

# **AGENDA**

## **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

### **REGULAR MEETING OF JANUARY 20, 2021**

#### **IMPORTANT NOTICE REGARDING THE JANUARY 20, 2021 COMMISSION MEETING**

The Local Agency Formation Commission for San Bernardino County (LAFCO or Commission) will conduct this meeting virtually by videoconference and/or teleconference in compliance with waivers to certain Brown Act provisions under the Governor's Executive Order N-29-20, and members of the Commission or LAFCO staff will participate in this meeting telephonically or electronically. The public may participate in the meeting by joining the meeting virtually, by phone, or viewing the meeting live, and may provide general comments and comments on specific agenda items, as described below:

#### **Instructions for Viewing or Listening to the meeting:**

Members of the public may:

- Join the virtual meeting on Zoom using the following link: <https://zoom.us/j/89428560422>
- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 89428560422#
- Watch the meeting via YouTube live stream using the following link:  
[https://www.youtube.com/channel/UCpEpEankM-uoTTa8c\\_OyV1Q](https://www.youtube.com/channel/UCpEpEankM-uoTTa8c_OyV1Q)

#### **Instructions for Making Comments and Testimony:**

If you wish to make comment on a specific agenda item or a general comment under public comment you can do so by:

- On Zoom video conference via the web or the Zoom App, click the 'Raise Hand' button when the item you wish to comment on is being discussed.
- On Zoom via phone, you can also raise your hand by pressing \*9 when the item you wish to comment on is being discussed.

Alternatively, if you wish to make written comments on specific agenda items, make general comments, or submit testimony for public hearings, you can send comments and testimony to LAFCO, limited to a maximum of 250 words, by email at [lafoo@lafco.sbcounty.gov](mailto:lafoo@lafco.sbcounty.gov), online at [www.sbclafoo.org/AgendaandNotices/Agendas/PublicComments.aspx](http://www.sbclafoo.org/AgendaandNotices/Agendas/PublicComments.aspx), or by mail to LAFCO, 1170 West 3<sup>rd</sup> Street, Unit 150, San Bernardino, CA 92415-0490, for receipt no later than 7:30 a.m. on the meeting day. These comments and testimony will be read on to the meeting record at the appropriate time.

This change in public participation will continue until further notice and supersede any LAFCO standard public comment and testimony policies and procedures to the contrary.



**9:00 A.M. – CALL TO ORDER – FLAG SALUTE**

**ANNOUNCEMENT:** Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

**CONSENT ITEMS:**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

1. [Approval of Minutes for Regular Meeting of December 16, 2020](#)
2. [Approval of Executive Officer's Expense Report](#)
3. [Ratify Payments as Reconciled and Note Cash Receipts for the Month of November 2020](#)
4. Consent Items Deferred for Discussion

**PUBLIC HEARING ITEMS:**

5. Consideration of LAFCO 3242 and LAFCO 3243 identified as follows:
  - A. [Consideration of \(1\) Final Environmental Impact Report Adopted by the City of Fontana for the I-15 Logistics Project \(SCH No. 2018011008\), as a CEQA Responsible Agency for LAFCO 3242 and LAFCO 3243; and \(2\) Adoption of Facts, Findings and Statement of Overriding Considerations for LAFCO 3242 and LAFCO 3243](#)
  - B. [Consideration of LAFCO 3242 – Sphere of Influence Amendments for the City of Fontana \(Expansion\), Fontana Fire Protection District \(Expansion\), West Valley Water District \(Expansion\), and San Bernardino County Fire Protection District \(Reduction\)](#)
  - C. [Consideration of LAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 \(I-15 Logistics Project\)](#)
6. [Consideration of: \(1\) Review of the Addendum to the Environmental Impact Report \(SCH# 2008091077\) for the Apple Valley 2009 General Plan and Annexation 2008-001 Prepared by the Town of Apple Valley for Its Review of Annexation No. 2019-001, as CEQA Responsible Agency for LAFCO 3244; and 2\) LAFCO 3244 – Reorganization to Include Annexation to the Town of Apple Valley and Detachment from County Service Area 70 \(Annexation No. 2019-001\)](#)



**DISCUSSION ITEMS:**

7. [Update on Sustainability of the City of Adelanto related to LAFCO 3232 – Sphere of Influence Amendment for the City of Adelanto](#)
8. [Review and Accept Audit Report for Fiscal Year Ended June 30, 2020](#)
9. [Mid-Year Budget Review for Fiscal Year 2020-21](#)

**INFORMATION ITEMS:**

10. Legislative Update Report

11. [Executive Officer's Report](#)

12. Commissioner Comments

(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)

13. Comments from the Public

(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed for Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at [www.sbclafco.org](http://www.sbclafco.org), and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at [www.fppc.ca.gov](http://www.fppc.ca.gov) or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.



**DRAFT**  
**ACTION MINUTES OF THE  
LOCAL AGENCY FORMATION COMMISSION  
FOR SAN BERNARDINO COUNTY**

**REGULAR MEETING**

**9:00 A.M.**

**DECEMBER 16, 2020**

The Commission conducts the meeting virtually by videoconference (via Zoom) and teleconference (via Zoom phone) and broadcast live via YouTube live stream in compliance with the Governor's Executive Order N-29-20 in response to the COVID-19 pandemic.

**PRESENT:**  
**COMMISSIONERS:**

Regular Member	Alternate Member
Larry McCallon, Chair	Dieter Dammeier
James Bagley	Rick Denison
Kimberly Cox	Stephen Farrell
James Curatalo, Vice-Chair	Janice Rutherford
Dawn Rowe	
Acquanetta Warren	

**STAFF:**

Samuel Martinez, Executive Officer  
Paula de Sousa, LAFCO Legal Counsel  
Michael Tuerpe, Senior Analyst  
Angela Schell, Administrative Assistant

**ABSENT:**

None

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –  
9:01 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

Chair McCallon makes an announcement regarding the meeting/hearing being conducted via videoconference and teleconference as well as broadcast live via YouTube in compliance with waivers to certain Brown Act provisions under the Governor's Executive Orders due to the COVID-19 Coronavirus pandemic.

**ANNOUNCEMENT OF CONTRIBUTIONS**

**1. PUBLIC COMMENTS ON CLOSED SESSION**

*Public comment was provided by:*

*Paige Gosney, Representative for Montecito Equities*

**2. CONVENE CLOSED SESSION – 9:10 A.M.**

Conference with Legal Counsel – Significant Exposure to Litigation (Government Code Section 54956.9(d)(2) – 1 Potential Case

Commissioners Curatalo, Farrell, and Rutherford attend the Closed Session at 9:10 a.m.

**3. RECONVENE PUBLIC SESSION – 9:44 A.M.**



*LAFCO Legal Counsel indicates there are no reportable action from Closed Session.*

**CONSENT ITEMS:**

**4. Approval of Minutes for Regular Meeting of September 16, 2020 and Summary of November 18, 2020 Proceedings**

**5. Approval of Executive Officer's Expense Report**

Recommendation: Approve the Executive Office's Expense for Procurement Card Purchases from August 24, 2020 to September 22, 2020; September 23, 2020 to October 22, 2020; and October 23, 2020 to November 23, 2020

**6. Ratify Payments as Reconciled and Note Cash Receipts for Months of August, September, and October 2020**

Recommendation: Ratify payments as reconciled for the months of August, September, and October 2020 and note revenue receipts for the same period.

**7. First Quarter Financial Review for Period July 1 through September 30, 2020**

Recommendation: Staff recommends that the Commission note receipt of this report and file.

**8. Consideration of Approval of the Participating Employer Agreement for the 457 Plan, as Amended and Restated, Sponsored by the County of San Bernardino**

Recommendation: Staff recommends that the Commission take the following actions:

1. Approve the Participating Employer Agreement for the 457(b) Deferred Compensation Plan, as Amended and Restated, Sponsored by the County of San Bernardino.
2. Adopt LAFCO Resolution No. 3321.

**9. Consent Items Deferred for Discussion (None)**

*Commissioner Bagley moves the approval of the Consent Items. Second by Commissioner Cox. The motion passes with the following roll call vote:*

*Ayes: Bagley, Cox, Farrell, McCallon, Rowe, Rutherford, and Warren.*

*Noes: None.*

*Abstain: None.*

*Absent\*: Curatalo (Farrell voting in his stead).*

**PUBLIC HEARING ITEMS:**

**10. LAFCO 3245 – Countywide Service Review for Public Cemetery Districts**

Recommendation: Staff recommends that the Commission take the following actions related to LAFCO 3245:

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*\*Unavailable due to technical difficulties*



1. For Environmental review, certify that the service review is exempt from environmental review and direct the Executive Officer to file the Notice of Exemption within five (5) days.
2. Accept and file the Countywide Service Review for Public Cemetery Districts which sets forth the written statements for the six determinations outlined in Government Code Section 56430 made with the Commission.
3. As outlined in the service review presented to the Commission, take the following actions for specific agencies/entities:
  - a) Direct LAFCO staff to continue to monitor the Barstow Cemetery District and return to the Commission at its May 19, 2021 meeting.
  - b) Direct LAFCO staff to continue to monitor the Twentynine Palms Public Cemetery District and return to the Commission at its May 19, 2021 meeting.
4. Adopt LAFCO Resolution No. 3319 reflecting the Commission's determinations and directions as required by Government Code Section 56430 and Commission policy.

Public comment was provided by:  
Emily Helm, General Manager, Twentynine Palms Cemetery District

*Commissioner Bagley moves approval of staff recommendation and modifies the staff recommendation by moving up the continued monitoring for the Barstow Cemetery District from May 2021 to February 2021. Second by Commissioner Warren. The motion passes with the following roll call vote:*

Ayes: Bagley, Cox, Farrell, McCallon, Rowe, Rutherford, and Warren.  
Noes: None.  
Abstain: None.  
Absent\*: Curatalo (Farrell voting in his stead).

**11. LAFCO SC#457 – City of Fontana Out of Area Sewer Service Agreement (APN 0229-072-31)**

Recommendation: Staff recommends that the Commission approve LAFCO SC#457 by taking the following actions:

1. Certify that LAFCO SC#457 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#457 authorizing the City of Fontana to extend sewer service outside its boundaries to Assessor Parcel Number 0229-072-31.
3. Adopt LAFCO Resolution No. 3320 setting forth the Commission's determinations and approval of the agreement for service outside the City of Fontana's boundaries.

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\*Unavailable due to technical difficulties



*Commissioner Rutherford moves to approve staff recommendation. Second by Commissioner Cox. The motion passes with the following roll call vote:*

Ayes: Bagley, Cox, Farrell, McCallon, Rowe, Rutherford, and Warren.  
Noes: None.  
Abstain: None.  
Absent\*: Curatalo (Farrell voting in his stead).

**DISCUSSION ITEM:**

**12. LAFCO SC#454 – Request for Exemption from Provisions of Government Code Section 56133 for Agreement between Big Bear City Community Services District and the City of Big Bear Lake Department of Water and Power**

Recommendation: Staff recommends that the Commission:

Determine that LAFCO SC#454 complies with the exemption provisions outlined with Government Code Section 56133 (e) and, therefore, does not require Commission approval.

*Commissioner Farrell moves to approve staff recommendation. Second by Commissioner Bagley. The motion passes with the following roll call vote:*

Ayes: Bagley, Cox, Farrell, McCallon, Rowe, Rutherford, and Warren.  
Noes: None.  
Abstain: None.  
Absent\*: Curatalo (Farrell voting in his stead).

**INFORMATION ITEMS:**

**13. Legislative Oral Report**

Executive Officer Samuel Martinez gives the Commission an update on the CALAFCO Legislative Committee efforts for the year. Additionally, he reports that Senator Dodd has reintroduced his bill from last year that extends the sunset date for the Commission's pilot program under 56133.5. He also informs the Commission that San Diego LAFCO is trying to sponsor an amendment to 56133(e) that clearly specifies that it is the Commission who determines whether a service agreement is exempt from LAFCO review, similar to the Commission's current local policy. Executive Officer Martinez indicates that he will be bringing back a recommendation to support not only Senator Dodd's bill but also San Diego LAFCO's proposed amendment to 56133(e) sometime next year.

**14. Executive Officer's Oral Report**

Executive Officer Samuel Martinez goes over the staff report for the item. He also informs the Commission that Commissioner Warren has been nominated by the Southern Region LAFCOs to be the next city member representative for the region on the CALAFCO Board.

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\*Unavailable due to technical difficulties



**15. Commissioner Comments**

Commissioners wishes everyone a Merry Christmas and Happy Holidays.

**16. Comments from the Public**

There is none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:36 A.M.**

ATTEST:

\_\_\_\_\_  
ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION


\_\_\_\_\_  
LARRY McCALLON, Chair



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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www.sbclafco.org

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DATE : JANUARY 12, 2021  
FROM: SAMUEL MARTINEZ, Executive Officer   
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #2 – APPROVAL OF EXECUTIVE OFFICERS' EXPENSE  
REPORT

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## **RECOMMENDATION:**

Approve the Executive Officers' Expense Report for Procurement Card Purchases from November 24, 2020 to December 22, 2020.

## **BACKGROUND INFORMATION:**

The Commission participates in the County of San Bernardino's Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policies #3(H). Staff has prepared an itemized report of purchases that covers the billing period of November 24, 2020 to December 22, 2020.

Additionally, there was an error on the procurement card approval that the Commission approved at the December hearing for the period October 23, 2020 to November 23, 2020. The error was an incorrect line item with a difference of roughly \$100. Staff notified the Chair who reviewed and signed the revised procurement report.

Staff recommends that the Commission approve the Executive Officers' expense reports as shown on the attachment.

SM/MT

Attachment




<b>Approving Official (Print &amp; Sign)</b>	<b>Date</b>
Larry McCallon	01/20/21



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE : JANUARY 13, 2021   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #3 - RATIFY PAYMENTS AS RECONCILED FOR  
THE MONTH OF NOVEMBER 2020 AND NOTE REVENUE  
RECEIPTS

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## **RECOMMENDATION:**

Ratify payments as reconciled for the month of November 2020 and note revenue receipts for the same period.

## **BACKGROUND INFORMATION:**

Staff has prepared a reconciliation of warrants issued for payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of November 1 through November 30.

Staff recommends that the Commission ratify the payment for November 2020 as outlined on the attached listing and note the revenues received.



SM/MT

Attachment



MONTH OF NOVEMBER 2020 PAYMENTS PROCESSED							
Document Number	Account	Posting Date	Vendor	Invoice	Reference	Amount	
1900880427	5200	2085	11/16/20	Daily Journal	B3409502	Daily Journal Notice of Hearing SB Co Sun	\$ 616.00
1900880428	5200	2085	11/16/20	Daily Journal	B3409503	Daily Journal Notice of Hearing The Leader	\$ 1,158.83
1900876028	5200	2090	11/06/20	Jan Pro	74528	Fee for Janitorial Service: Month of November 2020	\$ 490.00
1900866250	5200	2180	11/10/20	So Cal Edison	2-39-945-2309	Edison Bill 10/13/20	\$ 369.35
1900880426	5200	2180	11/16/20	So Cal Edison	2-39-945-2309	Edison Bill 11/12/2020	\$ 248.59
1900884443	5200	2245	11/20/20	Special Districts Risk Mgmt Author.	69419	Additional Insurance Certificate	\$ 47.50
1900880432	5200	2305	11/16/20	Shred It	8180804241	Shredding of Documents	\$ 22.04
1900876033	5200	2315	11/06/20	Storetrieve	0143217	Svc Period 10/01 to 10/31/2020 Inv. 0143217	\$ 64.37
1900876062	5200	2400	11/06/20	Best Best & Krieger	888155	BB&K SAHA Matter 14141.00024	\$ 32.00
1900876065	5200	2400	11/06/20	Best Best & Krieger	888156	BB&K SAHA CIVDS1715504	\$ 247.20
1900876068	5200	2400	11/06/20	Best Best & Krieger	888153	BB&K General Inv 888153	\$ 1,849.20
1900880471	5200	2400	11/16/20	Best Best & Krieger	890359	BB&K General Inv 890389	\$ 268.00
1900880472	5200	2400	11/16/20	Best Best & Krieger	890361	BB&K Litigation Inv 890361	\$ 2,688.30
1900866256	5200	2424	11/10/20	Tom Dodson	LAFCO 20-9	Tom Dodson Inv. LAFCO 20-9	\$ 510.00
1900880439	5200	2444	11/16/20	Mijac Alarm	459748	Mijac Alarm 08/01/2020 Invoice	\$ 123.00
1900880456	5200	2444	11/16/20	Mijac Alarm	463646	Mijac Inv 463646 from 11/01/2020 to 1/31/2021	\$ 123.00
1900880469	5200	2445	11/16/20	Bob Aldrich	# 2	Aldrich & Associates Inv. #2	\$ 975.00
1900884363	5200	2445	11/20/20	Jim Bagley	BAGLEY11-18-20	Bagley Commission Stipend 11-18-20	\$ 200.00
1900884369	5200	2445	11/20/20	Kimberly Cox	COX11-18-20	Cox Commission Stipend 11-18-20	\$ 200.00
1900884371	5200	2445	11/20/20	Dieter Dammeier	DIETER11-18-20	Dammeier Commission Stipend 11-18-2020	\$ 200.00
1900884374	5200	2445	11/20/20	Rick Denison	DENISON11-18-20	Denison Commission Stipend 11-18-2020	\$ 200.00
1900884375	5200	2445	11/20/20	Steven Farrell	FARRELL11-18-20	Farrell Commission Stipend 11-18-20	\$ 200.00
1900884378	5200	2445	11/20/20	Robert Lovingood	LOVING11-18-20	Lovingood Commission Stipend 11-18-20	\$ 200.00
1900884380	5200	2445	11/20/20	James McCallon	MCCALL11-18-20	McCallon Commission Stipend 11-18-20	\$ 200.00
1900884382	5200	2445	11/20/20	Dawn Rowe	ROWE11-18-20	Rowe Commission Stipend 11-18-20	\$ 200.00
1900884384	5200	2445	11/20/20	Acqanetta Warren	WARREN11-18-20	Warren Commission Stipend 11-18-20	\$ 200.00
<b>TOTAL</b>							<b>\$ 11,632.38</b>
MONTH OF NOVEMBER 2020 INTERNAL TRANSFERS PROCESSED							
4101602606	5200	2031	11/1/20	Information Services		OCT 2020 Payroll System Services (EMACS)	\$ 61.20
4101602611	5200	2037	11/1/20	Information Services		OCT 2020 Dial Tone	\$ 255.06
4101607741	5200	2305	11/23/20	Information Services		Printing	\$ 3.61
4101622925	5200	2305	11/30/20	Information Services		Printing	\$ 29.64
4101622926	5200	2305	11/30/20	Information Services		Printing	\$ 32.58
4101602614	5200	2322	11/1/20	Information Services		OCT 2020 Enterprise Printing (EMACS)	\$ 17.85
4101602620	5200	2420	11/1/20	Information Services		OCT 2020 Wireless Device (Exchange Active Sync)	\$ 17.59
4101602621	5200	2421	11/1/20	Information Services		OCT 2020 Desktop Support Services	\$ 935.55
4101602615	5241	2410	11/1/20	Information Services		IT Infrastructure - Period 05	\$ 806.00
4101602618	5241	2417	11/1/20	Information Services		Enterprise Content Management - Period 05	\$ 157.00
4101602619	5241	2418	11/1/20	Information Services		Storage - Tier 1 - Period 05	\$ 211.00
4101602619	5241	2418	11/1/20	Information Services		Storage - Tier 3 - Period 05	\$ 192.00




