and Specific Plan would ensure that future development would not substantially damage scenic resources along SR-62.

The Specific Plan incorporates the proposed SR-62 realignment to allow east–west traffic to travel around (instead of through) the Town; refer to Exhibit 5 (Proposed Circulation Map). The ultimate realignment of SR-62 would be determined upon further study by Caltrans and the Town of Yucca Valley. Scenic resource impacts from the realignment of SR-62 will be discussed in a separate environmental study to be conducted by Caltrans.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The SPA contains a fragmented pattern of local-serving businesses, many of which are in a deteriorated condition. Also, many of the commercial and industrial properties consist of vacant parcels, abandoned structures, and poorly maintained or underutilized buildings. While the proposed development would alter the visual character of the Project area, implementation is anticipated to result in beneficial impacts to the aesthetic environment by enhancing degraded conditions. Existing commercial and industrial uses would be rehabilitated or replaced with new commercial, industrial, or residential uses designed according to the Development Regulations and Design Guidelines specified in Chapters 4 and 5 of the Specific Plan, respectively. The Development Regulations establish land use districts, identify allowable uses, and outline general and specific development standards relative to FAR's, densities, setbacks, frontage, and building heights. The Design Guidelines consider building form, mass, and scale and existing character of the area in order to preserve and enhance the character of Old Town Yucca Valley. The fragmentation of the commercial land use pattern would be improved with Project implementation. Visually unattractive strip highway oriented commercial uses along Main Street/Existing SR-62 and Yucca Trail/Proposed SR-62 would be rehabilitated or replaced. Proposed landscaping guidelines would aesthetically enhance views across the Project area, thus, eliminating existing deteriorated conditions. Proposed landscaping guidelines would soften the future built environment and also preserve/restore the scenic qualities of the natural landscape by retaining and/or vegetating areas with native plant species. Public spaces and other site amenities (e.g., plazas, courtyards, pedestrian paseos, and gardens) would further enhance the visual quality of the area. The Specific Plan establishes uses that would create a transition and buffer central uses within the SPA into the



surrounding land uses. Thus, Project implementation would not degrade the existing visual character or quality of the site and its surroundings.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. The SPA is urbanized with commercial, industrial service, and residential uses and contains numerous sources of light/glare including lighting from the interior of buildings, street lighting, building illumination, signage, and other sources of lighting. New sources of light would be introduced with the new development, including light from building interiors passing through windows and light from building exteriors (i.e., street lighting, building illumination, security lighting, and landscape lighting).

Depending upon the location of the light source and its proximity to adjacent light sensitive uses, light introduction can be a nuisance, affecting adjacent areas and diminishing the view of the clear night sky. Lighting associated with non-residential uses may cause spillover impacts to nearby sensitive receptors. Section 4.11.3 of the Specific Plan (Light and Glare), requires lights, spotlights, floodlights, reflector, and other means of illumination to be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. Non-residential development would also have a heightened sensitivity due to the proposed mixed-use and live/work districts within the SPA. However, the Specific Plan contains Design Guidelines that specifically address lighting throughout the site and limit impacts to sensitive adjacent uses. Building materials (e.g., reflective roof tops, large glass windows) that are more likely to create glare and other light sources are regulated and/or restricted. Future development would be subject to compliance with the Development Regulations and Design Guidelines outlined in the Specific Plan. Therefore, Project implementation would not result in a significant impact regarding light and glare.

AGRICULTURE RESOURCES. *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:*

a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The project site is urbanized and is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Project implementation would not result in the conversion of farmland to non-agricultural use.



b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. Existing land uses within the Project area include residential, commercial, industrial, and civic. The Project site is zoned Service Commercial (C-S), General Commercial (C-G), Mixed-Use Commercial (MUC), Residential Single-Family (R-S-5), and Rural Living (R-L-1). Project implementation would not conflict with existing zoning for agricultural use and the Project site is not subject to a Williamson Act contract.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

No Impact. Farmland or agricultural uses do not exist within the Project area or its vicinity. Project implementation would not involve changes in the environment, which would result in the conversion of Farmland.