4101607741	5540	5012	11/23/20	Information Services		Printing	\$ 30.11
4101622925	5540	5012	11/30/20	Information Services		Printing	\$ 247.00
4101622926	5540	5012	11/30/20	Information Services		Printing	\$ 271.50
4200064591	5200	2424	11/19/20	Clerk to the Board		NOE - LAFCO SC#456	\$ 50.00
4200064593	5200	2424	11/19/20	Clerk to the Board		NOE - LAFCO SC#458	\$ 50.00
4200065453	5200	2445	11/19/20	County Auditor		QTR 3 Tax Filing	\$ 999.60
4200064653	5200	2310	11/3/20	Mail		Mail Services - DEL	\$ 143.00
4200064654	5200	2310	11/3/20	Mail		Mail Services - FLAT	\$ 113.62
4200064659	5200	2310	11/3/20	Mail		Mail Services - HAN	\$ 130.55
4200065565	5200	2323	11/17/20	Mail		45735-LAFCO #10 Regular Blue ink	\$ 377.40
4200066019	5200	2323	11/24/20	Mail		46623-Calendar 2021- 2022	\$ 33.00
4200066019	5200	2323	11/24/20	Mail		46898-2 yr. 3 mo. Calendar 2021-2022	\$ 27.50
4200065365	5200	2415	11/12/20	County Auditor		2020/2021 COWCAP-QTR2	\$ 1,145.22
TOTAL							\$ 6,337.58
MONTH OF NOVEMBER 2020 CASH RECEIPTS							
4101623782	4070	9555	11/30/2020	City of Upland		Legal Cost Recovery	\$ 55.00
4101623782	4070	9555	11/30/2020	City of Rancho Cucamonga		Legal Cost Recovery	\$ 3,599.22
4101623782	4070	9800	11/30/2021	Maria Devold		LAFCO Fee, Service Contract	\$ 550.00
4101623783	4070	9800	11/30/2021	City of Fontana		LAFCO Fee, Service Contract	\$ 3,460.00
TOTAL							\$ 7,664.22
MONTH OF NOVEMBER 2020 INTERNAL TRANSFERRED RECEIVED							
1700019960	4080	9973	11/11/2020	County Auditor		Stale Dated Check, Riverside County GIS	\$ 60.00
TOTAL							\$ 60.00
							
COMPLETED BY: MICHAEL TUERPE					APPROVED BY: SAMUEL MARTINEZ		
			Senior Analyst		Executive Officer		
			Date: 1/13/2021			Date: 1/13/2021	



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** JANUARY 12, 2020   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #5A: Environmental Review for LAFCO 3242 and 3243:**

- **Consideration of Final Environmental Impact Report (SCH No. 2018011008) Adopted by the City of Fontana for the I-15 Logistics Project, as CEQA Responsible Agency; and,**
  - **Adoption of Findings and Statement of Overriding Considerations**
- 

## **RECOMMENDATION:**

Staff recommends that the Commission make the following determinations with respect to the environmental review for LAFCO 3242 and LAFCO 3243:

- a) Certify that the Complete Final Environmental Impact Report (EIR) and other related environmental documents prepared by the City of Fontana for the I-15 Logistics Project have been independently reviewed and considered by the Commission, its staff, and its Environmental Consultant;
- b) Determine that the Complete Final EIR for the project prepared by the City of Fontana is adequate for the Commission's use as a California Environmental Quality Act (CEQA) Responsible Agency for its determinations related to LAFCO 3242 and LAFCO 3243;
- c) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the I-15 Logistics Project, and that the mitigation measures identified for the project are the responsibility of the City of Fontana and others, not the Commission;



- d) Adopt LAFCO Resolution No. 3323 including the Environmental Findings and Statement of Overriding Considerations; and,
- e) Direct the Executive Officer to file Notices of Determination for both LAFCO 3242 and LAFCO 3243 within five days and find that no further Department of Fish and Wildlife filing fees are required since the City of Fontana, as CEQA lead agency, has paid said fees.

**BACKGROUND:**

The City of Fontana (City) reviewed and considered the I-15 Logistics Project, which included the preparation, circulation, and certification of an Environmental Impact Report (EIR) and the preparation and adoption of environmental Findings and Statement of Overriding Considerations including a Mitigation Monitoring and Reporting Program (MMRP). LAFCO staff and LAFCO's Environmental Consultant participated throughout the City's environmental process, including responding to the Notice of Preparation of the EIR (including the Initial Study), and commenting on the Notice of Availability of the Draft EIR.

The Commission is a responsible agency for review of the potential environmental consequences for the two proposals related to the I-15 Logistics Project -- LAFCO 3242 and LAFCO 3243.

LAFCO 3242 is review and consideration of sphere of influence amendments for:

- City of Fontana (expansion);
- Fontana Fire Protection District (expansion);
- West Valley Water District (expansion); and,
- San Bernardino County Fire Protection District (reduction).

LAFCO 3243, the reorganization proposal, includes:

- Annexation to the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District; and,
- Detachment from San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70.

In order to fulfill the Commission's environmental assessment for these two proposals, the Commission will be acting as Responsible Agency to the City's certified EIR for the



I-15 Logistics Project, pursuant to the requirements of the California Environmental Quality Act (CEQA).

The City's environmental assessment for the I-15 Logistics Project not only includes the evaluation of the environmental impacts of the Project itself, but also evaluates the proposed spheres of influence amendments and the jurisdictional changes associated with said Project including pre-zoning of the entire reorganization area, which is a requirement prior to annexation. The Draft EIR and the Final EIR make up the Complete Final EIR.

## **CONCLUSION**

The Complete Final EIR will be utilized by the Commission as the description of environmental impacts anticipated by these two proposals: LAFCOs 3242 and 3243. Prior to making a decision on either LAFCO 3242 or LAFCO 3243, the Commission must first review and consider the Complete Final EIR that the City prepared for the Project.

LAFCO's Environmental Consultant, Tom Dodson and Associates, has reviewed the City's Complete Final EIR and indicated that the City's environmental documents are adequate for the Commission's use as a responsible agency for either LAFCO 3242 or LAFCO 3243. Copies of the City's Complete Final EIR and all associated documents (included as Attachment #2 to this report), were provided to the Commissioners on December 21, 2020. Mr. Dodson has indicated in his letter to the Commission the actions that are appropriate for the review of LAFCO 3242 and LAFCO 3243, which are:

- Certify that the Commission, its staff, and its Environmental Consultant have individually reviewed and considered the certified EIR for the I-15 Logistics Project prepared by the City of Fontana;
- Determine that the Complete Final EIR is adequate for the Commission's use in making its decision related to LAFCO 3242 and/or LAFCO 3243;
- Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the City's environmental documents for the I-15 Logistics Project are the responsibility of the City and others, not the Commission;
- Adopt the Environmental Findings and Statement of Overriding Considerations, which are the conclusions made regarding the significance of a project in light of the impacts and mitigation measures that have been identified. (A copy of the resolution adopting the Environmental Findings and Statement of Overriding Considerations is included as Attachment #3 to this report); and,



- Direct the Executive Officer to file the Notices of Determination within five days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3242 and/or LAFCO 3243 since the City, as lead agency, has paid said fees.

Upon approval of the environmental determination for LAFCO 3242 and LAFCO 3243, the Commission can move forward to the actual review of these proposals.

Attachments:

1. [Letter from Tom Dodson and Associates](#)
2. [Environmental Documents Related to the City of Fontana's Approval of the I-15 Logistics Project](#)
3. [Draft Resolution No. 3323](#)



**Letter from  
Tom Dodson and Associates**

**Attachment 1**



# **TOM DODSON & ASSOCIATES**

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*Mailing Address:* PO Box 2307, San Bernardino, CA 92406

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January 11, 2021

Mr. Samuel Martinez  
Executive Officer  
Local Agency Formation Commission  
1170 West 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

Dear Sam:

LAFCOs 3242 and 3243 consist of a request by the City of Fontana (City) for amendment of the Spheres of Influence (SOI) for the City, Fontana Fire Protection District (Fontana FPD), West Valley Water District (West Valley WD), and San Bernardino County Fire Protection District (County Fire) and a Reorganization to include Annexation to the City, Fontana FPD, West Valley WD, San Bernardino Valley Municipal Water District and detachment from County Fire and its service zones and County Service Area 70. The project area is located in the City's northern SOI, north of Interstate 15. The proposed LAFCO 3242 SOI amendment action encompasses a total of approximately 9.2 acres encompassing SOI expansions for the City, the Fontana FPD, and the West Valley WD, and a SOI reduction for County Fire. The proposed LAFCO 3243 Reorganization includes annexation of about 152 acres to the City of Fontana, and annexation of a total of approximately 9.2 acres to the Fontana FPD, West Valley Water District, and San Bernardino Valley Municipal Water District, and detachment from County Fire, its Valley Service Zone and its Zone FP-5, and County Service Area 70.

The City prepared an environmental impact report ("EIR") for this action (termed the Interstate 15 Logistics Project) to comply with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. This document supported the City's approval of the Interstate 15 Project ("proposed project") in June 2020. The EIR was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). It concluded that implementation of future development under the proposed project within the area to be reorganized would result in several significant unavoidable adverse environmental impacts. As a result, the City prepared a set of Findings and a Statement of Overriding Considerations when it approved the proposed project and forwarded the request to LAFCO for the SOI and Reorganization (LAFCOs 3242 and 3243). Therefore, I am recommending that the Commission consider the adopted Final EIR, and adopt the Findings and Statement of Overriding Considerations as adapted for LAFCO as a CEQA Responsible Agency as the appropriate CEQA environmental determination for LAFCOs 3242 and 3243. A copy of the adapted Findings of fact and Statement of Overriding Consideration has been provided to the Commission under separate cover for consideration and approval by the Commission.

Thus, based on a review of LAFCOs 3242 and 3243 and the pertinent sections of CEQA (the statute), the State CEQA Guidelines and the Commission's adopted local CEQA guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the City's Final EIR and Findings as adequate documentation in accordance with the Commission's CEQA Responsible Agency status. The CEQA review process by the City was carried out over a lengthy period and culminated in a June 2020 certification of the Final EIR. Based on a field review of the proposed project area and review of the environmental issues in the City's document, no substantial changes in circumstances have occurred since the Final EIR certification that would



require additional environmental documentation or review. Under this situation, I recommend that the Commission take the following steps if it chooses to approve LAFCOs 3242 and 3243, acting as a CEQA Responsible Agency:

1. Indicate that the Commission staff and environmental consultant have independently reviewed the City's Final EIR and found it adequate for the City's proposed Reorganization.
2. The Commission needs to indicate that it has considered the Final EIR and environmental effects of the proposed project, as outlined in the Final EIR, prior to reaching a decision on the project and finds the information substantiating the Final EIR adequate for approval of the Reorganization.
3. The Commission should indicate that it does not intend to adopt alternatives or mitigation measures for this project. Mitigation measures were required for this project and they will remain the responsibility of the City and other agencies to implement.
4. The Commission needs to adopt its independent Findings and Statement of Overriding Considerations in conjunction with approval of LAFCOs 3242 and 3243, if it chooses to approve these applications.
5. File Notices of Determination with the County Clerk of the Board as a CEQA Responsible Agency for LAFCOs 3242 and 3243.

If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Dodson". The signature is fluid and cursive, with the first name "Tom" and last name "Dodson" clearly distinguishable.

Tom Dodson

TD/cmc

LAFCO/LA-3243 CEQA Resp Agency Ltr (ver2)



**Environmental Documents Related  
to the City of Fontana's Approval of  
the I-15 Logistics Project**

**Attachment 2**



**ENVIRONMENTAL DOCUMENTS RELATED TO THE  
CITY OF FONTANA'S APPROVAL OF THE  
I-15 LOGISTICS PROJECT  
(SCH No. 2018011008)**

- ❖ [Notice of Determinations \(Filed June 26, 2020 and July 16, 2020\)](#)
- ❖ [Resolution No. 2020-072 Certifying the EIR \(SCH #2018011008\)](#)
- ❖ [Ordinance No. 1812 \(Rezoning\)](#)
- ❖ [Final Environmental Impact Report \(FEIR\)](#)
  - [FEIR Errata Dated 06-10-2020](#)
  - [FEIR Errata Dated 06-26-2020](#)
  - [FEIR Errata Dated 06-29-2020](#)
- ❖ [Draft Environmental Impact Report \(DEIR\)](#)
  - [DEIR Appx A – Notice of Preparation, Initial Study](#)
  - [DEIR Appx B – Air Quality Impact Analysis, Health Risk Assessment, GHG Emissions Report](#)
  - [DEIR Appx C – Habitat Assessment](#)
  - [DEIR Appx D – Cultural Resources Assessment](#)
  - [DEIR Appx E – Geotechnical/Fault Rupture Hazard Investigation Report](#)
  - [DEIR Appx F – Phase 1 Environmental Site Assessment Report](#)
  - [DEIR Appx G – Water Quality Management Plan](#)
  - [DEIR Appx H – Acoustical Analysis](#)
  - [DEIR Appx I – Traffic Impact Analysis](#)
  - [DEIR Appx J – Water Supply Assessment](#)



# **Draft Resolution No. 3323**

**Attachment 3**



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**PROPOSAL NO.: LAFCOs 3242 / 3243**

**HEARING DATE: JANUARY 20, 2021**

## **RESOLUTION NO. 3323**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY CERTIFYING THAT THE COMMISSION HAS CONSIDERED THE ENVIRONMENTAL EFFECTS IDENTIFIED IN THE ENVIRONMENTAL IMPACT REPORT (SCH # 2018011008) FOR THE I-15 LOGISTICS PROJECT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS**

**On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, the I-15 Logistics Project ("Project") proposes to develop and operate an approximately 1,175,788-square foot logistics facility on approximately 76 acres ("Logistics Site") that requires sphere of influence amendments for the City of Fontana (expansion), Fontana Fire Protection District (expansion), West Valley Water District (expansion) and San Bernardino County Fire Protection District (reduction) as well as a reorganization that includes annexation to the City, Fontana Fire Protection District, West Valley Water District and San Bernardino Valley Municipal Water District and detachment from San Bernardino County Fire Protection District, its Valley Service Zone and its Zone FP-5, and County Service Area 70; and

**WHEREAS**, the Local Agency Formation Commission (LAFCO) action related to the sphere of influence (SOI) amendment (LAFCO 3242) includes SOI expansion for the City and Fontana Fire Protection District and reduction for the San Bernardino County Fire Protection District that comprises APN 0239-041-15 and portions of APNs 0239-091-13 and -14, and the northerly right-of-way (ROW) of Lytle Creek Road from Sierra Avenue to the portion of the ROW within APN 0239-041-02 (Area A), and SOI expansion for the West Valley Water District that comprises APNs 0239-041-15, 0239-041-17, and 0239-041-18, and a portion of APN 0239-041-02, including the ROW area of Lytle Creek Road associated with said parcels (Area B); and

**WHEREAS**, the LAFCO action related to the Reorganization (LAFCO 3243) includes annexation to the City of Fontana and detachment from County Service Area 70 that comprises a total of 21 parcels and portions of ROW of Lytle Creek Road encompassing approximately 152 acres; annexation to Fontana Fire Protection District (same area as LAFCO 3242 Area A), annexation to West Valley Water District and San Bernardino Valley



## RESOLUTION NO. 3323

Municipal Water District (same area as LAFCO 3242 Area B), and detachment from San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5 (same area as LAFCO 3242 Area A); and

**WHEREAS**, the Project is located in unincorporated San Bernardino County just northwest of Interstate 15, south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City's SOI, at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest; and

**WHEREAS**, the Project obtained City of Fontana approvals of a General Plan Amendment to change Land Use Designations on approximately 76 acres of the Project Area to change the Land Use from Residential Estate (R-E) to Light Industrial (I-L) in order to accommodate the Logistics Site, and a General Plan Amendment to change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector; and

**WHEREAS**, the Project obtained a Zone change on approximately 76 acres of the Project Area to change the pre-zoning from Residential Estate (R-E) to Light Industrial (M-1); and