BIOLOGICAL RESOURCES. *Would the Project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact. According the General Plan EIR (Page II-8), a wide variety of sensitive plant and animal species are present within the Town, some of which are designated in the Federal and State endangered species lists. Plants especially noteworthy include the Triple-ribbed Milk Vetch and Parish's Daisy, both proposed for listing as endangered. The Joshua Tree Woodland, which occurs in intermittent patches throughout the SPA, is designated as a "Community With Highest Inventory Priority" by the State. Sensitive animal species include the Desert Tortoise (Federally listed as endangered), the Western Yellow-Billed Cuckoo and the Willow Flycatcher (both State listed as endangered), and several species of bats (State listed as species of special concern).

According to Exhibit III-9 of the General Plan EIR, the Project area is classified as "low in biological resources;" (Biological Resource Values/Open Space Conservation Areas) and it is unlikely the species listed above would be found in the SPA. Most native scrub has been eliminated and many of the natural resources have been displaced from the areas located along and south of the existing SR-62, where urban and commercial uses are most common. However, the site borders medium and high-value biological resource areas to the north of Yucca Trail (proposed SR-62).

Some of the Project site's periphery areas north of SR-62 serve as medium or high biological resource areas. Sensitive plant and animal species may be present in these areas and in the vacant lots found interspersed throughout the Project area. Also, Joshua trees are present within vacant lots interspersed throughout the Project area. Thus, future development projects could result in impacts to sensitive species.



The General Plan EIR (Page III-67) requires that low and medium biological resource areas be surveyed for the presence or absence of sensitive habitat and/or species. Also, the Town has adopted a Plant Protection and Management Ordinance (No. 140), which is intended to promote the continued health of the Town's abundant and diverse plant resources, by providing regulations and guidelines for the management of the plant resources in the Town. Chapter 1 of Ordinance No. 140 (Desert Native Plant Protection), which is intended to recognize and preserve native plants unique to Yucca Valley and the special contribution that Joshua Trees and Yuccas have made to the desert environment, outlines the regulations and guidelines for the management of the plant resources in the Town. According to Code §89.0115 (Permit Required), a removal permit shall be required for the removal of any native tree or plant, as regulated in Section 89.0107 (refer to Response (e) below for further discussion regarding Ordinance 140). Finally, Section 4.8.2 of the Specific Plan requires all project applicants to consult with the Town prior to removal or modification of any existing tree within private property.

Each project would be reviewed and evaluated by the Town staff to determine potential impacts to sensitive species and necessary subsequent actions. All future development would be subject to review for compliance with the procedures and regulatory provisions established by the California Department of Fish and Game, U.S. Fish and Wildlife Service, the MC (Ordinance No. 140), and the Specific Plan (Section 4.8.2, Required Preservation of Native Vegetation and Trees). Compliance with the procedures and provisions established by regulatory agencies, the MC, and Specific Plan would ensure that future development would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species.

As previously noted, the Project area borders medium and high-value biological resource areas to the north of Yucca Trail (proposed SR-62). Potential impacts to sensitive species from the realignment of SR-62 will be reviewed in a separate environmental study to be conducted by Caltrans.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact. There are no perennial creeks, channels, or other water bodies present within the Project boundaries that support riparian or wetland vegetation. However, the Yucca Wash, which traverses the eastern portion of the SPA, provides the backbone drainage to which all other washes and channels and natural drainage courses are tributary. The Church Channel, a tributary to the Yucca Valley Wash, flows from the south into the Yucca Wash on-site. The Joshua Tree Woodland, which occurs in intermittent patches throughout the SPA, is designated as a "Community With Highest Inventory Priority" by the State.

The Town has a Plant Protection and Management Ordinance (No. 140), which is intended to promote the continued health of the Town's abundant and diverse plant resources, by providing regulations and guidelines for the management of the plant resources in the Town. Chapter 2 of Ordinance 140 (Riparian Plant Conservation) is



intended to promote healthy and abundant riparian habitats by augmenting and coordinating with the responsibilities of the California Department of Fish and Game. Each project would be reviewed and evaluated by the Town staff to determine potential impacts to biological resources, including riparian habitats. Compliance with the procedures and provisions established by regulatory agencies, the MC (Ordinance No. 140), and Specific Plan would ensure that future development would not have a substantial adverse effect on riparian or wetland habitats or other sensitive natural community; refer also to Biological Resources response (a) above.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, costal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact. Refer to Biological Resources responses (a) and (b) above.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?

Less Than Significant Impact. Refer to Biological Resources responses (a) and (b) above.

e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.

Less Than Significant Impact. The Town has a Plant Protection and Management Ordinance (No. 140), which is intended to promote the continued health of the Town's abundant and diverse plant resources, by providing regulations and guidelines for the management of the plant resources in the Town. Ordinance 140 consists of three chapters: Chapter 1 (Desert Native Plant Protection); Chapter 2 (Riparian Plant Conservation); and Chapter 3 (Enforcement). Chapter 1 is intended to recognize and preserve native plants unique to Yucca Valley and the special contribution that Joshua Trees and Yuccas have made to the desert environment. According to Code §89.0115 (Permit Required), a removal permit shall be required for the removal of any native tree or plant as regulated in Section 89.0107. Chapter 2 is intended to promote healthy and abundant riparian habitats by augmenting and coordinating with the responsibilities of the California Department of Fish and Game. Chapter 3 outlines the provisions for enforcement of Ordinance 140.

Various biological resources, including Joshua trees of various heights and sizes, are present within the vacant lots interspersed throughout the Project area. Future development projects could result in impacts to these resources. Compliance with the procedures and provisions established by regulatory agencies, the MC, and Specific Plan would ensure that future development does not conflict with Ordinance 140.



- f) ***Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

Less Than Significant Impact. The proposed Specific Plan area is within the West Mojave Plan (WMP) area, which is a Multi-Species Habitat Conservation Plan (MSHCP) developed by several local, State, and Federal agencies aimed at minimizing impacts to sensitive plants and animals in the region. The Desert Tortoise Recovery Plan draws from concepts outlined in the federal Endangered Species Act and identifies specified goals for tortoise recovery. Future development projects could result in impacts to sensitive species and/or habitats. However, each project would be reviewed and evaluated by the Town staff to determine consistency with the MSHCP. Compliance with the procedures and provisions established by the MC, MSHCP, the Desert Tortoise Recovery Plan, and other regulatory agencies would ensure that future development results in a less than significant impact in this regard. Refer also to Biological Resources responses (a) and (b) above.

CULTURAL RESOURCES. *Would the Project:*

- a) ***Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?***

Less Than Significant Impact. Currently, the old Yucca Valley Elementary School, located on the corner of the existing Yucca Trail and Wamego Trail, is known as the "Scout House," and has been recognized by the Town as having local historic significance. Historic buildings are most likely to be found at the heart of Yucca Valley, especially on either side to the existing SR-62, which currently traverses the SPA. According to the General Plan EIR (Page III-81), based on findings of record searches, literature searches, and field surveys, all projects within the Specific Plan area should give careful consideration to historic and archaeological resources, as there may be important historic resources that have not been covered or developed over and may be found during development. Further, Policy 2 of the General Plan Archaeological and Historic Resources Element, states that new development must "exercise its responsibility to locate, identify, and evaluate archeological, historical, and cultural sites, and shall assure that appropriate action is taken to protect these resources." This would be accomplished by requiring that development or land proposals, which have the potential to disturb or destroy sensitive resources, be evaluated by a qualified professional through appropriate resource surveys; refer to Program 2.A of the *General Plan* Archaeological and Historic Resources Element.