**WHEREAS**, the Project obtained approval of a development plan, site improvements, and building elevations (architecture) for the approximately 1,175,788-square-foot logistics facility building; and

**WHEREAS**, the Project obtained approval of a Project Development Agreement; and

**WHEREAS**, the Project obtained approval of Tentative Tract Map No. 19712; and

**WHEREAS**, pursuant to Public Resources Code Section 21069 of the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), Section 15381 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and the Commission's Local CEQA Guidelines, LAFCO is a CEQA responsible agency for the proposed Project based on its authority to consider and approve LAFCOs 3242 and 3243; and

**WHEREAS**, pursuant to CEQA and the State CEQA Guidelines the City determined that an Environmental Impact Report ("EIR") should be prepared in order to analyze all potential adverse environmental impacts of the proposed Project; and

**WHEREAS**, the City issued a Notice of Preparation ("NOP") of a Draft EIR for the proposed Project on or about January 4, 2018 and circulated the NOP for a 30-day public review period ending on February 7, 2018; and

**WHEREAS**, in the NOP, the City solicited comments from various public agencies, other entities, and members of the public, including LAFCO; and

**WHEREAS**, on January 31, 2018, the City held a public scoping session meeting to further solicit comments on the scope of the EIR; and



## RESOLUTION NO. 3323

**WHEREAS**, on or about August 13, 2019, the City initiated a 45-day public review and comment period of the Draft EIR for the proposed Project and released the Draft EIR for public review and comment, including LAFCO; and

**WHEREAS**, pursuant to State CEQA Guidelines Section 15086, the City consulted with and requested comments from all responsible and trustee agencies (including LAFCO), other regulatory agencies, and others during the 45-day public review and comment period; and

**WHEREAS**, during the public comment period, copies of the Draft EIR were available for review and inspection at the following two locations: (1) City of Fontana, Community Development Department – Planning Division, located at 8353 Sierra Avenue, Fontana, CA 92335, and (2) Fontana Lewis Library and Technology Center, located at 8437 Sierra Avenue, Fontana, CA 92335; and

**WHEREAS**, the City received a total of ten (10) letters or email comments on the Draft EIR during the 45-day public review and comment period, including LAFCO. Of these comment letters, six (6) were received from state, regional, or local agencies; three (3) were from organizations; and one (1) from the general public; and

**WHEREAS**, on September 17, 2019 the City Planning Commission held a hearing on the Draft EIR and proposed Project and verbal comments were made by various individuals; and

**WHEREAS**, the City prepared a Final EIR, consisting of the comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, revisions to the Draft EIR, and an errata making minor, non-substantive changes to the Final EIR. For the purposes of this Resolution, the “EIR” shall refer to the Draft EIR, as revised by the Final EIR, together with the other sections of the Final EIR; and

**WHEREAS**, the EIR analyzed four alternatives to the Project, including the SB 330 Compliance Alternative (“Project Alternative”), examining the environmental impacts of each alternative as well as the ability of the alternatives to meet Project objectives; and

**WHEREAS**, the Project Alternative involves amendments to the General Plan and Zoning Code to increase the density on a 12.5-acre site in the City, which will increase the net residential density in the City by 22 units; and

**WHEREAS**, in contrast to the Project, the Project Alternative is legally feasible as SB 330 precludes the City from approving a project that would result in the loss of planned housing capacity at the Project site without concurrently changing the zoning designations of other properties to offset the loss of planned housing capacity; and

**WHEREAS**, on January 20, 2021 LAFCO held a public hearing on the Project, at which all persons wishing to testify were heard; and

**WHEREAS**, the environmental impacts of the Project Alternative identified in the EIR that result in no impact or constitute a less than significant impact and do not require mitigation are described in **Section 3** hereof; and



## RESOLUTION NO. 3323

**WHEREAS**, the environmental impacts of the Project Alternative identified in the EIR as potentially significant but which the Commission finds can be mitigated to a level of less than significant through the incorporation of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 4** hereof; and

**WHEREAS**, the environmental impacts of the Project Alternative identified in the EIR as potentially significant but which the Commission concurs with City finding cannot be mitigated to a level of less than significant, despite the imposition of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 5** hereof; and

**WHEREAS**, the cumulative impacts of the Project Alternative identified in the EIR and set forth herein, are described in **Section 6** hereof; and

**WHEREAS**, the significant and irreversible environmental changes that would result from the proposed Project Alternative, but which would be largely mitigated, and which are identified in the EIR and set forth herein, are described in **Section 7** hereof; and

**WHEREAS**, the existence of any growth-inducing impacts resulting from the proposed Project Alternative identified in the EIR and set forth herein, are described in **Section 8** hereof; and

**WHEREAS**, alternatives to the proposed Project that might eliminate or reduce significant environmental impacts are described in **Section 9** hereof; and

**WHEREAS**, the Commission has determined that the benefits of the Project Alternative outweigh its potential significant environmental impact, and the basis for that determination is set forth in the Statement of Overriding Considerations included in **Section 10** hereof; and

**WHEREAS**, the Commission concurs that the Mitigation Monitoring and Reporting Program setting forth the mitigation measures to which the City shall bind itself in connection with the Project Alternative, is the responsibility of the City, not the Commission, is attached hereto as **Exhibit "A"**; and

**WHEREAS**, prior to taking action, the Commission has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

**WHEREAS**, the EIR reflected the independent judgment of the City Council and the Commission has considered the EIR and deems it adequate for purposes of making LAFCO decisions on the merits of the Annexation; and

**WHEREAS**, the Commission has not received any comments or additional information that constituted substantial new information requiring recirculation under Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15162; and



## **RESOLUTION NO. 3323**

**WHEREAS**, all the requirements of CEQA, the State CEQA Guidelines, and the Commission's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the proposed Project Alternative have been adequately evaluated and considered; and

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

**The Local Agency Formation Commission for San Bernardino County does hereby resolve as follows:**

### **SECTION 1: RECITALS**

The recitals above are true and correct and are incorporated into this Resolution by reference as findings of fact.

### **SECTION 2: SUMMARY OF FINDINGS**

At a session assembled on January 20, 2021, LAFCO determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project Alternative are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

### **SECTION 3: FINDINGS REGARDING LESS THAN SIGNIFICANT IMPACTS NOT REQUIRING MITIGATION**

Consistent with Public Resources Code section 21002.1 and Section 15128 of the State CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. State CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR identifies as “no impact” or a “less than significant” impact. Nevertheless, the Commission concurs with the City Council findings that the Project Alternative would have either no impact or a less than significant impact to the following resource areas:

#### **A. AESTHETICS**

##### **1. Scenic Vista**

Threshold: Would the proposed Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant impact. (Draft EIR, p. 4.1-8.)



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Explanation: No specific scenic views or vistas are identified in the City of Fontana by the Fontana General Plan. However, the Fontana General Plan Conservation, Open Space, Parks, And Trails Element notes that panoramic view corridors towards the mountains and views of the City from the mountains dominate the City's visual landscape character. Although the Fontana General Plan does not identify specific scenic view corridors within the City, development of the Logistics Site would change views across the Logistics Site from mostly open space with limited development and improvements (e.g., powerlines) and a backdrop of the San Gabriel Mountains to a warehouse facility that would intermittently and partially block views of the foothills of the San Gabriel Mountains from I-15. The following two public areas are further considered in this analysis for the purposes of impacts to scenic views/vistas: Lytle Creek Road and I-15.

Lytle Creek Road: Motorists traveling along Lytle Creek Road experience partial views of San Gabriel Mountains and San Bernardino National Forest. However, the Fontana General Plan does not designate specific scenic routes within the City. Further, there are no readily available bicycle or pedestrian facilities along Lytle Creek Road, suggesting that there is little scenic value as a public view corridor for this section of Lytle Creek Road. Lytle Creek Road, within the vicinity of the site, is not considered a scenic route in this regard. It should also be noted that Lytle Creek Road traverses the base of the mountains and, given its route, the mountains are often obstructed given the roadway's proximity to the mountains and relative height/topography of adjacent areas. Also, vertical electrical infrastructure, including power lines and towers, are visible from multiple points along Lytle Creek Road and obstruct views of the mountains or other open space. Finally, the Proposed Project Alternative would construct a warehouse facility on the opposite side of Lytle Creek Road from the San Gabriel Mountains. Thus, less than significant impacts would occur in this regard.

I-15: Motorists traveling along I-15 also experience partial views of the San Gabriel Mountains and San Bernardino National Forest. Freeway motorists are generally considered to be engaged in the surrounding visual environment, depending on speed of travel and traffic conditions. Drivers traveling in congested traffic conditions would likely perceive detailed views of the Project features for longer durations of time while drivers traveling at normal freeway speeds would have a narrow focus and specific viewshed, and thus would be less visually aware of the proposed changes.

The proposed Logistics Facility and the buildout of the SB 330 Compliance Alternative Site would partially block views of the foothills of the San Gabriel Mountains. However, distant views of the San Gabriel Mountains would largely remain. As with Lytle Creek Road, vertical electrical infrastructure, including power lines and towers, are visible in the foreground, on the Logistics Site, and on the mountains. These features lessen the quality of the views of the San Gabriel Mountains from I-15 across the Logistics Site. Further, I-15 is not identified as a scenic route by the City of Fontana General Plan nor the Caltrans' State Scenic Highway Mapping System; refer to Findings A-2 Scenic Resources With a State Scenic Highway below.

Based on the foregoing and the reasons discussed in the EIR, the Project Alternative would have less than significant impacts. No mitigation is required. (Draft EIR, pp. 4.1-7 through 4.1-8; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)



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### 2. Scenic Resources With a State Scenic Highway

Threshold: Would the Project potentially substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: No impact. (Draft EIR, p. 4.1-8.)

Explanation: There are no officially designated state or county scenic highways in the vicinity of the Project Area. The closest officially designated state scenic highway in San Bernardino County is a 16-mile portion of SR 38. SR 38 is approximately 40 miles east of the project site (Caltrans 2017). Due to the distance of this segment of SR 38 and intervening topography, structures, and vegetation, the Project site is not located in the viewshed of this state scenic highway. The Project Alternative would have no impact in this regard. (Draft EIR, p. 4.1-8; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)

### 3. Visual Character

Threshold: Would the project substantially degrade the existing visual character or quality of public view of the site and its surroundings?

Finding: Less than significant impact. (Draft EIR, p. 4.1-10.)

Explanation:

#### ***Short-Term Construction Impacts***

Although a Logistics Facility and the buildout of the SB 330 Compliance Alternative Site would replace open space, construction activities are a common occurrence in the developing Inland Empire region of Southern California and are not considered to substantially degrade the area's visual character or quality. Consistent with standard industry practices, construction equipment, vehicles, and materials would be staged within a designated area (or areas) on site. Although equipment staging activities could potentially be viewed from adjacent properties and roadways, views of staged construction equipment, vehicles, and materials would be temporary and would cease upon completion of project construction. Therefore, the Project Alternative's short-term construction impacts associated with the existing visual character and quality would be less than significant. (Draft EIR, p. 4.1-8.)

#### ***Long-Term Operational Impacts***

The development area, which includes the 76-acre area on which the Logistics Facility and related amenities would be constructed, currently includes eight single-family residences, associated parking areas, and landscaping. The development area is bounded by Lytle Creek Road to the northwest, Caltrans right-of-way to the southeast associated with I-15, and private, mostly vacant lands to the northeast and south.

The Proposed Project Alternative would alter the Logistics Site's existing visual character by demolishing the existing on-site residences and constructing a warehouse



## RESOLUTION NO. 3323

logistics building with associated office spaces and surface parking areas. In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. Furthermore, the SB 330 Compliance Alternative Site would facilitate more intensive development than existing conditions or existing zoning (i.e. development of up to 5.1 to 12 du/acre versus 5 du/acre). As a result, the Project Alternative would alter the land use and increase the site's development density, and additional hardscapes would be visible as a result of realignment of Lytle Creek Road and the buildout of the SB 330 Compliance Alternative Site, which in turn could result in a change of visual character. However, development of the proposed project would be consistent with existing and planned development on surrounding properties.

The Logistics Site is situated near the easternmost portion of the San Gabriel Mountains and adjacent to I 15. The proposed warehouse building (not including parking and other amenities) would extend approximately 1,820 feet fronting Lytle Creek Road and I-15 and would be approximately 640 feet wide. The approximately 50-foot-high warehouse building would be set back approximately 320 feet from the Lytle Creek Road property line and approximately 160 feet from the I-15 property line, which would lessen massing from I-15. An 8-foot-high wrought iron fence would surround the property in all directions. In areas fronting I-15, fencing block wall could be up to 14 feet high to screen parked trucks. Property fencing would be set back approximately 20 feet from the property line. Trees would be planted between the property line and the proposed wrought iron fence to shield the fence. Ornamental landscaping would be provided all around the property. Additionally, an on-site detention flood control and infiltration basin would be installed on the southernmost portion of the property.

The proposed concrete tilt-up warehouse building would use light colors such as white, gray, and blue and would incorporate anodized aluminum framing with a metal canopy. Refer to Exhibit 3.0 11, Elevations (found at Draft EIR, p. 3.0-49.)

The City of Fontana's Zoning and Development Code (Chapter 30 of the Code of Ordinances) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduce the potential for aesthetic conflicts. The design specifications of all development proposals submitted to the City are reviewed for compliance with applicable provisions set forth in the Zoning and Development Code. As part of the City's development review process, the proposed project's architectural plans will be reviewed by City staff, the Development Advisory Board, and the Planning Commission to determine whether project design conforms to the Zoning and Development Code and promotes the visual character and quality of the surrounding area.

Therefore, based on compliance with the proposed General Plan land use designations and the City's Development Code requirements related to design and compatibility, the Project Alternative's impacts associated with visual character and quality as experienced from public views of the project site would be less than significant. No mitigation is required. (Draft EIR, pp. 4.1-8 through 4.1-10; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)



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### 4. Light or Glare

Threshold: Would the Project potentially create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant impact. (Draft EIR, p. 4.1-11.)

Explanation:

#### ***Short-Term Construction Impacts***

The Proposed Project Alternative would be required to comply with the City's Noise Ordinance (Chapter 18, Article II, Noise, of the Code of the City of Fontana), which prohibits construction during the evening and nighttime hours. Project construction would be limited to the daytime hours, and nighttime lighting would be limited to temporary security lighting during construction.

Although there may be some material on construction equipment that may produce limited and minimal amounts of glare, such as side mirrors or unpainted metal surfaces, any potential glare would be short-term in duration because of the movement of either the equipment or angle of the sun. Impacts would be temporary and less than significant.

#### ***Long-Term Operational Impacts***

In its undeveloped condition, the existing on-site residences generate minimal light or glare. However, in the immediate vicinity of the Project Area, nighttime illumination is currently generated by the surrounding residential developments to the south and the associated vehicle traffic on adjacent roadways and particularly from vehicles on I 15, as well as nearby commercial uses.

The Project Alternative would require nighttime lighting for safety and security. Consistent with the City's Zoning and Development Code (Section 30-184), all lighting used on site is required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted. All exterior lighting used on the site would be shielded/hooded to prevent light trespass onto nearby properties, including the adjacent residential developments to the south and the Caltrans right-of-way associated with I-15. The warehouse building would also include substantial setbacks that would limit light exposure. The approximately 50-foot-high warehouse building would be set back approximately 320 feet from the Lytle Creek Road property line and approximately 160 feet from the I-15 property line.

In addition, the Project Alternative would use a variety of nonreflective building materials and would not introduce substantial or excessive sources of glare on the project site. Further, no light- or glare-sensitive receptors are located in the immediate Project Area; as such, it is unlikely that any such receptors would be subject to light or glare impacts from the project. The SB 330 Compliance Alternative Site would increase the potential for additional sources of light or glare because it would facilitate more intense development than existing conditions. However, because the SB 330 Compliance Alternative Site would allow additional residential development within a residential area, new development would be



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generally compatible with the surrounding area and impacts to light and glare would remain less than significant. Therefore, the Project Alternative's long-term impacts associated with light and glare would be less than significant. No mitigation is required. (Draft EIR, pp. 4.1-10 through 4.1-11; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-31.)

### **B. AGRICULTURE AND FORESTRY RESOURCES**

#### **1. Conversion of Prime, Unique or Statewide Important Farmland**

Threshold: Would the Project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural land use?

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as mapped on the Important Farmland Finder maintained by the California Department of Conservation (2017). Further, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance exists within the site vicinity. Thus, implementation of the Project Alternative has no impact. (Draft EIR, p. 5.0-1.)

#### **2. Agricultural Zoning**

Threshold: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: Refer to Section 3, B-1, Conversion of Prime, Unique or Statewide Important Farmland, above. The Proposed Project site has no significant agricultural resources. Williamson Act contracts do not exist for any of the parcels on the site (DOC 2016). No impact is anticipated to occur because the existing zoning assumes the property will be developed for potential residential or industrial uses and does not require that any land be set aside for agricultural purposes. The site is not located in a zone designated to protect vital agricultural uses like those properties in the County's Agricultural Preserve Overlay. No impacts under the Project Alternative would occur. (Draft EIR, p. 5.0-1.)

#### **3. Forest Land Zoning and Loss of Forest Land**

Threshold: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: The Proposed Project site contains a limited number of trees and does not include forestland or timberland (Google Earth 2017). Additionally, the site is not zoned



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as forestland. The Project Alternative would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. No impact would occur. (Draft EIR, p. 5.0-1.)

### 4. Loss of Forest Land

Threshold: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: Refer to Section 3, B-3, Forest Land Zoning and Loss of Forest Land, above. No impact would occur. (Draft EIR, p. 5.0-2.)