Future development projects could result in impacts to cultural resources. However, each project would be reviewed and evaluated by the Town staff to determine whether a cultural investigation is appropriate/necessary. Compliance with the procedures and provisions established by regulatory agencies and the *General Plan* would ensure that future development would not cause a substantial adverse change in the significance of a cultural resource.



b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

Less Than Significant Impact. Since the general area is known to be the home of the Serrano Native American group, there is potential for buried archeological resources to be present within the Project area. The proposed SPA consists of urbanized and vacant land and new and redevelopment is likely to occur. Ground disturbing activities, such as grading or excavation, could affect unknown archaeological resources. Due to the level of past disturbance and following compliance with Policy 2 and Program 2.A of the *General Plan* Archaeological and Historic Resources Element, implementation of the proposed Specific Plan would result in a less than significant impact. Refer also to Cultural Resources response (a) above.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. Paleontological resources are plant and animal fossils dated 3.5 million to 7,000 years ago. The Project site is not located within a known paleontologically sensitive area; refer also to refer also to Cultural Resources response (a) above.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. No conditions exist that suggest human remains are likely to be found within the SPA. If human remains are found, those remains would have to be treated properly, in accordance with applicable laws. State of California Public Resources Health and Safety Code §7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonable suspected to overly adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be considered less than significant.

GEOLOGY AND SOILS. *Would the Project:*

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***



Less Than Significant Impact. According to Exhibit III-5 of the *General Plan* EIR (Alquist-Priolo Special Studies Zones in the Yucca Valley Area), there are no known active or potentially active faults or Alquist-Priolo Special Studies Zones traversing the SPA. The Pinto Mountain Fault is the closest active fault, located approximately one mile north of the SPA. Project implementation would not expose people or structures to substantial adverse effects associated with fault rupture.

2) **Strong seismic ground shaking?**

Less Than Significant Impact. The Project area is located in Southern California, which is a seismically active area subject to ground shaking, originating from several active faults, including the San Andreas Fault System located approximately 9.0 miles to the southwest. The closest active fault is the Pinto Mountain Fault (7.4 Mce) located directly north of the SPA. Other major faults within the Yucca Valley area include the Johnson Valley, Burnt Mountain, and Eureka Peak faults. The SPA may experience ground motion and effects from earthquakes generated along active faults located off-site. Groundshaking during an earthquake is the most significant seismic hazard that would impact the Project area. The intensity of groundshaking would depend upon the magnitude of the earthquake, the distance to the epicenter, and the geology of the area between the epicenter and Project area.

Numerous controls would be imposed within the SPA on a project-by-project basis through the permitting process. In general, the Town regulates development (and reduces potential geologic impacts) under the requirements of the California Uniform Building Code, the Alquist-Priolo Special Studies Zone Act, and local land use policies. Future development would be subject to compliance with the Town's Development Code, which includes Seismic Safety Requirements. In addition, the Town requires that grading plans and erosion control measures be developed and implemented for future development. Project implementation would not expose people or structures to substantial adverse effects associated with ground shaking.

3) **Seismic-related ground failure, including liquefaction?**

Less Than Significant Impact. The potential for ground failure, such as liquefaction, during a strong earthquake is limited to soils that are relatively cohesionless, relatively loose, unconsolidated and are below the water table. According to the *General Plan* EIR (Page III-43), the hazard from liquefaction is considered to be low in the Yucca Valley area because the water table is about 400 feet below the surface of the ground. Project implementation would not expose people or structures to substantial adverse effects associated with liquefaction.

4) **Landslides?**

No Impact. There are no landslides documented within the Project area because of a lack of geologic conditions conducive to such an event. Project implementation would not expose people or structures to adverse effects associated with landslides.



- c) ***Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

Less Than Significant Impact. According to the *General Plan* EIR (Page III-38), potential causes of ground subsidence within the Town include groundwater withdrawal, ground-level changes from earthquake movement, and collapsible soils. Other seismic events related to secondary ground failures that can occur in the event of an earthquake include dynamic settlement, ground cracking or fissuring, lateral spreads, slumps, landslides, and earth or rock falls. Numerous cases of secondary ground failure, including dynamic settlement, ground cracking or fissuring, lateral spreads, and slumps have been documented in the Yucca Valley area and could potentially occur within the SPA (General Plan EIR, Page III-45).

According to the General Plan EIR (Page III-46), the preparation of soils studies and/or geotechnical studies shall be required for future development proposals. Each project would be reviewed and evaluated by the Town staff to determine potential seismic hazards. Compliance with this *General Plan* requirement and provisions of the Uniform Building Code would reduce impacts associated with potential seismic hazards to less than significant. Refer also to Geology and Soils response (a) above.

- d) ***Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?***

Less Than Significant Impact. Expansive soils are soils with a significant amount of clay particles that have the ability to give up or take on water. When these soils swell, the change in volume exerts tremendous pressures on loads that are placed on them. Highly expansive soils can cause damage to building foundations, highways, and other surface structures. According to the *General Plan* EIR (Page III-39), expansive soils are not considered a hazard in the Yucca Valley area because of the relatively minor amount of clay present in the soils.

HAZARDOUS AND HAZARDOUS MATERIALS. *Would the Project:*

- a) ***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Less Than Significant Impact. The office, commercial, industrial, and other uses proposed within the SPA may involve the use, storage, transport and/or generation of hazardous materials. It is Town policy to regulate, to the extent empowered, the delivery, use, and storage of hazardous materials within the Town; refer to Policy 1 of the *General Plan* Hazardous and Toxic Materials Element. The disposal of all hazardous and/or toxic wastes is required to be in compliance with existing Federal, State, and County regulations; refer to Policy 3 of the General Plan Hazardous and Toxic Materials Element. Activities involving hazardous materials would also be subject to compliance with the San Bernardino County Hazardous Waste Management Plan (HWMP), which complies with Health and Safety Code Section 25135. The HWMP assures that adequate treatment and disposal capacity is



available to manage the hazardous wastes generated within the Town, and to address issues related to manufacture and use.

Future development would be evaluated on a project-by-project basis and required to adhere to provisions outlined in the HWMP and *General Plan Policies 2 and 3*. Thus, The proposed Specific Plan is not anticipated to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. Based upon the historical and existing land uses, the potential exists that adverse conditions involving hazardous materials were created and could be released within the Project area. Future development projects could create a significant hazard to the public involving hazardous materials. However, each project would be reviewed and evaluated by the Town staff to determine whether a Phase I Environmental Site Assessment (ESA) is appropriate/necessary. Qualified personnel would conduct, on a parcel-by-parcel basis, a formal ESA following the most recent Standards of the American Society for Testing and Materials. Compliance with the procedures and provisions established by regulatory agencies would ensure that a significant hazard to the public or the environment involving hazardous materials is not created.

The allowable uses and permit requirements for the proposed Specific Plan are outlined in Chapter 4.3 of the Specific Plan (Allowable Land Uses and Permit Requirements). Future uses within the SPA would be required to comply with the provisions of the San Bernardino County HWMP. Consultation with the San Bernardino County Fire Department would be required for the storage and use of any hazardous materials utilized at a specific facility. During construction, the proposed Project would involve standard construction practices, conforming to the appropriate Town requirements. Therefore, the proposed Specific Plan is not anticipated to create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The public schools in the SPA are the Yucca Valley Elementary School, La Contenta Junior High School, and Yucca Valley High School. Compliance with the procedures and provisions established by regulatory agencies and the MC would ensure that a significant hazard is not created regarding existing or proposed schools. Refer to Hazards and Hazardous Materials responses (a) and (b) above.



- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less Than Significant Impact. According to the General Plan Hazardous and Toxic Materials Element (Page V-33), there are four federally listed hazardous waste sites in the Town of Yucca Valley. However, none of the identified sites are within or in close proximity to the proposed SPA. Any future development that would occur under the proposed Specific Plan would be subject to compliance with local, State, and Federal requirements regarding the use, storage, and disposal of hazardous materials. Thus, the proposed Specific Plan would not create a significant hazard to the public or to the environment and less than significant impacts would occur in this regard.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

Less Than Significant Impact. Yucca Valley Airport is a 35-acre facility located on Airway Avenue, north of SR-62 and approximately 1.5 miles east of the SPA. It is a privately owned, public use airport, long-term leased to the Yucca Valley Airport District and classified as a general aviation basic utility facility.