### 5. Conversion of Farmland to Non-Agricultural Uses

Threshold: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Finding: No impact. (Draft EIR, p. 5.0-2)

Explanation: The Proposed Project site has no agricultural or forest resources and is not designated as Farmland, as mapped on the Important Farmland Finder maintained by the California Department of Conservation (2017). Therefore, the Proposed Project Alternative would not convert Farmland to nonagricultural uses or forestland to non-forest use. No impact would occur. (Draft EIR, p. 5.0-2.)

## C. AIR QUALITY

### 1. Expose Sensitive Receptors

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant impact. (Draft EIR, pp. 4.2-20 through 4.2-24.)

Explanation: Sensitive receptors are defined as facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and day-care centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Table 4.2-7, Sensitive Receptors, (found at Draft EIR, p. 4.2-19) lists the distances and locations of sensitive receptors in the project vicinity. The distances depicted in the table are based on the distance from the Logistic Site to the sensitive receptor. Exhibit 4.2-1, Sensitive Receptors (found at Draft EIR, p. 4.2-2) shows the locations of the receptors in relation the Project Site.



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### Construction-Related Localized Air Quality Impacts

Localized significance thresholds (LSTs) were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative. The SCAQMD prepared the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2009]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment. Table 4.2 8, Equipment-Specific Grading Rates, (found at Draft EIR, p. 4.2-20) shows the maximum daily disturbed acreage for comparison to LSTs.

For this Project Alternative, the appropriate source receptor area (SRA) for the LSTs is the Central San Bernardino Valley area (SRA 34) since this area includes the Project Site. LSTs apply to CO, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Based on applicant assumptions and default information provided by CalEEMod, the Project Alternative is anticipated to disturb up to 330 acres during the Logistics Facility/Lytile Creek Road Realignment grading phase and up to 1.5 acres during the SB 330 Compliance Alternative grading phase. The Logistics Facility/Lytile Creek Road Realignment grading phase would take approximately 44 days in total to complete and the SB 330 Compliance Alternative grading phase would take approximately four days in total to complete. As such, the Logistics Facility/Lytile Creek Road Realignment grading phase would actively disturb an average of approximately 7.5 acres per day (330 acres divided by 44 days) and the SB 330 Compliance Alternative grading phase would actively disturb an average of approximately 0.4 acres per day (1.5 acres divided by 4 days). Therefore, the LST thresholds for five acres (Logistics Facility/Lytile Creek Road Realignment) and one acre (the SB 330 Compliance Alternative) was utilized for the construction LST analysis.

The SCAQMD's methodology clearly states that "off-site mobile emissions from the project should not be included in the emissions compared to LSTs." Therefore, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LSTs are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. The nearest existing sensitive receptor to the development boundaries is approximately 150 feet (46 meters) from the Logistics Facility/Lytile Creek Road Realignment site and approximately 40 feet (12 meters) from the SB 330 Compliance Alternative site boundary of construction activities. Therefore, the LST for receptors at a distance of 25 meters (Logistics Facility/Lytile Creek Road Realignment) and 25 meters (SB 330 Compliance Alternative) were used in this analysis.

Table 4, *Localized Significance of Emissions for Construction*, (found at Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, p. 14) presents the estimates of localized emissions during construction activity. As shown in the table, the maximum air pollutant emissions resulting from project construction would not exceed the applicable LSTs. Therefore, this impact is less than significant. (Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 13-14.)



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### Operation-Related Localized Air Quality Impacts

According to the SCAQMD methodology, LSTs apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Since the Project Alternative involves the development of a warehouse, the operational phase LST protocol was applied. LSTs for receptors located at 50 meters for SRA 34 were used in this analysis.

The LST analysis only includes on-site sources; however, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in Table 5, *Localized Significance of Operational Emissions*, (found at Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, p. 15) include all on-site project-related stationary (area) sources and 5 percent of the project-related mobile sources. Considering that the weighted trip length used in CalEEMod for the Project Alternative is 40 miles, 5 percent of this total would represent an on-site travel distance for each car and truck of 2 miles or 10,560 feet; thus, the 5 percent assumption is conservative and would tend to overstate the actual impact. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, project operational-source emissions would not exceed applicable LSTs. Therefore, operational LST impacts would be less than significant in this regard. (Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 14-15.)

### Carbon Monoxide Hot Spots

Carbon monoxide emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (adversely affecting residents, school children, hospital patients, the elderly, etc.).

The SCAQMD requires a quantified assessment of CO hot spots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections.

The Basin is designated as an attainment area for the federal CO standards and an attainment area for state CO standards. There has been a decline in overall carbon monoxide emissions in the United States even though vehicle miles traveled on urban and rural roads have increased. On-road mobile source CO emissions declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997 while vehicle miles traveled increased 18 percent in the 1990s. Three major control programs have contributed to the reduced per vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection and maintenance programs.



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A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Thus, carbon monoxide analysis in the CO Plan is utilized in a comparison to the Proposed Project Alternative, since it represents a worst-case scenario with heavy traffic volumes in the Basin. Of the locations analyzed by SCAQMD for the 2003 Air Quality Management Plan, the intersection of Wilshire Boulevard/Veteran Avenue in the City of Los Angeles experienced the highest CO concentration (4.6 parts per million [ppm]), which is well below the 35-ppm 1-hour CO federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California, with an average daily traffic volume of approximately 100,000 vehicles per day. Based on information in the Traffic Impact Analysis, the intersection of Sierra Avenue and Lytle Creek Road was identified as having the greatest amount of traffic. Based off the Traffic Impact Analysis, the Sierra Avenue and Lytle Creek Road intersection would experience a total volume of 7,920 vehicle trips per day during the horizon year 2040, which is well below the 100,000 vehicles per day observed at Wilshire Boulevard/Veteran Avenue. Therefore, it can be inferred that CO hot spots would not occur at the intersection of Sierra Avenue or Lytle Creek Road, nor other intersections near the Proposed Project Alternative. Therefore, impacts would be less than significant in this regard. (Draft EIR, p. 4.2-22.)

### **Carcinogenic Risk**

Vehicle DPM emissions were estimated using emission factors for PM10 generated with the 2017 version of EMFAC developed by the California Air Resources Board. EMFAC 2017 is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources. The most recent version of this model, EMFAC 2017, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day.

Based on the program outputs, the highest expected annual average DPM emission concentrations resulting from operation of the project (634 daily heavy truck trips) would be 0.045  $\mu\text{g}/\text{m}^3$ . This level of concentration would be experienced at the southern docks on the Warehouse Area. The highest expected annual average diesel PM10 emission concentrations at a sensitive receptor, sensitive receptor #3 (which is located approximately 150 feet from the Warehouse Area boundary), would be 0.0033  $\mu\text{g}/\text{m}^3$ ; refer to the *I-15 Logistics Center Alternative- Health Risk Assessment Technical Memo* (HRA Memo), prepared by Michael Baker International, dated March 25, 2020. The calculations conservatively assume no cleaner technology with lower emissions in future years. Cancer risk calculations are based on 70-, 30-, and 9-year maximally exposed individual resident (MEIR) exposure periods, and a 25-year worker exposure period. As shown in Table 4.2-11 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-24), Maximum Operational Cancer Risk, the highest calculated carcinogenic risk because of the project is 3.22 per million for a 70-year MEIR exposure, 2.83 per million for a 30-year MEIR exposure, 2.01 per million for a 9-year MEIR exposure, and 2.76 per million for the 25-year worker exposure scenario. As shown, the Project Alternative's impacts related to cancer risk and DPM concentrations



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from heavy trucks would be less than significant at the nearest residences. (Final EIR, Attachment 1 – Revised Draft EIR, pp. 4.2-23 through 4.2-24.)

### ***Noncarcinogenic Hazards***

The significance thresholds for TAC exposure also require an evaluation of non-cancer risk stated in terms of a hazard index. Non-cancer chronic impacts are calculated by dividing the annual average concentration by the reference exposure level (REL) for that substance. The REL is defined as the concentration at which no adverse non-cancer health effects are anticipated. The potential for acute non-cancer hazards is evaluated by comparing the maximum short-term exposure level to an acute REL. RELs are designed to protect sensitive individuals in the population. The calculation of acute non-cancer impacts is similar to the procedure for chronic non-cancer impacts.

An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The highest maximum chronic and acute hazard index associated with the emissions from the project at sensitive receptors would be 0.0089 and 0.0073, respectively; refer to the HRA Memo in Appendix B of the EIR. Therefore, noncarcinogenic hazards are calculated to be within acceptable limits, and a less than significant impact would occur. No mitigation is required. (Final EIR, Attachment 1 – Revised Draft EIR, p. 4.2-24.)

### **2. Objectionable Odors**

Threshold: Would the Project potentially create objectionable odors affecting a substantial number of people?

Finding: Less than significant impact. (Draft EIR, p. 4.2-25.)

Explanation: Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word "strong" to describe the



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intensity of an odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

According to the SCAQMD (1993) CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project Alternative does not include any uses identified by the SCAQMD as being associated with odors. Moreover, while the Logistics Facility would generate diesel truck trips, those vehicles would be located a substantial distance from nearby receptors and trucks would be required to comply with mandatory operational emissions reduction standards, such as reducing idling, that would further minimize emissions and possible odors.

Construction activities associated with the Project Alternative may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short-term in nature and cease upon project completion. In addition, the Project Alternative would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The Project Alternative would also be required to comply with the SCAQMD Regulation XI, Rule 1113—Architectural Coating, which would minimize odor impacts from ROG emissions during architectural coating. Additionally, construction-related odors dissipate rapidly as the nature of construction necessitates the need to move equipment around the construction site throughout a work day. Any impacts to existing adjacent land uses would be short-term and are less than significant. No mitigation is required. (Draft EIR, pp. 4.2-24 through 4.2-25; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, p. 15.)

### **D. BIOLOGICAL RESOURCES**

#### **1. Wildlife Movement Corridors and Nursery Sites**

Threshold: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Finding: Less than significant impact. (Draft EIR, p. 4.3-31.)

Explanation: According to the Land Use Plan from the San Bernardino County General Plan Open Space Element, the Project Area is not located within a designated wildlife corridor or linkage. While the open and natural habitats within and surrounding the Project Area to the north and southwest allow wildlife to move through the area in search of food, shelter, or nesting habitat from the San Gabriel Mountains, the Project Area is constrained by I-15 to the southeast and Sierra Avenue to the east. The high levels of existing disturbance in the Project Area and the disturbances associated with Sierra Avenue, I-15, and surrounding



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urban development adjacent to the Logistics Site and SB 330 Compliance Alternative Site limit wildlife use in the area. As such, impacts in this regard would be less than significant. No mitigation is required. (Draft EIR, p. 4.3-31; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-31.)

### E. ENERGY

#### 1. Wasteful or Inefficient Consumption of Energy

Threshold: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-7 through 4.5-9.)

Explanation: In accordance with State CEQA Guidelines, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. This impact analysis focuses on the three sources of energy that are relevant to the Proposed Project Alternative: electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for project construction.

The analysis of electricity/natural gas usage is based on California Emissions Estimator Model (CalEEMod) greenhouse gas emissions modeling, which quantifies energy use for occupancy. The results of the CalEEMod modeling are included in Appendix B of the Draft EIR. Modeling was based primarily on the default settings in the computer program for San Bernardino County. The amount of operational fuel use was estimated using the California Air Resources Board's EMFAC2017 computer program, which provides projections for typical daily fuel usage in San Bernardino County. The amount of construction-related fuel use was estimated using ratios provided in the Climate Registry (2015) General Reporting Protocol for the Voluntary Reporting Program, Version 2.1. The results of EMFAC2017 modeling and construction fuel estimates are included in the *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, included in Appendix B of the EIR.

Energy consumption associated with the Proposed Project Alternative is summarized in Table 2, Project and Countywide Energy Consumption (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4). As shown in Table 2, the Logistic Facility's electricity usage would constitute an approximate 0.0148 percent increase over San Bernardino County's typical annual electricity and an approximate 0.0033 percent increase over San Bernardino County's typical annual natural gas consumption. The Logistic Facility's construction and operational vehicle fuel consumption would increase San Bernardino County's consumption by 0.0804 percent and 0.1220 percent, respectively.

Further, the SB 330 Compliance Alternative site electricity usage would constitute an approximate 0.0010 percent increase over San Bernardino County's typical annual electricity



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and an approximate 0.0008 percent increase over San Bernardino County's typical annual natural gas consumption. The Project Alternative's construction and operational vehicle fuel consumption would increase San Bernardino County's consumption by 0.0072 percent and 0.0054 percent, respectively.

### Construction Energy

During construction, the Proposed Project Alternative would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site clearing, grading, and construction. Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Some incidental energy conservation would occur during construction through implementation of the mitigation measures listed in the Draft EIR, Section 4.2, Air Quality, which include a requirement that equipment not in use for more than five minutes be turned off (refer to **Mitigation Measure AQ-4**). Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Additionally, construction building materials could include recycled materials and products originating from nearby sources in order to reduce costs of transportation.

As indicated in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4), the Logistic Facility's fuel from construction would be 207,197 gallons, which would increase fuel use in the County by 0.0804 percent. The SB330 Compliance Alternative site construction fuel usage would be 18,059 gallons, which would increase fuel use in the County by 0.0072 percent. As such, the Logistics Facility and SB 330 Compliance Alternative site construction would have a nominal effect on the local and regional energy supplies. In addition, the Project Alternative will utilize a tilt-up construction method (i.e., constructing concrete panels on-site, using ready-mix concrete from local sources reducing the projects energy usage) for the Logistics Facility to maximize construction energy efficiency. Further, the Logistics Facility and SB 330 Compliance Alternative site construction equipment would be required to comply with the latest regulations for engine emissions standards set forth by EPA, CARB, and/or the South Coast Air Quality Management District (SCAQMD). It should be noted that construction fuel use is temporary and would cease upon completion of construction. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. A less than significant impact would occur in this regard. (Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)



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### Operational Energy

#### ***Transportation Energy Demand***

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration (NTSA) is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. Table 2 (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4) provides an estimate of the daily fuel consumed by vehicles traveling to and from the Logistics Site. As indicated in Table 2, the Logistics Facility operations are estimated to consume approximately 1,053,825 gallons of fuel per year, which would increase San Bernardino County's automotive fuel consumption by 0.1220 percent. The SB 330 Compliance Alternative site would consume approximately 45,408 gallons of fuel per year, which would increase San Bernardino County's automotive fuel consumption by 0.0054 percent. The Project Alternative would not result in any unusual characteristics that would result in excessive operational fuel consumption associated with vehicular travel. Furthermore, the Project Alternative would be required to comply with the California Code of Regulations, Title 13, Sections 2485, which minimizes the idling time of diesel fueled trucks either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Fuel consumption associated with project-related vehicle trips would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. As such, a less than significant impact would occur in this regard. (Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)

The Project Alternative also includes design features that would reduce transportation energy consumption:

- Car/vanpool parking
- Bike lockers
- Charging stations for electric vehicles available for employees and guests

These design features would reduce fuel consumption. The Proposed Project Alternative would also comply with the Energy Independence and Security Act of 2007, federal vehicle standards, and California's Low Carbon Fuel Standard, which regulate fuel efficiencies for vehicles, including trucks. Fuel consumption associated with vehicle trips generated by the Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-9 through 4.5-10.)

#### ***Building Energy Demand***

The Proposed Project Alternative would consume energy for interior and exterior lighting, heating/ventilation and air conditioning (HVAC), refrigeration, electronics systems, appliances, and security systems, among other things. The Logistics Facility would be required to comply with the current nonresidential Title 24 standards, which provide minimum



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efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage. The SB330 Compliance Alternative Site would be required to comply with the current residential Title 24 Standards, which includes mandated photovoltaic solar panels and other lighting upgrades and would use 53 percent less energy than the previous Title 24 standards. Furthermore, the electricity provider in San Bernardino County, Southern California Edison (SCE), is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance on such energy resources further ensures that projects would not result in the waste of the finite energy resources.

The Proposed Project Alternative will incorporate the following design features to reduce operational energy demands:

- Enhanced insulation for walls and roof
- Enhanced window insulation (0.32 U-factor, 0.25 SHGC)
- Duct leakage testing and verification
- Daylighted rooms
- Energy-efficient lights
- Energy Star commercial appliances
- North/south building alignment to optimize conditions for natural heating, cooling, and lighting

As depicted in Table 4.5-4 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.5-8), the project-related building energy would represent a 0.0148 percent increase in electricity consumption over the current Countywide usage. The SB 330 Compliance Alternative Site operational energy consumption would represent an approximate 0.0010 percent increase in electricity consumption over the current Countywide usage. The Project Alternative would also incorporate design features that would improve building energy efficiency. For example, the Project Alternative would enhance window efficiency, apply interior space efficiencies, provide a solar ready roof, include water efficient landscaping (under Assembly Bill (AB) 325, all developer-installed landscaping must be accompanied by a landscape package that documents how water use efficiency would be achieved through design), install water efficient fixtures, and recycle construction and operational waste. The Proposed Project Alternative would adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards, and would include several energy efficient design features. The Proposed Project Alternative would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Additionally, the Proposed Project Alternative would not result in a substantial increase in demand or transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure. It should also be noted that the entire building would not be air conditioned, which substantially reduces energy usage.

As shown in Table 4.5-4 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.5-



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8), the increase in electricity, natural gas, and automotive fuel consumption over existing conditions is minimal (less than one percent). For the reasons described above, the Proposed Project Alternative would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation. Therefore, a less than significant impact would occur. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-10 through 4.5-11; Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 7-8.)

### 2. Energy Efficiency Plans

Threshold: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Finding: Less than significant impact. (Draft EIR, p. 4.5-12.)