The Yucca Valley Airport Comprehensive Land Use Plan (ACLUP) (February 1992) was prepared to provide for the orderly growth of the public airport and the area surrounding the airport. It is intended to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The planning boundary for this ACLUP is the airport's horizontal surface, as illustrated on Figure 7 of the ACLUP (Part 77 Imaginary Surface). According to Figure 7, the SPA is not located within the ACLUP boundary. The ACLUP has established three Safety Review Areas, which reflect a particular level and type of aviation related hazard or risk; refer to Figure 9 of the ACLUP (Safety Review Areas). As illustrated on Figure 9, the SPA is not located within the established Safety Review Areas.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

Less Than Significant Impact. There are no private airstrips located in the vicinity of the proposed SPA. The proposed Project would not result in a safety hazard for people residing or working in the SPA in this regard. Refer also to Hazards and Hazardous Materials response (e) above.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact. The proposed Project would not interfere with the Town's emergency response or evacuation plans. Proper traffic controls would be implemented, as warranted, to facilitate circulation and minimize potential impacts in this regard.



h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. Factors affecting wildland fire hazard potential include human proximity, vegetation, wind direction, slope, and access to fire. Although, the SPA is centrally located within the Town of Yucca Valley, portions of the SPA are located adjacent to wildlands. According to the *General Plan* Fire and Police Protection Element (Page VI-2), the Yucca Valley area is exposed to a great threat to life and property. An increase in the number of buildings, aging housing stock, and new residential development within rural areas are threats applicable to the SPA.

All future development would be subject to MC requirements for construction, access, water main, fire hydrants, fire flows, brush clearance, and fuel modification plans. Future development would also be subject to compliance with all relevant SBCFD general requirements, which may require a Fuel Modification Plan, Landscape Plan, and Irrigation Plan to be submitted prior to any new construction, remodeling, modification, or reconstruction. Future development may be required to obtain approval from the SBCFD as a Standard Condition of Approval from the Town. Following compliance with the SBCFD and MC requirements, the proposed Project would result in a less than significant impact regarding the exposure of people or structures to a significant risk involving wildland fires.

HYDROLOGY, DRAINAGE AND WATER QUALITY. Would the Project be subject to:

j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. The Project area is not subject to seiche, tsunami, or volcanic hazards. Heavy rainfall often triggers surficial sliding, debris, and mudflow on bluff faces and steep slopes. Also, mud and debris flows could occur in areas near water retention or ground water recharge basins where the presence of loose, unconsolidated, saturated sandy soils exists. However problems are generally limited to mountainous regions north and south of the SPA. The SPA is located in an area with low susceptibility to slope stability problems; refer to Exhibit III-6 of the General Plan EIR (Rockfall/Landslide Susceptibility). Specific Plan implementation is anticipated to result in a less than significant impact regarding the exposure of people/structures to potential substantial adverse effects associated with seiche, tsunami, or mudflow.

LAND USE PLANNING. Would the Project:

a) Physically divide an established community?

Less Than Significant Impact. The SPA currently contains developed land with urban uses and vacant lots interspersed throughout. Vacant lands and residential uses surround the Project area. In this regard, development of the SPA would provide unity to the area by preserving and allowing residential uses as part of mixed-use development, providing commercial services to the residents in the area.



Project implementation would not physically divide an established community; impacts are considered less than significant in this regard.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The proposed Specific Plan provides a comprehensive set of plans, guidelines, and regulatory standards in addition to administrative and implementation provisions within the land use districts, and applies to residential, commercial, office, mixed-use, and light industrial uses; refer to Table 3-1, Land Use Plan Buildout Summary in Section 3.0 of this EIR. To facilitate implementation of the proposed Project, the *General Plan* would be amended concurrently with adoption of the Specific Plan, as follows:

- ◆ The Land Use Element would be amended to designate the Project area as Specific Plan (SP);
- ◆ The Circulation Element would be amended to reflect the circulation proposed by the Specific Plan.

The Development Code and Zoning Map would be amended to indicate the new Specific Plan zoning district SP (Specific Plan), including the proposed planning districts: Old Town Mixed-Use (OTMU); Old Town Highway Commercial (OTHC); Old Town Commercial/ Residential (OTCR); and Old Town Industrial/Commercial (OTIC). Individual development projects within the SPA would be subject to review for consistency with the *General Plan*, Old Town Yucca Valley Specific Plan, the Town of Yucca Valley Development Code, and other applicable development regulations on a project-by-project basis.

The Town of Yucca Valley has identified the need to improve the economic vitality and livability of the Old Town area by establishing comprehensive strategy to attract and expand economic activity and commerce. The purpose of the Old Town Yucca Valley Specific Plan is to identify key opportunities to enhance the Town's overall economic base and the historic Old Town area.

The Old Town Yucca Valley Specific Plan serves as a planning and regulatory link between the General Plan and individual, project-level development within the Project area. The Specific Plan provides area-specific land use Development Regulations and Development Guidelines. Upon adoption by the Town, the Specific Plan provides the legal development requirements for the SPA.

The Old Town Yucca Valley Specific Plan has been developed to provide as much flexibility as allowed by State law. The vision of this Specific Plan is intended to be implemented over a 20-year period, and therefore may be amended over time to reflect the Town's evolving vision for the area. The Specific Plan contains flexible concepts, Development Regulations, and Design Guidelines for the Old Town area that are intended to implement the goals, objectives, and polices of the Town's General Plan. Project implementation would not conflict with the *General Plan*,



Development Code, or other applicable land use plans and a less than significant impact would occur in this regard.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Less Than Significant Impact. Refer to Biological Resources response (f) above.

MINERAL RESOURCES. *Would the Project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. According to the Open Space, Mineral, and Conservation Element of the General Plan, Yucca Valley has relatively few mineral resources. There are no mineral resources currently present within the community, which would be economically feasible for extraction. The sand and gravel deposits within the area represent the only important economic resource. However, the SPA is located in the original commercial core of the Town; there are no sand/gravel deposits located within the Project boundaries. Thus, Project implementation would not result in the loss of availability of a known mineral resource.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The SPA has not been delineated as an important mineral resource recovery site within the Town's General Plan; refer also to Mineral Resources response (a) above.

NOISE. *Would the Project:*

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. Project construction and operation would result in both short-term and long-term impacts. Short-term impacts would occur during grading and construction operation and could expose adjacent land uses to noise levels between 70 and 90 decibels at 50 feet from the noise source. Excessive noise levels resulting from construction activities generally would occur in the daytime hours only. According to Code §6.04.030(D) (Declaration of Nuisance), building or demolition related activities between the hours of 10:00 PM and 7:00 AM in a residential area, and between the hours of 10:00 PM and 5:00 AM in a commercial or industrial area.

Long-term noise impacts would be associated with vehicular traffic to/from the site (including residents and visitors), outdoor activities, deliveries, and stationary mechanical equipment on-site. Code §87.0905(b)(1) (Noise Standards) describes the noise standard for emanations from any source, as it would affect adjacent



properties. Specific Plan Development regulations state “activities, processes, and uses shall not produce noise that may be considered a nuisance or hazard on any adjacent property.” The building design requirements state “residential units shall be designed to be sound-attenuated against present and future project noise...projects shall provide an acoustical analysis report by an acoustical engineer that describes the acoustic design features of the structure required to satisfy the exterior and interior noise standards of the Yucca Valley Municipal Code.”

Adherence to Code and Specific Plan requirements would reduce short- and long-term noise impacts to a less than significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The SPA is currently urbanized with vacant lots interspersed throughout the area. Existing topography would not involve blasting, extensive on-site drilling, or extensive earthwork. Short-term impacts include on-site construction (i.e., grading and excavation for utility trenches) may generate ground borne noise potentially exposing persons to excessive noise levels. However, these impacts would be addressed on a project-by-project basis through the build out of the SPA. Additionally, Development Regulations within the Specific Plan state that uses, which generate vibrations that may be considered a nuisance or hazard on any adjacent property, shall be cushioned or isolated to prevent the generation of vibrations. Thus, implementation of the Specific Plan would result in a less than significant impact regarding the exposure of persons to or generation of groundborne vibration.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Refer to Noise response (a) above.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Refer to Noise responses (a) and (b) above.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less Than Significant Impact. As discussed in Hazards and Hazardous Materials response (e) above, the SPA is not located within the ACLUP boundary; refer to Figure 7 of the ACLUP (Part 77 Imaginary Surface). In addition, Figure 2 of the ACLUP illustrates the 60 CNEL contour for Yucca Valley Airport and indicates that the SPA is not located within the established contour. Therefore, Project implementation would not expose people residing or working in the Project area to excessive noise levels from aircraft.



- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

Less Than Significant Impact. Refer to Noise response (e) above.

POPULATION AND HOUSING. *Would the Project:*

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact. Residential units are currently located sparsely throughout the SPA. Project implementation could result in the removal and/or displacement of existing housing for the development of a variety of land uses. However, implementation of the proposed Specific Plan would represent an increase of 1,088 dwelling units over the existing General Plan land use designations. Therefore, the displacement of existing housing within the SPA would not necessitate the construction of replacement housing elsewhere. Further, it is noted that California Government Code §7260(b) (the “California Relocation Law”) establishes “a uniform policy for the fair and equitable treatment of persons displaced as a direct result of programs or projects undertaken by a public entity.” A primary purpose of the California Relocation Law is to ensure that these persons not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole and to minimize the hardship of displacement on these persons. Adherence to the regulatory requirements that govern displacement would ensure that Project implementation would result in a less than significant impact in this regard.

It is noted that realignment of SR-62 may result in the displacement of housing, persons, or businesses. However, the potential impacts associated with displacement resulting from the proposed SR-62 realignment will be discussed in a separate Environmental Study to be conducted by Caltrans.

- a) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact. Refer to Population and Housing response (b) above.

TRANSPORTATION/TRAFFIC. *Would the Project:*

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Due the scale and nature of the proposed Project, a change in air traffic patterns would not occur. No impact would occur in this regard.



e) Result in inadequate emergency access?

Less Than Significant Impact. Refer to Hazards and Hazardous Materials response (g) above.

f) Result in inadequate parking capacity?

Less Than Significant Impact. Section 4.7 of the Specific Plan (Off-Street Parking and Loading Standards) specifies the parking standards necessary to ensure that parking and loading areas are sufficient and are properly designed and located. Any use, including a change in or expansion of an existing use or structure, would require appropriately maintained off-street parking and loading areas in compliance with the standards described in the Specific Plan. For standards and provisions that are not explicitly stated, the standards and provisions of the MC would apply. Adherence to Specific Plan and Code requirements would ensure that adequate parking capacity is provided for all future development.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The Specific Plan has developed a system of linkages and connections to and between the Old Town area and other areas of the Town for bicyclists, pedestrians, and automobiles that would contribute to the Old Town revitalization; at the core of this issue are the potential SR-62 realignment and the local street system. The Circulation Plan articulates the envisioned network of roadways to optimize connections, identify gateways, and develop alternatives for moving around Old Town. With the SR-62 realignment, a more pedestrian-friendly “Main Street” environment would evolve through the center of the Old Town, enhancing community pedestrian and bicycle linkages.

The trails system includes a pedestrian-oriented street system encompassing wide sidewalks and public plazas that vary between 15 to 35 feet along Main Street. In addition, 4-foot and 10-foot accent pedestrian shoulders are incorporated along alleys adjacent to Main Street. On-street Class 1 bike paths are proposed to extend along SR-62/Yucca Trail and Santa Fe Trail, connecting the local street network. The proposed Yucca Wash multi-use trail would be a 10-foot decomposed granite trail for equestrian and pedestrian use, ultimately connecting to the regional California Riding and Hiking Trail System.

The Morongo Basin Transit Authority (MBTA) serves the Town of Yucca Valley with commuter, local, senior, disabled, and paratransit services. The local service routes transit stops nearest to the Project area are Routes 7A (North) and 7B (South). These routes serve the following stops near the Project area: Staters East, Airway Medical, Post Office, Park-n-Ride, City Hall, Library, Community Center, and Hi-Desert Museum. Future development would coordinate with the MBTA on a project-by-project basis, pursuant to Town requirement. A less than significant impact would occur in this regard.