Explanation: The Project Alternative would exceed the Title 24 and CALGreen efficiency standards, which would ensure the Project Alternative incorporates energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, as well as green building standards. In addition, the Project Alternative would comply with Goals 5 and 6 of the Sustainability and Resilience Element, as listed in Table 4.5-5, Project Sustainability and Resilience Strategies Element Consistency Analysis (found at Draft EIR, p. 4.5-12). These goals include promoting the usage of renewable energy, the reduction of greenhouse gas emissions, implementation of green building and energy-efficient development. Adherence to the Title 24 energy and CALGreen requirements will ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to pursue sustainability and resilience. The Proposed Project Alternative would also comply with the Energy Independence and Security Act of 2007, federal vehicle standards, and California's Low Carbon Fuel Standard, as discussed in Section 4.7, which regulate fuel efficiencies for vehicles, including trucks. Fuel consumption associated with vehicle trips generated by the Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Therefore, the Proposed Project Alternative would result in less than significant impacts associated with renewable energy or energy efficiency plans. No mitigation is required. (Draft EIR, pp. 4.5-11 through 4.5-12; Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 8.)



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### F. GEOLOGY AND SOILS

#### 1. Seismic-Related Ground Failure

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Finding: Less than significant impact. (Draft EIR, p. 4.6-18.)

Explanation: Liquefaction is a process in which strong ground shaking causes saturated soils to lose their strength and behave as fluid. Ground failure associated with liquefaction can result in severe damage to structures. The geologic conditions for increased susceptibility to liquefaction are shallow groundwater (less than 50 feet in depth), the presence of unconsolidated sandy alluvium (typically Holocene in age), and strong ground shaking. All three of these conditions must be present for liquefaction to occur.

Two of the three conditions are present at the Logistics Site. These include unconsolidated sandy alluvium and the potential for strong ground shaking. The current depth to groundwater at the Logistics Site is anticipated to be greater than 50 feet bgs and the subsurface materials have a large percentage of gravel and cobble. Hydroconsolidation (soil collapse) occurs when loose, dry, sandy soils become saturated and settle. Based upon the soils encountered by the geologists during the project *Geotechnical Investigation*, soils with a significant hydroconsolidation potential are not present at the site.

A small portion of the larger Project Area is identified on the San Bernardino County Geologic Hazard Maps as an area with low susceptibility to liquefaction. This area is located near the Lytle Creek wash, which is located a substantial distance from the proposed logistics facility. The Project Alternative would realign Lytle Creek Road through the identified liquefaction area, but the realignment would be constructed consistent with applicable standards, regulations, and building practices to minimize any potential for liquefaction. The Project Alternative also proposes to realign an existing roadway (Lytle Creek Road) to serve the logistics facility. The likelihood of liquefaction or ground failure is low in this area of the Project Area, and no significant impacts would result.

As stated in the *Geotechnical Investigation*, the soil conditions for the Logistics Site are not considered to be susceptible to liquefaction or hydroconsolidation. The Logistics Site is not located in an area identified by the City of Fontana or County of San Bernardino as having a potential for liquefaction. Future development occurring as part of the SB 330 Compliance Alternative Site would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Potential development of the SB 330 Compliance Alternative Site would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (Mitigation Measure GEO-1). Therefore, impacts related to seismic-related ground failure and liquefaction are considered less than significant and no mitigation measures are required. (Draft EIR, pp. 4.6-17 through 4.6-18; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-33.)



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### 2. Geologic Units or Unstable Soils

Threshold: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Finding: Less than significant impact. (Draft EIR, p. 4.6-20.)

Explanation: Based on the *Geotechnical Investigation*, the existing soil conditions and topography on the Logistics Site are not susceptible to liquefaction, collapse, subsidence, lateral spreading, or landslides. The site is relatively flat and not located in an area where landslides or lateral spreading would typically occur. Compliance with requirements for building setbacks from the fault zones would ensure that no structures are constructed on unstable geological units. The Logistics Site is not located on soil that is unstable or could become unstable as a result of Project implementation.

As discussed above, small portions of the larger Project Area are identified as susceptible to either landslides or liquefaction; however, the potential for such geologic events is recognized as low. Moreover, the Project Alternative does not propose to locate any habitable structures within either of these areas. The future development of the SB 330 Compliance Alternative Site and the realignment of Lytle Creek Road would occur consistent with applicable laws, regulations, and standards, including those engineering standards applied by the City of Fontana. The City would ensure compliance with such standards.

Impacts from these conditions are considered less than significant and no mitigation measures are required. Impacts would be less than significant. (Draft EIR, p. 4.6-20.)

### 3. Expansive Soils

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?

Finding: Less than significant impact. (Draft EIR, p. 4.6-21.)

Explanation: The *Geotechnical Investigation* prepared for the Proposed Project Alternative indicates that soils within the Project Area, as well as the Logistics Site specifically, are generally granular and are considered to be non-critically expansive. Specialized construction procedures to specifically resist expansive soil forces are not anticipated to be required for the construction of the Project Area. No known or anticipated impacts pertaining to expansive soils would occur as a result of Project implementation. Future development occurring as part of the SB 330 Compliance Alternative Site would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Potential development of the SB 330 Compliance Alternative Site would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (**Mitigation Measure GEO-1**). Impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.6-20 through 4.6-21; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-33.)



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### 4. Septic Tanks

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: The Proposed Project Alternative would not require the installation of a septic tank or alternative wastewater disposal system. The Project Alternative would be connected to the existing City sewer via one or more service lines. No impact would occur. (Draft EIR, p. 5.0-2.)

### G. HAZARDS AND HAZARDOUS MATERIALS

#### 1. Hazardous Substance Handling

Threshold: Would the Project potentially create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Finding: Less than significant impacts. (Draft EIR, p. 4.8-11.)

Explanation:

#### Short-Term Impacts

Development of the Logistics Site would result in development of industrial logistics uses and associated facilities. The SB 330 Compliance Alternative Site would allow for the development of additional units on a site currently zoned for residential uses. During construction, hazardous and potentially hazardous materials would be routinely transported, and used at the site. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment and vehicles. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by City of Fontana during routine inspections during construction activities. This handling of hazardous materials would be a temporary activity coinciding with the short-term construction period. Any handling of hazardous materials would be limited in both quantity and concentration. Hazardous materials associated with operation and maintenance of construction equipment and vehicles may be stored on the site, although only the amounts needed are expected to be kept on-site; excessive amounts are not expected to be stored.

Removal and disposal of hazardous materials from the Logistics Site and SB 330 Compliance Alternative Site would be conducted by a permitted and licensed service provider. Any handling, transporting, use, or disposal would comply with all applicable federal, state, and local agencies and regulations, including the EPA, the Resource Conservation and Recovery Act, Caltrans, and the Fontana Fire Protection District (FFPD), which is part of the SBCFD (the CUPA for San Bernardino County). Therefore, short-term construction impacts associated with hazardous materials would be less than significant.



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### Long-Term Impacts

Hazardous materials are not typically associated with residential uses and thus impacts concerning the routine transport, use, or disposal of hazardous materials during operations of the SB 330 Compliance Alternative Site would be less than significant. During operation of the Logistics Site, hazardous materials may be transported and used on-site. However, logistics uses associated with the Proposed Project Alternative typically do not generate, store, or dispose of large quantities of hazardous materials. In addition, such land uses generally do not involve dangerous or volatile operational activity that may expose people to large quantities of hazardous materials. Because of the nature of the Proposed Project Alternative, hazardous materials used on the Logistics Site may vary but are likely to be limited to fertilizers, herbicides, pesticides, lubricants, solvents, cleaning agents, and similar materials used for daily operation and maintenance activities. Although the Proposed Project Alternative would utilize common types of hazardous materials, normal routine use of these products pursuant to existing regulations would not result in a significant hazard to residents or workers in the vicinity of the project.

The SBCFD Hazardous Materials Division regulates and enforces the provisions of the Uniform Fire Code relating to hazardous materials, including the use and storage of hazardous materials that are ignitable, reactive, corrosive, or toxic. Businesses using such materials are subject to permitting and inspection. In addition, a permit from the FFPD, which is part of the SBCFD, is required for aboveground storage tanks, for propane tanks having more than a 125-gallon capacity, and for the installation or removal of USTs. The County currently requires any new business that intends to handle hazardous materials to inventory their hazardous materials and requires them to allow SBCFD to review their hazardous materials processes and procedures, prior to the execution of various required business permits. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the SBCFD and the state Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan that would provide a written set of procedures and information created to help minimize the effects and extent of a potential release of a hazardous material. Businesses that use or store hazardous materials in excess of exempt amounts as defined by the Uniform Fire Code are also subject to County review and approval of additional permits.

Compliance with these provisions ensures that new projects would not pose a risk to either the environment or the public. Therefore, long-term operational impacts associated with hazardous materials would be less than significant. No mitigation is required. (Draft EIR, pp. 4.8-10 through 4.8-11; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

### 2. Hazards Near Schools

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: No impact. (Draft EIR, p. 5.0-2.)



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Explanation: There are no existing or proposed schools within one-quarter mile of the Proposed Project site. The nearest school to the Project site is Kordyak Elementary School, located approximately 0.66-mile to the southeast at 4580 Mango Avenue. Therefore, the closest school is outside of a 0.25-mile radius around the Project site. No impact would occur. (Draft EIR, p. 5.0-2; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

### 3. Waste Sites

Threshold: Would the Project 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?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: The Proposed Project site is not on a list of hazardous materials sites compiled by the Department of Toxic Substances Control (DTSC) or the State Water Resources Control Board (SWRCB) pursuant to Government Code Section 65962.5, based on the regulatory records search conducted as part of the Phase I ESA. Therefore, development of the site would not create a significant hazard to the public or the environment in this regard. No impact would occur. (Draft EIR, p. 5.0-2; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

### 4. Public Airports

Threshold: 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 or excessive noise for people residing or working in the project area?

Finding: No impact. (Draft EIR, p. 5.0-3.)

Explanation: Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Other airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the imaginary surfaces surrounding an airport.

There are no public use airports within 2 miles of the Proposed Project site. The nearest public use airport to the Project site is Ontario International Airport, approximately 12 miles to the southwest. According to the Ontario International Airport Land Use Compatibility Plan, the Project site is situated well outside of the Airport Influence Area and all Safety Zones for Ontario International Airport (Ontario 2011). In addition, the Project Alternative does not include an air travel component (e.g., runway or helipad). Accordingly, the Project Alternative would not have the potential to affect air traffic patterns, including an increase in traffic levels or a change in flight path location that results in a substantial safety risk or excessive noise and would not result in a safety hazard for people residing or working in the Project area. No impact would occur. (Draft EIR, p. 5.0-3; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)



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### 5. Emergency Response

Threshold: Would the Project potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant impact. (Draft EIR, p. 4.8-14.)

Explanation: The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the site. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction Traffic Management Plan (TMP) to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). Additionally, the Proposed Project Alternative design would be submitted to and approved by the Fontana Police Department and San Bernardino County Fire Department prior to the issuance of building permits. The conceptual project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. As a result, development of the site would have a less than significant impact related to emergency response or evacuation activities.

The Project Alternative's proposed realignment and reclassification of Lytle Creek Road would also not interfere with any emergency response or evacuation plan. Urban Crossroad's prior 2015 assessment of the reclassification concluded that no capacity issues would result. Moreover, Lytle Creek Road is not significantly utilized by existing traffic, as it is located away from significant development. With the Project Alternative, it will continue to function appropriately to serve all traffic.

The City and its sphere of influence, including the Logistics Site, are currently covered under the City's Local Hazard Mitigation Plan (LHMP) and Emergency Operations Plan (EOP). The LHMP identifies mitigation actions to reduce impacts associated with hazards and hazardous materials, and the EOP is updated regularly to ensure a high state of readiness when such emergencies occur in the community. Additionally, to ensure compliance with zoning, building, and fire codes, the Project proponent is required to submit appropriate plans for plan review prior to the issuance of a building permit. Adherence to these requirements would ensure that development of the site would not have a significant impact on emergency response and evacuation plans. Because hazardous materials are not typically associated with residential uses, implementation of the SB 330 Compliance Alternative Site would not impair implementation of an adopted emergency response plan or emergency evacuation plan (refer to **Mitigation Measure TR-1**). Therefore, impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.8-13 through 4.8-14; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)



## H. HYDROLOGY AND WATER QUALITY

### 1. Water Quality Standards and Requirements

Threshold: Would the Project have the potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Finding: Less than significant impact. (Draft EIR, p. 4.9-18.)

Explanation:

#### Short-Term Construction Impacts

Temporary construction-related impacts associated with the development of the Logistics Site, associated infrastructure, realignment/improvement of Lytle Creek Road, and future development of the SB 330 Compliance Alternative Site are anticipated to involve construction of new structures, excavation and grading activities to construct building pads, and paving of roadways and on-site parking and truck terminals. Other construction activities may include building walls and fencing, adding signage and lighting, and installing landscaping, on-site utilities, and infrastructure improvements such as water and dry (i.e., electrical) utilities.

Typical construction activities would require the use of gasoline- and diesel-powered heavy equipment, such as backhoes, water pumps, bulldozers, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would also likely be used during construction. An accidental release of any of these substances could degrade surface water runoff quality and contribute additional sources of pollution to the existing drainage system. Therefore, small quantities of pollutants have the potential to enter the storm drainage system during Project construction and degrade water quality. In general, construction-related impacts to water quality could occur in the following periods of activity:

- During demolition of existing features, when risk of pollutant exposure is present;
- During the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest;
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high; and

Because the Proposed Project Alternative would disturb more than one acre of soil, construction activities would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities requirements (and all subsequent revisions and amendments). To demonstrate compliance with NPDES requirements, a Notice of Intent (NOI) must be prepared and submitted to the SWRCB, providing notification and intent to comply with the General Construction Permit. The General Construction Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, a SWPPP



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that governs construction activities for the Project Alternative be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports. Possible construction site BMPs for runoff control, sediment control, erosion control, and housekeeping that may be included in the SWPPP and used during the construction phases of the proposed Project Alternative may include, but are not limited to:

### General Construction Site Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
Minimize clearing Preserve natural vegetation Stabilize drainage ways Install check dams Install diversion dikes	Install perimeter controls (e.g., silt fences) Install sediment trapping devices (e.g., straw wattles, hay bales, gravel bags) Inlet protection (e.g., check dams) Install fiber rolls	Stabilize exposed soils (e.g., hydroseed, soil binders) Protect steep slopes (e.g., geotextiles, compost blankets) Cover stockpiles with blankets Complete construction in phases	Create waste collection area Put lids on containers Clean up spills immediately

Source: *National Menu of Best Management Practices (BMPs) for Stormwater*, National Pollutant Discharge Elimination System, Environmental Protection Agency.  
><https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#constr><, Website accessed October 20, 2016.

The SWPPP would include a site map showing the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns. The SWPPP would identify the best management practices that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for “nonvisible” pollutants to be implemented if there is a failure of BMPs. Upon completion of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

To further reduce construction-related impacts to water quality, the Proposed Project Alternative would also be subject to compliance with San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations. San Bernardino County Code Title 3 Division 5, Chapter 1, is intended to protect the health and safety of, and promote the welfare of, the inhabitants of the County by controlling non-stormwater discharges to the stormwater conveyance system, and by reducing pollutants in stormwater discharges, including those pollutants taken up by stormwater as it flows over urban areas, to the maximum extent practicable in order to achieve applicable receiving water quality objectives. This Chapter also protects and enhances the quality of receiving waters in a manner pursuant to and consistent with applicable federal, state, and local laws, regulations, and permits.



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The implementation of NPDES permits, including the General Construction permit, ensures the federal and State standards for water quality are met. Enforcement of required NPDES permit requirements will prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. Compliance with NPDES requirements as well as Title 3, Division 5, Chapter 1 of the San Bernardino County Code would reduce short-term construction-related impacts to water quality to a less than significant level.

### **Long-Term Operational Impacts**

Generally, operational impacts to water quality could occur after Project completion, when impacts related to sedimentation would decrease markedly but those associated with Project operation, mainly urban runoff, would potentially increase, primarily due to increases in the amount of impervious surface on the Project site. According to the WQMP, approximately 80 percent of the Logistics Site would be paved at Project completion. The decrease in permeable surface on the site would be considered a water quality impact, as permeable surfaces allow rain and urban runoff to infiltrate into the ground. Runoff infiltration reduces the amount of flow capable of washing off additional pollutants and filters runoff water to remove potential pollutants.

According to the Project Alternative's WQMP, runoff from the Project Area drains to Lytle Creek for eventual discharge in the Santa Ana River. However, the Proposed Project Alternative would not represent a point-source generator of water pollutants. Therefore, no quantifiable water quality standards apply to the Project Alternative, as it would not discharge any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

Consistent with regional and local requirements, a Project-specific WQMP was prepared and identifies structural and non-structural BMPs to be implemented in conjunction with the Project Alternative. The WQMP complies with the requirements of the San Bernardino County Code standards and the NPDES Area-wide Stormwater Program (Order No. R8-2010-0036) requiring the preparation of a WQMP. Structural measures identified in the WQMP include the following: provide storm drain system stenciling and signage; design and construct trash/waste storage areas to reduce pollution introduction; use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control; finish grade of landscaped areas at a minimum of 1–2 inches below top of curb, sidewalk, or pavement; protect slopes and channels and provide energy dissipation; and cover dock areas. Non-structural measures identified in the WQMP include the following: education of property owners, tenants, and occupants on stormwater BMPs; activity restrictions; landscape management BMPs; BMP maintenance; compliance with local water quality ordinances; preparation of a spill contingency plan; conformance with the uniform fire code; implementation of a litter/debris control program; employee training; housekeeping of loading docks; catch basin inspection program; and vacuum sweeping of private streets and parking lots.

The Project Alternative's realignment and improvement of Lytle Creek Road would



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occur consistent with applicable local and state standards, including NPDES requirements and City of Fontana roadway engineering and design requirements. These standards include design of roadway gutters to handle anticipated runoff and appropriate conveyance systems.

The Project Alternative has been designed to reduce development impacts on water quality, protect downstream hydraulic conditions, and reduce Project-related stormwater pollutants. Project compliance with regulatory requirements would ensure operational activities result in less than significant impacts to water quality and do not significantly impact the beneficial uses of receiving waters. Impacts would be less than significant and no mitigation is required. (Draft EIR, pp. 4.9-15 through 4.9-18; Final EIR, Attachment 1—Draft EIR, p. 8.0-34.)

### **2. Groundwater Supplies and Recharge**

Threshold: Would the Project have the potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Finding: Less than significant impact. (Draft EIR, p. 4.9-20.)

Explanation:

#### **Short-Term Construction Impacts**

Temporary construction-related activities associated with the Project Alternative are not anticipated to have a significant impact on groundwater supplies because construction would be short-term and does not consist of water-intensive activities that could, ultimately, draw-down supplies of groundwater. Refer to the discussion below concerning potential operational impacts to groundwater supplies.

#### **Long-Term Operational Impacts**

Water for the Logistics Site would be provided by West Valley Water District (West Valley), which has indicated that it has sufficient water supplies to serve the Logistics Site. According to West Valley's 2015 Regional Urban Water Management Plan, available water supplies are expected to exceed demands under all hydrologic conditions through 2040. Groundwater accounts for approximately 65 percent of West Valley's total water supply. Therefore, a portion of the Logistic Site's operational water supplies would indirectly include groundwater supplies.

The Project site is underlain by the Chino Basin, which is fully adjudicated and managed by the Chino Basin Watermaster. According to the Chino Basin Watermaster Optimum Basin Management Program (2015), stormwater capture and infiltration occurs at 15 recharge basins in the Chino Basin. The Project Alternative would not interfere with groundwater recharge activities associated with these facilities such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table, as the Project Area is not located in one of the Chino Basin's 15 groundwater recharge areas.



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A WQMP was prepared for the Project Alternative to identify the major proposed site design and Low Impact Development (LID) best management practices and other anticipated water quality features that impact site planning. The WQMP specifically identifies all BMPs incorporated into the final site design and establishes targets for post-development hydrology based on performance criteria specified in the MS4 Permit. These targets include runoff volume for water quality control (referred to as LID design capture volume) and runoff volume, time of concentration, and peak runoff for protection of any downstream water body segments with hydrologic conditions of concern. According to the WQMP, although the majority (approximately 80 percent) of the Project site would be paved, approximately 20 percent of its footprint would be reserved for minor groundwater recharge opportunities via percolation. The Project proposes to construct a three-acre on-site detention flood control/infiltration basin on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for both stormwater filtration and recharge opportunities. Thus, the reduction in permeable surfaces which would occur as a result of Project implementation would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

In addition, the Project Alternative's proposed realignment of Lytle Creek Road is not anticipated to result in substantial additional impermeable surfaces, as its realignment would only affect the existing segment of Lytle Creek Road extending beyond the westernmost boundary of the Project Area to its intersection with Sierra Avenue. Lytle Creek Road is currently a 22-foot-wide asphalt two-lane undivided roadway oriented in a north-south direction, with a total public roadway ROW of 60 feet. Upon Project completion, Lytle Creek Road would have an ultimate ROW of 68 feet. Nonetheless, the proposed realignment and improvement of Lytle Creek Road and buildout of the SB 330 Compliance Alternative Site would be implemented in conformance with City of Fontana roadway engineering and design requirements. These standards include design of roadway gutters to handle anticipated runoff and appropriate conveyance systems. Impacts are considered to be less than significant in this regard. No mitigation is required. (Draft EIR, pp. 4.9-18 through 4.9-20; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-34.)

### **3. (a) Erosion or Siltation**

Threshold: Would the Project have the potential to result in a substantial erosion or siltation on- or off-site?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-20.)

Explanation:

#### **Short-Term Construction Impacts**

Temporary construction-related activities associated with the Proposed Project Alternative are not anticipated to have a significant impact on existing drainage patterns since construction would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The permit requires non-stormwater discharges from construction sites to be eliminated or reduced to the maximum extent practicable, preparation of a SWPPP, and routine inspections of all stormwater



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pollution prevention measures and control practices used at the site, including inspections before and after storm events. Compliance with NPDES General Permit requirements as well as San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations would prevent substantial erosion or siltation both on- and off-site during construction. Therefore, construction would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial increased erosion or siltation on- or off-site. Impacts would be less than significant.

### Long-Term Operational Impacts

Project implementation would involve an increase in the amount of impervious surface on the Logistics Site, which could affect existing surface runoff rates or volumes. However, to preserve existing drainage patterns to the maximum extent feasible, a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for filtration. As discussed in the Draft EIR, Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. As such, Project operation would ensure that no potential adverse effects on downstream water bodies would occur with regard to erosion or siltation. Further, the BMPs identified in the Project's WQMP would reduce potentially significant impacts related to stormwater runoff to downstream water bodies or percolation into the soil. Therefore, operational activities would not result in substantial on- or off-site erosion and siltation. Impacts would be less than significant and no mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-19 through 4.9-20.)

### 3. (b) Flooding

Threshold: Would the Project have the potential to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-21.)



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### Explanation:

#### **Short-Term Construction Impacts**

Temporary construction-related activities associated with the Proposed Project Alternative are not anticipated to have a significant impact on existing drainage patterns since construction would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The permit requires non-stormwater discharges from construction sites to be eliminated or reduced to the maximum extent practicable, preparation of a SWPPP, and routine inspections of all stormwater pollution prevention measures and control practices used at the site, including inspections before and after storm events. Compliance with NPDES General Permit requirements as well as San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations would prevent substantial erosion or siltation both on- and off-site during construction. Therefore, construction would not substantially alter the existing drainage pattern of the site or area in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

#### **Long-Term Operational Impacts**

Refer to the discussion for Section 3, J—22, Known and Locally Important Resources. To preserve the Logistic Site drainage patterns, the Project Alternative would install a three-acre on-site detention flood control/infiltration basin on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for both stormwater filtration and recharge opportunities. As discussed in the Draft EIR, Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. As a result, the Project Alternative would not substantially alter the site's existing drainage pattern. The alteration of a stream or river is not required or proposed as part of the Project Alternative. Therefore, Project implementation would not substantially alter the site's existing drainage pattern, including through the alteration of the course of a stream or river, nor would it substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-20 through 4.9-21.)

### **3. (c) Capacity of Stormwater Systems**

Threshold: Would the Project have the potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Finding: Less than significant impact. (Draft EIR, p. 4.9-21.)

### Explanation:

#### **Short-Term Construction Impacts**

Refer to the discussion for Section 3, H—1, Water Quality Standards and Requirements, and H—2, Groundwater Supplies and Recharge. The Project Alternative's



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potential construction-related impacts to stormwater drainage systems would be regulated by federal, state, and local requirements intended to reduce or avoid adverse impacts. Construction activities would be subject to San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations, to ensure protection of water quality and downstream drainage facilities. All construction activities would be required to demonstrate conformance with the BMPs identified in each Project's SWPPP. The SWPPP establishes a plan whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed specifically to prevent or control the discharge of the identified pollutants into storm water runoff. The SWPPP must include flow control measures that would lessen flow rates during storm events occurring during the construction phase of the Project. Conformance with applicable regulations and implementation of BMPs would protect existing or planned stormwater drainage systems from polluted runoff. Impacts would be less than significant.

### **Long-Term Operational Impacts**

Potential operational impacts to stormwater drainage systems would be regulated by federal, state, and local requirements intended to reduce or avoid adverse impacts. In addition, as discussed in Section 4.15, of the Draft EIR, the Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Logistics Site. As discussed in Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. The Project Alternative's drainage features would be implemented in compliance with the provisions of the City's Master Drainage Plan and would not conflict with that plan.

In addition, the Project Alternative's proposed realignment of Lytle Creek Road is not anticipated to result in substantial additional impermeable surfaces, as its realignment would only affect the existing segment of Lytle Creek Road extending beyond westernmost boundary of the Project Area to its intersection with Sierra Avenue. As discussed in Section 3, J—2, Lytle Creek Road would have an ultimate ROW of 68 feet upon Project completion, increased from its ROW of 60 feet. The proposed realignment and improvement of Lytle Creek Road would be implemented in conformance with City of Fontana roadway engineering and design requirements, including design of roadway gutters to handle anticipated runoff and appropriate conveyance systems. Therefore, Project operations as designed would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant and no mitigation is required. (Draft EIR, pp. 4.9-22 through 4.9-23.)

### **3. (d) Impede or Redirect Flood Flows**

Threshold: Would the Project have the potential to impede or redirect flood flows?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.9-23.)



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Explanation: Refer to the discussion for Section 3, H—3b, Flooding. No short-term construction or long-term operational flood impacts are anticipated with implementation of the Project Alternative. Impacts would be less than significant. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-22 through 4.9-23.)

### 4. Flood Hazard

Threshold: In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Finding: No impact. (Draft EIR, p. 5.0-3.)

Explanation:

#### Flood Hazards

Federal Emergency Management Agency (FEMA) (2008) Flood Insurance Rate Map No. 06071C7915H identifies the Logistics Facility and Lytle Creek Road realignment site as being in Flood Hazard Zone X, which is defined as an area of minimal flood hazard outside of both a 1 percent Annual Chance Flood Hazard Zone (100-year floodplain) and a 0.2 percent Annual Chance Flood Hazard Zone (500-year floodplain). The northeastern portion of the SB 330 Compliance Alternative Site is located within a special flood hazard area subject to inundation by the one percent annual chance flood, and would potentially involve flood hazard impacts. (Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-34.) However, these impacts would remain less than significant. The Logistics Facility and Lytle Creek Road realignment site is not located in a flood hazard area; thus, Project implementation would not risk release of pollutants due to Project inundation.

#### Tsunami

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The Project Alternative is located over 48 miles inland from the Pacific Ocean and is located at a sufficient distance so as not to be subject to tsunami impacts. No impacts would occur in this regard.

#### Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The Project site is not in the vicinity of a reservoir, harbor, lake, or storage tank capable of creating a seiche. No impacts would occur in this regard. (Draft EIR, p. 5.0-3.)

### 5. Water Quality Control Plan or Groundwater Management Plan

Threshold: Would the Project have the potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Finding: Less than significant impact. (Draft EIR, p. 4.9-24.)



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Explanation: As discussed, the Project Area is located within the Santa Ana RWQCB's jurisdiction and the Chino Basin, which is governed by the Chino Basin Watermaster Optimum Basin Management Program (2015) ("Basin Plan"). The Santa Ana RWQCB manages surface waters through implementation of its Basin Plan. Chapter 2, Plans and Policies, includes a number of water quality control plans and policies adopted by the SWRCB that apply to the Santa Ana RWQCB. Chapter 4, Water Quality Objectives, of the Basin Plan includes specific water quality objectives according to waterbody type (i.e., ocean waters, enclosed bays and estuaries, inland surface waters, and groundwaters. As indicated under Section 3, J—1, Loss of Locally Designated Mineral Resource Recovery Site, Project implementation would not result in significant construction-related impacts to water quality and surface and groundwater quality following conformance with the Construction General Permit, preparation of a SWPPP, and implementation of construction BMPs. The Logistics Site has been designed to reduce development impacts on water quality, protect downstream hydraulic conditions, and reduce Project-related stormwater pollutants. BMPs and LID measures required to be implemented consistent with applicable regulations, including the NPDES program, are identified in the Project WQMP, and discussed above and in Appendix G of the EIR. Project compliance with regulatory requirements would ensure operational activities result in less than significant impacts to water quality and do not significantly impact the beneficial uses of receiving waters. As a result, Project implementation is not anticipated to conflict with or obstruct implementation of a water quality control plan. Impacts would be less than significant in this regard. No mitigation is required. (Draft EIR, pp. 4.9-23 through 4.9-24.)

### **I. LAND USE AND PLANNING**

#### **1. Division of a Community**

Threshold: Would the Project physically divide an established community?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.10-8.)

Explanation: The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility within an existing community or between a community and an outlying area.

The Project Area is in a primarily undeveloped portion of the City's SOI. The site was previously used for agricultural purposes but has most recently been occupied by eight residential dwelling units and does not currently include active agricultural uses. Surrounding parcels are primarily vacant or open space. Therefore, no established community exists within the site vicinity.

Physical developments associated with the Proposed Project Alternative would involve constructing an approximately 1,175,788-square foot logistics facility on the Logistics Site, realigning a segment of Lytle Creek Road, and rezoning an approximately 12.5 acre site comprised of 28 contiguous parcels; refer to Exhibit 3.0-10, Conceptual Site Plan, (found at Draft EIR, p. 3.0-47) and Exhibit 3.0-13, Proposed Road Realignment (found at Draft EIR,



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p. 3.0-53). Project development would require demolishing the three residential units within the development footprint of the Logistics Site. However, all property owners are voluntarily selling their properties.

Given the primarily undeveloped and vacant nature of the site vicinity, the Project Area is not used as a connection between two established communities. Connectivity in the surrounding area is facilitated via local roadways, including Duncan Canyon Road, Lytle Creek Road, and Sierra Avenue. A segment of Lytle Creek Road would be realigned and improved with two 12-foot travel lanes and five-foot sidewalks on each side. Implementation of the SB 330 Compliance Alternative Site would offset the Project Alternative's lost dwelling unit potential of 65 units and thus would demonstrate compliance with SB 330 requirements. In addition, the SB 330 Compliance Alternative Site would not involve substantial land use and planning impacts compared to what is currently allowed under the site's existing zoning (i.e., single-family residential to medium-density residential). Overall, the physical improvements associated with the Project Alternative would not divide established communities or impede movement through the surrounding area. Therefore, impacts in this regard would be less than significant. No mitigation is required. (Final EIR, Attachment 1— Revised Draft EIR, pp. 4.10-7 through 4.10-8; p. 8.0-34.)

### **J. MINERAL RESOURCES**

#### **1. Loss of Locally Designated Mineral Resource Recovery Site**

Threshold: Would the proposed Project 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?

Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project site is not located in a Mineral Resources (MR) overlay zone and is not a known source of any mineral resources (DOC 1984; Fontana 2003). No impact would occur. (Draft EIR, p. 5.0-4.)

#### **2. Known and Locally Important Resources**

Threshold: Would the Project 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?

Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project site is not identified as a locally important mineral resource recovery site on any applicable land use plans (Fontana 2018). Therefore, development of the Proposed Project Alternative would not result in the loss of any locally important mineral resource site. No impact would occur. (Draft EIR, p. 5.0-4.)



**K. NOISE**

**1. Exceed Standards**

Threshold: Would the Project potentially generate a substantial temporary or permanent increase in noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant impact. (Draft EIR, p. 4.11-26.)

Explanation:

**Project Construction**

Construction activities for the Logistics Facility and Lytle Creek Road realignment would occur in a single phase and would include demolition, site preparation, grading, paving, building construction, and the application of architectural coatings. Groundborne noise and other types of construction-related noise impacts would typically occur during excavation activities of the grading phase. This phase of construction has the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in Table 4.11-10, Maximum Noise Levels Generated by Construction Equipment (found at Draft EIR, p. 4.11-19). It should be noted that the noise levels identified in Table 4.11-10 (found at Draft EIR, p. 4.11-19) are maximum sound levels (L<sub>max</sub>), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Using the FHWA's Roadway Construction Noise Model and construction information, the estimated noise levels from construction were calculated for a number of modeling points as shown in Exhibit 4.11-2 (found at Draft EIR, p. 4.11-9). These points were selected based on outdoor living areas such as residential patios and outdoor recreation areas. Table 4.11-11, Logistics Facility Construction Noise Model Results Summary, (found at Draft EIR, p. 4.11-20) shows estimated noise levels for construction activities at a range of sites if all equipment were operated at the same time. Construction activities would occur throughout the Project site and would not be concentrated at a point closest to receptor, therefore distances were measured from the center of the construction area. The FHWA model inputs and outputs for all of the receptor sites are provided in Appendix H of the Draft EIR.

As shown in Table 4.11-11 (found at Draft EIR, p. 4.11-20), the highest noise levels are expected to occur during grading activities. Noise levels during grading would range from 61.5 dBA at the nearest residential property to 45.2 dBA at the most distant residential property, which is below the highest measured ambient noise level in the Project vicinity (refer to Table 4.11-4, Noise Measurements, found at Draft EIR, p. 4.11-11). It is noted that construction traffic (e.g., vehicle trips from vendors, workers, and hauling activities) would result in short-term, intermittent periods of increased noise levels in the Project vicinity. However, due to the temporary and sporadic nature of construction traffic, the noise levels



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shown in Table 4.11-11 (found at Draft EIR, p. 4.11-20) are considered worst-case due to the duration and frequent use of heavy construction equipment at the Project site. Further, the City's Noise Ordinance does not have specific construction noise limits. In addition, all construction activities would comply with Fontana's Municipal Code which limits construction to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays, except in cases of emergency. Therefore, noise impact from short-term construction activities would be less than significant following compliance with the City's allowable construction hours. (Draft EIR, pp. 4.11-19 through 4.11-20.)

The nearest sensitive receptors to the SB 330 Compliance Alternative Site are residential uses located approximately 40 feet to the north and west of the Project site. At this distance, construction noise levels could range between approximately 79 dBA and 92 dBA; refer to Table 2 (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 4). Although sensitive receptors may be exposed to increased noise levels during project construction, the construction activities will comply with Fontana's Municipal Code which limits construction to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. In addition, construction equipment would be used throughout the Project site and would not be concentrated at the point closest to the sensitive receptors. Therefore, construction noise impacts from the SB 330 Compliance Alternative Site would be less than significant. (Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)

### **Project Operations**

#### **Off-Site Mobile Noise**

The Logistics site and Lytle Creek Road realignment would generate traffic along Lytle Creek Road. Traffic noise modeling was conducted for the Proposed Project Alternative using the traffic volumes from the Project's traffic impact analysis report and the FHWA's RD-77-108 traffic noise model. The noise model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The noise modeling input and output files are included in Appendix H of the Draft EIR.

Future development generated by the Proposed Project Alternative would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. Based on the Traffic Impact Study, the Logistics site and Lytle Creek Road realignment would result in approximately 2,046 new daily trips. The SB 330 Compliance Alternative Site would result in approximately 915 daily trips. The opening year "Future Without Project" and "Future With Project" scenarios are compared in Table 4.11-12 for 2018 (Opening Year) (found at Draft EIR, p. 4.11-22). The traffic noise levels in 2040 for "Future Without Project" and "Future With Project" scenarios are compared in Table 4.11-13 for 2040 (Horizon Year) (found at Draft EIR, p. 4.11-23). As depicted in Table 4.11-12 (found at Draft EIR, p. 4.11-22), under the "Future Without Project" scenario, noise levels would range from approximately 63.0 to 66.2 dBA CNEL, with the highest noise levels (66.2 dBA CNEL) occurring on the portion of Lytle Creek Road between Duncan Canyon Road and the annexation boundary. Under both scenarios, "Future With Project" and "Future Without



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Project” traffic noise levels would fall within the “Conditionally Acceptable” land use compatibility range for residential properties (see Table 4.11-6 on page 4.11-13 of the Draft EIR). The nearest residential properties are located 100 feet from the roadway center line which would fall within the 65 CNEL noise contour.

The “Future With Project” scenario noise levels would range from approximately 64.8 to 66.4 dBA CNEL. The highest noise levels would occur on the re-aligned Lytle Creek Road between Duncan Canyon Road and the existing Lytle Creek Road; noise levels at this location would increase by 0.2 dBA CNEL as a result of the Proposed Project Alternative. The greatest change in noise levels would occur on Lytle Creek Road between the public access road and Sierra Avenue, where noise would increase by 1.8 dBA CNEL, from 63.0 dBA CNEL to 64.8 dBA CNEL, which is not considered a perceptible increase (i.e., a 3 dB or higher increase is considered “perceptible”). Therefore, the Project Alternative would not increase traffic noise by a perceptible amount (3.0 dBA or more), and operational traffic volumes would not significantly contribute to existing traffic noise in the area. Project-related future traffic noise would be less than significant.

The nearest sensitive receptor to the Lytle Creek Road realignment would be the residential property located at noise modeling location #2, approximately 350 feet from the roadway realignment centerline. This sensitive receptor is located within the “Public Access Road to Sierra Avenue” roadway segment identified in Table 4.11-12 and Table 4.11-13. Noise levels at modeling location #2 under Opening Year With Project and Horizon Year With Project conditions would fall within the 55-60 dBA CNEL noise contour and would be below the City’s exterior noise threshold of 65 dBA. These With Project noise levels would not be significantly greater than the existing noise levels at noise measurement location #1 (55.1 dBA, refer to Table 4.11-4 found on page 4.11-11 of the Draft EIR) which is located near receptor #2. In addition, noise levels at this receptor would also be within the 55-60 dBA CNEL noise contour under Opening Year Without Project and Horizon Year 2040 Without Project conditions. (Draft EIR, p. 4.11-21.)

Future development generated by the Proposed Project Alternative would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the Highway Traffic Noise Analysis and Abatement Policy and Guidance, a doubling of traffic volumes would result in a 3 dB increase in traffic noise levels, which is barely detectable by the human ear. The SB 330 Compliance Alternative Site would create an additional 87 units, which would result in approximately 915 daily trips.

Table 3, Existing and Project Traffic Volumes (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) depicts existing and project generated peak hour intersection turning movement volumes in the SB 330 Compliance Alternative Site vicinity. As shown in Table 3, the project generated peak hour traffic volumes would not double existing peak hour traffic volumes at the Merrill Avenue/Catawba Avenue and Merrill Avenue/Citrus Avenue intersections. Therefore, any increase in traffic noise along local roadways would be imperceptible and impacts would be less than significant. (Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.)



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### On-Site Operations Noise

Trucks, passenger vehicles, parking lot activities, and ancillary equipment such as forklifts and HVAC equipment would create noise during on-site operations of the Logistics Site. The operations would be typical of warehouse/distribution center use. The nearest residence in the vicinity of the Logistics Site are located approximately 1,500 feet from the center of the logistics center and approximately 500 feet from the nearest side of the building, to the east. Refrigerated trucks (which have an additional auxiliary cooling system which could result in higher individual truck noise levels) are not anticipated as part of this Project Alternative.

The only audible mechanical noise from the SB 330 Compliance Alternative Site would result from the use of mechanical equipment (i.e., from heating, ventilation and air conditioning [HVAC] units). Typically, HVAC noise is 50 dBA at 50 feet from the source. The location of the HVAC units is unknown at the time of this analysis. To provide a conservative analysis, the closest distance of 40 feet from the project boundary line to the residential uses to the north and west will be utilized. At this distance, HVAC noise levels would be approximately 52 dBA. Therefore, the City's exterior noise standard (65 dBA) would not be exceeded as a result of HVAC units at the off-site component of the Project Alternative. Impacts would be less than significant in this regard. Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 5-6.)

### Project Mechanical Equipment

On average, HVAC equipment generates noise levels between 50 and 60 dBA at 50 feet from the source (Noise Navigator, 2015). This level of stationary source noise is acceptable per the noise standards influencing the Project Alternative. Furthermore, project HVAC units would be included on the roof of the structure, likely located toward the center of the structure, making the nearest homes to the HVAC units greater than 50 feet away. On-site HVAC units and associated equipment attached to project structures would be acoustically engineered with appropriate procurement specifications, sound enclosures, and parapet walls to minimize noise—all in accordance with the City of Fontana noise emissions requirements—to ensure that such equipment does not exceed allowable noise limits. Thus, through compliance with pertinent local noise regulations, noise levels from project mechanical equipment would be less than significant. (Draft EIR, p. 4.11-24.)

### Slow-Moving Trucks

The Proposed Project Alternative would include deliveries from slow-moving heavy-duty diesel trucks. Typically, slow movements from these trucks can generate a maximum noise level of approximately 79 dBA at a distance of 50 feet. These are levels generated by a truck that is operated by a typically experienced driver with typically applied accelerations. Higher noise levels may be generated by the excessive application of power. Lower levels may be achieved, but would not be considered representative of a nominal truck operation. Primary truck access would occur along Lytle Creek road/the new Public Access Road near the northern boundary of the Logistics Site. The nearest sensitive receptor (i.e., a residence) would be located approximately 330 feet west of the realigned Lytle Creek Road where slow-moving trucks would access the Logistics Site. At this distance, noise levels from slow-



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moving trucks would be approximately 58.5 dBA, which is below the County's maximum allowable noise limit for residential uses of 65 dBA for adjacent mobile noise sources and the City's 65 dBA residential exterior noise maximum. In addition, interior noise levels from slow-moving trucks at the nearest residence would be approximately 38.5 dBA, which is below the County's allowable interior standard of 45 dBA. As such, noise levels from slow-moving trucks would be less than significant. (Draft EIR, pp. 4.11-24 through 4.11-25.)

### **Loading Bay Operations**

On-site truck operations would be considered a stationary noise source subject to the City's noise regulation limitations. The Project Alternative anticipates 24-hour operation, most operations would be conducted during daytime business hours (here assumed to be 7:00 a.m. to 6:00 p.m.) however some degree of operation will take place on site between 6:00 p.m. and 7:00 a.m.

Noise measurements at a variety of similar projects (e.g., Home Depot loading bays, Consolidated Volume Transport truck scales, Macy's truck transfer yard) have demonstrated that the noise produced by idling/maneuvering semi-trucks is typically on the order of 70 to 73 dBA at a distance of 50 feet (Wilder, 2000).

For purposes of this impact assessment, the Proposed Project Alternative is projected to accept up to 317 trucks per day based on the Traffic Study and would experience a peak of 69 truck trips during the peak hour of traffic. By state law, diesel trucks are prohibited from idling for more than five minutes at any one location. Additionally, it is assumed for this assessment that the maneuvering operation for any given truck would take no more than three to five minutes. Thus, the combination of maneuvering and parking and idling near or in the Project's loading bays would take a maximum of 10 minutes per truck trip.

For the purposes of this analysis, distances to receptors were measured from the nearest loading bay dock door (located on either the north side or the south side of the building, depending which is closer). Based on the site plans, the nearest noise-sensitive receptor (single-family residence #5) is approximately 550 feet from the nearest loading bay. This residence would experience approximately 21 dB of sound reduction due to distance attenuation (considering an attenuation rate of 6 dB per doubling of distance). Therefore, the noise levels experienced at the nearest sensitive receptors from on-site loading bay activities would be approximately 52 dBA (i.e., 73 dBA – 21 dBA = 52 dBA). As described on page 4.11-14 of the Draft EIR, Table 4.11-7, the San Bernardino County Municipal Code states that the standard for stationary noise sources is 55 dBA between 7:00 a.m. and 10:00 p.m. The City's standard is 65 dBA for residential exteriors. Therefore, the noise generated by loading bay activities would be less than significant. (Draft EIR, pp. 4.11-25 through 4.11-26.)

### **Parking Lot Noise**

The Project Alternative would include surface lot vehicle parking stalls near the perimeter of the Project site. Noise associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to adjacent



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noise-sensitive receptors. Estimates of the maximum noise levels associated with some parking lot activities are presented in Table 4.11-14, Typical Noise Levels Generated by Parking Lots (found at Draft EIR, p. 4.11-26).

As shown in Table 4.11-14 (found at Draft EIR, p. 4.11-26), parking lot activities can result in noise levels up to 61 dBA at a distance of 50 feet. The nearest sensitive receptor (a residence) is located approximately 290 feet from the proposed surface parking area(s). At this distance, maximum parking lot noise levels would be approximately 45.7 dBA, which is well below the City's and County's exterior noise standards. Therefore, parking lot noise associated with the Project Alternative is not expected to exceed the City's or County's noise standards and would not introduce a new noise source compared to existing conditions. Impacts would be less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.11-26.)

### 2. Groundborne Vibration

Threshold: Would the Project generate excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant impact. (Draft EIR, p. 4.12-31.)

Explanation:

#### Construction

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings in the vicinity of a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). This impact discussion utilizes Caltrans's recommended standard of 0.2 in/sec PPV with respect to the prevention of structural damage for normal buildings and human annoyance. Table 4.11-15 (found at Draft EIR, p. 4.11-27) displays vibration levels for typical construction equipment.

The nearest structure is approximately 150 feet from the logistic center site construction limits and 120 feet from the centerline of the new road alignment. However, it is acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Based on the vibration levels presented in Table 4.11-15 (found at Draft EIR, p. 4.11-27), ground vibration generated by heavy-duty equipment would not be anticipated to exceed approximately 0.089 in/sec peak particle velocity at 25 feet. In addition, the nearest structure to the SB 330 Compliance Alternative Site would be the residential uses located approximately 40 feet north and west of the project boundary line. As indicated in Table 4 (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 7), based on the Federal Transit Administration data, vibration velocities from typical heavy construction equipment operation that would be used during project construction range from 0.001 to 0.104 inch-per-second peak particle velocity at 40 feet from the source of the activity. Therefore, the use of virtually



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any type of construction equipment would most likely not result in a groundborne vibration velocity level above 0.2 in/sec and predicted vibration levels at the nearest off-site structures would not exceed recommended criteria. Additionally, this would be a temporary impact and would cease completely when construction ends. Once operational, the Project Alternative would not be a source of groundborne vibration. Impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.11-27; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 6-7.)

### Operation

Operation of the Project Alternative would not generate substantial levels of vibration due to the lack of vibration-generating sources and therefore is not analyzed. (Draft EIR, pp. 4.11-27 through 4.11-28; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 7.)

### 3. Airport Noise

Threshold: 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 potentially expose people residing or working in the project area to excessive noise levels?

Finding: Less than significant impact. (Draft EIR, p. 4.11-28.)

Explanation: The nearest major commercial airport is the Ontario International Airport. The Logistics Site is located approximately 12 miles northeast of the airport and is not within the Airport Influence Area or Noise Impact Zones. The nearest airport to the SB 330 Compliance Alternative Site is the Municipal Rialto Airport, located approximately 3.7 miles to the northeast of the site. In addition, the Project Area is not located within the vicinity of a private airstrip. This Project Alternative would not expose people residing or working in the Project Area to excessive noise levels associated with aircraft. Project impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.11-28; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 8.)

## L. POPULATION AND HOUSING

### 1. Population Growth

Threshold: Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project Alternative would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce



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population growth in the Project area. The temporary workforce would be needed to construct the warehouse/logistics building and associated improvements.

According to correspondence with the Project Applicant, development of the Logistics Center would result in a conservative employment generation of up to 1,000 employees. According to the SCAG (2016) Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy), the number of jobs in Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040. The Project-related increase of up to 1,000 employees would be minimal in comparison to the increase anticipated in the SCAG growth forecast. As such, it is anticipated that the Proposed Project Alternative would provide jobs to local city residents, helping to fill the employment need. The unemployment rate in the City of Fontana is 3.4 percent, and it is anticipated that the majority of employees working at the facility would be from Fontana, or the surrounding communities. Therefore, no impacts would occur.

It should also be noted that the ratio of jobs to housing units in the City is used by regional planning groups to try to balance regional traffic home to work trips to minimize freeway congestion, air pollutant emissions, and greenhouse gas emissions. Thus, the jobs-housing ratio is relevant to the impact's discussion of an EIR under CEQA. The jobs-to-housing ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. The standard used for comparison is the jobs-to housing ratio of the SCAG region, which is currently 1.25 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard of 1.25 jobs for every household would be considered a “jobs poor” area, indicating that many of the residents must commute to places of employment outside the sub-area. Table 5.0-1 (found at Draft EIR, p. 5.0-5) shows the current and potential jobs/housing ratios for the City, County, and SCAG.

These jobs/housing ratios indicate that the City of Fontana is currently considered to be “housing rich” or “job poor” because its jobs-to-housing ratio is below the San Bernardino County and Southern California regional job/housing ratios as defined by SCAG. A low jobs/housing ratio at the local level means longer distances that City residents must drive to and from work. The projected jobs/housing ratio for the City will improve relative to its current value but will still be well below both the County and SCAG values for the year 2040. It is anticipated that employees of the Project Alternative would come from within the City or the surrounding region. Because the City and County are jobs poor, the Project Alternative is anticipated to benefit the City and County's jobs-housing ratio. (Draft EIR, pp. 5.04 through 5.0-5.)

### **2. Displace Housing and People**

Threshold: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (Draft EIR, p. 5.0-5.)

Explanation: The Proposed Project Alternative would involve the demolition of a limited number of existing residences that are currently onsite. All property owners on the



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site are voluntarily selling their property and would be compensated for their property. It is expected that residents would have the ability to relocate based on the availability of existing housing stock in the area. According to the California Department of Finance (2017), there are 53,998 housing units in the city with a vacancy rate of 3.1%, which are anticipated to more than accommodate residents of the limited number of existing residences on the site. Further, as noted in Table 4.0-1, Cumulative Projects, (found at Draft EIR, p. 4.0-4) there are a number of residential developments underway within the City that are planned in the immediate vicinity of the Project Alternative. These developments, in addition to the existing housing stock, would provide more than adequate housing to replace any of the houses displaced by the Proposed Project Alternative. As a result, the construction of replacement housing would not be necessary and no impact would occur. (Draft EIR, p. 5.0-5.)

### **M. PUBLIC SERVICES AND RECREATION**

#### **1. Fire Protection Services**

Threshold: Would the Project have the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Finding: Less than significant impact. (Draft EIR, p. 4.12-9.)

Explanation:

#### **Short-Term Construction Impacts**

Construction activities associated with the Logistics Site would create a temporarily increased demand for fire protections services to the construction site. All construction activities would be subject to compliance with all applicable state and local regulations in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. As a result, Project construction would proceed consistent with accepted standards and applicable regulations, and would not result in the need for additional fire protection facilities and would not adversely impact and FFPD performance standards. Also, the nearest fire station is located approximately 1.3 miles from the Logistics Site, with another station within 4.7 miles. Therefore, Project construction would not result in the construction of additional fire protection facilities that could cause a significant environmental impact. A less than significant impact would occur in this regard.

#### **Long-Term Operational Impacts**

The Proposed Project Alternative would cause an increased demand for fire protection services. However, this increase would not require the construction of new FFPD facilities. The Proposed Project Alternative would be designed in compliance with San Bernardino County Code Title 6, Division 3, Chapter 1, California Building Code, which adopts by reference the 2016 California Building Standards Code. Part 9 of the California Building Standards Code includes the California Fire Code. To offset the increased demand for fire



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protection services, the City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. The new buildings will be tilt-up concrete with fire alarm systems installed, which would tend to reduce the risk to persons or property from substantial fires. Also, fire prevention systems included at the facility could include, but not be limited to, provisions for smoke alarms; sprinklers; building and emergency access; adequate emergency notification; and hydrant sizing, pressure, and siting. It should also be noted that the structures currently existing on the Logistics Site are susceptible to fires and constructed of less resistant materials, and the open grass and trees are also susceptible to fires. The proposed improvements to Lytle Creek Road also would improve fire department access to the area.

It is the City's policy to review development proposals to ensure that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the City (Noise and Safety Element Goal 7 Policy 2). As concluded in the Draft EIR, Section 7.0, Growth-Inducing Impacts, the Project Alternative would not involve the construction of new houses and would not induce substantial population growth to the area. Thus, Project implementation is not anticipated to result in physical impacts associated with the need for, or provision of, new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. In addition, the Project Alternative would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing fire protection services. Such fees would be used to fund capital costs associated with land acquisition, construction, purchasing equipment, and providing for additional staff. Development of the Proposed Project Alternative would also increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project Alternative, including fire protection services. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-8 through 4.12-9.)

### **2. Police Protection Services**

Threshold: Would the Project have the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection ?

Finding: Less than significant impact. (Draft EIR, p. 4.12-11.)

Explanation:

#### **Short-Term Construction Impacts**

Construction would create a temporary increased demand for police protection services to the construction site as Project construction would generate a limited population increase on the Logistics Site as a result of the Project Alternative's temporary construction workforce. However, all construction activities would be subject to compliance with Title 6,



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Division 3, Chapter 1, of the San Bernardino County Code, which adopts by reference the California Building Standards Code. Chapter 33, Safeguards During Construction, of the California Building Standards Code includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. As a result, construction of the Proposed Project Alternative would not result in the need for additional police protection facilities and would not adversely impact FPD performance standards. Therefore, construction would not trigger the construction of new facilities that could result in a significant impact. A less than significant impact would occur in this regard.

### **Long-Term Operational Impacts**

Project operations would result in an increased demand for police protection services. However, this increase would not require the construction of any new FPD facilities or expansion of existing facilities. The Proposed Logistics Site would be designed in compliance with Title 6, Division 3, Chapter 1, of the San Bernardino County Code, which adopts by reference the California Building Standards Code. The California Building Standards Code includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. The proposed warehouses will incrementally increase the demand for police services on the site and in the surrounding area by introducing new land uses. However, the warehouses are expected to operate 24/7 which will help reduce the overall potential for crime on the site (i.e., installation of alarm systems, full time security and monitoring, etc.) especially with onsite activities at night. The project will also make right-of-way improvements such as new street lighting that will deter crime.

It is the City's policy to promote and enhance use of anti-crime design strategies and programs (Public and Community Services Element Goal 1 Policy 4). As concluded in the Draft EIR, Section 7.0, the Project Alternative would not involve the construction of new houses and would not induce substantial population growth to the area. Thus, Project implementation is not anticipated to result in physical impacts associated with the need for, or provision of, new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. In addition, the Project Alternative would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services. Development of the Proposed Project Alternative would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project Alternative, including police protection services. The Proposed Project Alternative would be designed per applicable standards required by the FPD for new development. Additionally, the project proponent would be required to pay required fees to offset law enforcement impacts that may result from the development and occupation of the proposed industrial uses. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-10 through 4.12-11.)

### **3. School Services**

Threshold: Would the Project have the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which



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could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools?

Finding: Less than significant impact. (Draft EIR, p. 4.12-11.)

Explanation:

### **Short-Term Construction Impacts**

The Proposed Logistics Site does not propose the construction of any new or physically altered school facilities. The Project Alternative has been sited such that its construction would not disrupt school services during construction. Project construction activities would not generate additional students and impacts to school services would be less than significant.

### **Long-Term Operational Impacts**

The Logistics Site is in the Fontana Unified School District. Based on FUSD generation rates, Project implementation could generate approximately 580 students in the FUSD associated with the potential for employees and their families to move to the area. As described above, the Proposed Project Alternative would be required to contribute fees to the FUSD in accordance with SB 50. The FUSD currently requires school mitigation impact fees of \$0.61 per square foot for commercial/industrial development (FUSD 2018). The Project applicant would be required to pay the district's current impact fees for industrial use in effect at the time of building permit application. The FUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. Payment of fees in compliance with Government Code Section 65996 fully mitigates all impacts to school facilities. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-10 through 4.12-11.)

## **4. Parks**

Threshold: Would the Project have the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks?

Finding: Less than significant impact. (Draft EIR, p. 4.12-13.)

Explanation:

### **Short-Term Construction Impacts**

The Project Alternative does not propose the construction of any new or physically altered recreational facilities. Due to its temporary nature, Project construction activities would not generate an increase in the County's population and impacts concerning parks and recreational facilities would be less than significant.



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### Long-Term Operational Impacts

The proposed Logistics Site would have the potential to generate limited population growth with the potential to impact local and regional parks or recreational facilities as a result of new employees relocating to the Project area. Many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, many Project employees could already live in and around the City. According to the General Plan, businesses in the City employ 6,214 workers that live in Fontana and 40,358 workers that live outside the City. Thus, it would be highly speculative to estimate the number of future employees who would relocate to the City and would create impacts on recreational facilities. Regardless, the Project Alternative would be subject to the Quimby Act, which requires development projects to set aside land, donate conservation easements, or pay in-lieu fees for park improvements. Pursuant to the Quimby Act, the Project applicant would pay its fair share of in-lieu fees based on the type and size of development. These impact fees are required of most residential, commercial, and industrial development projects in the city. Impacts to parks and recreational facilities associated with development of the Proposed Project would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-12 through 4.12-13.)

### 5. Other Public Facilities

Threshold: Would the Project have the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?

Finding: Less than significant impact. (Draft EIR, p. 4.12-13.)

Explanation:

### Short-Term Construction Impacts

The Project Alternative does not propose the construction of any new or physically altered public facilities (such as public health services and library services). Due to its temporary nature, Project construction activities would not generate an increase in the County's population and impacts concerning other public facilities would be less than significant.

### Long-Term Operational Impacts

Although the Proposed Project Alternative would have the potential to generate limited population growth with the potential to impact other public services (i.e. public health services or library services) as a result of new employees relocating to the Project Area, due to the number of persons anticipated to occupy the Logistics Site and the nature of uses proposed, no significant increase in demand for new or physically altered public facilities are expected. The Project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to other public facilities by helping fund capital improvements and expenditures. The Project Alternative would be required to adhere to standards and



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provisions set forth by the City in the event that the proposed project would affect other governmental services. Because adherence to these standards and provisions is required of all development projects, less than significant impacts related to this issue are anticipated to occur with the development of the Project Area. Therefore, impacts to other public facilities associated with development of the Proposed Project Alternative would be less than significant. No mitigation is required. (Draft EIR, p. 4.12-13.)

### **N. RECREATION**

#### **1. Existing Facilities**

Threshold: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Finding: No impact. (Draft EIR, p. 5.0-6.)

Explanation: The Project Alternative would develop a Logistics Center, and such, its implementation would not induce area population growth or increase demand for or use of existing local or regional park facilities. In addition, while the future development of the SB 330 Compliance Alternative Site may result in greater impacts to recreation, impacts will remain less than significant because the Project Alternative would be required to adhere to the standards and provisions set forth by the City and be required to pay its fair share of development impact fees. For these reasons, Project implementation would not impact park and recreational facilities. (Draft EIR, p. 5.0-6.)

#### **2. New Recreational Facilities**

Threshold: Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Finding: No impact. (Draft EIR, p. 5.0-6.)

Explanation: The Proposed Project Alternative does not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment, because the type of project being proposed would not result in an increased demand for recreational facilities. In addition, while the future development of the SB 330 Compliance Alternative Site may result in greater impacts to recreation, impacts will remain less than significant because the Project Alternative would be required to adhere to the standards and provisions set forth by the City and be required to pay its fair share of development impact fees. No impact would occur. (Draft EIR, p. 5.0-6.)

### **O. TRANSPORTATION**

#### **1. Conflict With Applicable Alternative Transportation Plans**

Threshold: Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system related to transit, bicycle, or pedestrian facilities?



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Finding: Less than significant impact. (Draft EIR, p. 4.13-25.)

Explanation: The Project Alternative would be required to adhere to applicable City standards that support or facilitate alternative modes of transportation. The City recently adopted the *Fontana Active Transportation Plan* (Fontana ATP) which proposes new bikeways and pedestrian walkways and goals to create a Bicycle Master Plan, Pedestrian Master Plan, and Trail Master Plan. According to the Fontana ATP Figure 5.1, *Existing, Planned, and Recommended Bikeway Network*, there are no planned or proposed bikeways in the Project vicinity. Additionally, Fontana ATP Figure 5.2, *Pedestrian Priority Areas*, does not identify the Project Area as a pedestrian priority area. As such, the Project Alternative would not interfere with the development of future pedestrian or bicycle facilities or hinder with the improvement of existing facilities.

Public transportation in Fontana is provided by Omnitrans. Omnitrans has an extensive network of bus routes throughout the City and surrounding region. The nearest bus stop is located at the corner of Summit Avenue and Lytle Creek Road, approximately 2.8 miles south of the Logistics Site and is served by Omnitrans Route 82. Omnitrans Route 82 connects Fontana and Rancho Cucamonga and stops at the Fontana Metrolink Station approximately 5.5 miles south of the Project Area. The Project Alternative would not alter any bus stop locations or frequency of Omnitrans' bus services.

As such, the Project Alternative would not conflict with adopted plans, programs, or policies related to alternative transportation. Impacts related to alternative transportation would be less than significant. No mitigation is required. (Draft EIR, p. 4.13-25.)

### 2. Hazardous Design Features

Threshold: Would the Project substantially increase hazards due to geometric design features or incompatible uses?

Finding: Less than significant impact. (Draft EIR, p. 4.13-28.)

Explanation: At Project completion, the Logistics Site would be accessed from two entrances, one driveway for passenger vehicles on Lytle Creek Road from the west and another driveway for passenger vehicles and trucks on Public Access Road from the east. The proposed Public Access Road would provide access to the Logistics Site from the realigned Lytle Creek Road. (refer to Exhibit 3.0-14, Proposed Circulation and Improvements, found on page Draft EIR, p. 3.0-55).

The realignment of Lytle Creek Road would not involve any unusual conditions or hazardous geometric design features, such as sharp curves, dangerous intersections, or incompatible uses. Lytle Creek Road would be realigned at Sierra Avenue to have a 90-degree (right angle) access off of Sierra Avenue and eliminate the existing less efficient angle of access. Additionally, no agricultural use currently exists in the Project Area nor is it proposed as part of the Project Alternative. Therefore, no incompatible uses used for agricultural purposes (e.g., tractors and farm equipment) would result in hazardous traffic conditions. Impacts in this regard are considered to be less than significant. No mitigation is required. (Draft EIR, p. 4.13-28.)



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### 3. Emergency Access

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant impact. (Draft EIR, p. 4.13-29.)

Explanation: The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the Project Area. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction TMP to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). Additionally, the Proposed Project Alternative design would be submitted to and approved by the Fontana Police Department and San Bernardino County Fire Department prior the issuance of building permits. The conceptual Project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. Adherence to applicable existing local and State requirements related to emergency access would reduce impacts associated with this issue to a less than significant level. As such, potential impacts are less than significant and no mitigation is required. (Draft EIR, p. 4.13-28.)

### P. UTILITIES AND SERVICE SYSTEMS

#### 1. New Water, Wastewater, Electric Power, Natural Gas, or Telecommunications Facilities

Threshold: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Less than significant impact. (Draft EIR, p. 4.15-11.)

Explanation:

#### Water Facilities

The Proposed Project Alternative will require water for consumptive and sanitary purposes to support employees at the facility and for irrigation of landscaped areas. According to the WSA, it is anticipated that the new water demand created by the Project Alternative would not exceed the City's anticipated water supply. As such, the Project Alternative would not require or result in the construction or expansion of water facilities. Refer to Section 3, S—4, Sufficient Landfill Capacity, for a discussion regarding water supply associated with the Project Alternative.

The Project Alternative is not located near any existing recycled water facilities; however, in the future, it may be possible to serve the Project Alternative with recycled water. West Valley policy recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, green-



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belts, open space, common areas, commercial landscaping and supply for aesthetic impoundment or other water features. The majority of landscaped areas on the Logistics Site have been designed to use recycled water to the greatest extent possible. As such, the Project Alternative's impacts regarding the construction or expansion of existing water facilities would be less than significant.

### **Wastewater Facilities**

Project implementation is anticipated to generate an additional 67,475 gallons per day or 0.067 mgd of wastewater based on wastewater generation rates previously approved by IEUA (2,500 gallons per day per acre for industrial uses). However, the Proposed Project Alternative's design features include site-specific sewer improvements through the installation of a privately maintained lift station, which would tie into the existing sewer system along Sierra Avenue to the manhole near Segovia Lane.

The IEUA treats domestic wastewater for the City. The City operates wastewater conveyance facilities within the City boundaries. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No. 1 in Ontario. The plant currently processes approximately 32 mgd of raw sewage. Its ultimate treatment capacity is 40 million gallons per day, leaving a surplus capacity of approximately 8 mgd.

The San Bernardino Trunk Sewer Project was completed in April 2009. That Project included the construction of approximately 19,600 linear feet of sanitary sewer main from Cypress Avenue to Mulberry Avenue, which ties into a regional pump station and force main that is operated by the IEUA. This system diverts existing sewer flows from Regional Plant No. 1 to Regional Plant No. 4, which has increased opportunities for recycled water, as well as opportunities for future annexations from the county area by providing additional capacity. Table 4.15-1 (found at Draft EIR, p. 4.15-10) shows the current flow, current treatment capacity, and ultimate treatment capacity for Regional Plant No. 1 and 4. Future implementation of conservation strategies and the increased use of reclaimed water are expected to decrease the need for treatment capacity and serve as a beneficial reuse of water resources.

Based on the City's General Plan Update 2015-2035 EIR (City of Fontana 2018b), while the population and amount of commercial and industrial development is anticipated to increase through 2035, the various water conservation goals and policies, and presence or absence of drought conditions will have a direct effect on the volume of wastewater. In 2009, following significant growth in the city, the wastewater treatment facilities upon which the City relies are still operating below capacity. In addition, wastewater streams can be somewhat manipulated amongst Regional Plant No. 1 and Regional Plant No. 4 to a certain extent as demand may require. Water conservation efforts are also achieving a 10 percent reduction in wastewater generation, a level which is expected to increase to 20 percent by 2020. Given the amount of excess capacity in the existing treatment facilities serving the City, the Proposed Project Alternative would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the Project Applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant.



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### **Stormwater Drainage Facilities**

The Project Alternative would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), as required by the NPDES Construction General Permit, that will include BMPs that will ensure stormwater during construction does not exceed applicable standards or create adverse water quality impacts. Once operational, the Proposed Project Alternative would introduce impervious cover to a currently undeveloped area and would alter long-term drainage and groundwater infiltration patterns in the immediate Project vicinity. The Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a 3-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the site. As noted in the Project Alternative's WQMP, the on-site improvements would capture the Design Capture Volume of runoff anticipated at the Logistics Site. Thus, the Project Alternative's features would implement BMPs sufficient to capture stormwater volumes to ensure no significant impact to stormwater facilities would result. The Project Alternative's drainage features would be implemented in compliance with the provisions of the City's Master Drainage Plan and would not conflict with that Plan. Therefore, it is not anticipated that the Project Alternative would require, or result in, the construction of stormwater drainage facilities or the expansion of existing facilities. A less than significant impact would occur.

### **Electric Power Facilities**

The Project Alternative would connect to existing electric power facilities owned and operated by Southern California Edison. As discussed in Section 4.5, Energy, of the Draft EIR, an analysis of the Project Alternative's electricity usage was conducted. The Project Alternative's annual electricity consumption is estimated to be 2,945,123 kilowatt-hours.

According to the City's General Plan Public Facilities, Services and Infrastructure Element, electricity service is provided to newly developed areas, as part of a service contract, and generating capacity for the area is sufficient to accommodate future growth. Therefore, the construction or relocation of electric power facilities associated with the Project Alternative would not cause significant environmental effects. A less than significant impact would occur.

### **Natural Gas Facilities**

The Project Alternative would not require the use natural gas and therefore will not be connected to existing natural gas lines owned and operated by the Southern California Gas Company. No impact would occur.

### **Telecommunications Facilities**

Telecommunication facilities would be provided to the project site by Frontier Communications. Frontier Communications will connect the Project Site to existing telecommunication facilities, which are located in the vicinity of the project site. Less than significant impacts would occur. (Draft EIR, pp. 4.15-9 through 4.15-11.)



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### 2. Adequate Water Supply

Threshold: Would the Project have the potential to have insufficient water supplies available to serve the Project from existing entitlements and resources or require new or expanded entitlements?

Finding: Less than significant impact. (Draft EIR, p. 4.15-14.)

Explanation: The Logistics Site to be developed is approximately 76 acres and comprises light industrial, warehouse, and office uses. The WSA prepared for the Project Alternative estimated the Proposed Project Alternative's water demands using the developed acreage attributed to each use type (including landscape irrigation for light industrial and parking area requirements). The total developed area was prorated based on the building square footage for each use type. Water demands were then estimated for the Project Alternative using land use-based water demand factors from West Valley's 2012 Water Master Plan. The land use demand factors are applied to gross estimated acreage for each land use. Applying the 2012 Water Master Plan water usage rate of 2,000 gallons per day per acre for the light industrial building, parking, and landscape irrigation areas, and 3,500 gallons per day per acre for office building and parking areas, result in a total demand of 147 AF per year. The Project Alternative is expected to be completed in a single phase, and the water demands are expected to be in place by 2020. The existing residential uses in the development area are not currently served by West Valley, although they are within its service area; therefore, redevelopment of the site does not impact the estimated demands for the area.

West Valley's RUWMP assumed that the district's total industrial demands would increase from 709 AFY in 2015 to 2,231 AFY in 2040, a total increase of 1,522 AFY (West Valley Water District 2015). The Proposed Project Alternative's additional demands of 147 AFY are less than the assumed increase in industrial demands in the RUWMP; therefore, the demands of the Project Alternative were included in the plan. The RUWMP assessed the projected water demand and supply in the service area and concluded that West Valley has, and will have, an adequate water supply to meet all demands within its service area to 2040. Further, West Valley anticipated an increase in industrial demand from 709 AFY in 2015 to 2,231 AFY in 2040 within the service area.

In addition, according to the WSA prepared for the Proposed Project Alternative, West Valley has estimated that demands could increase 10 percent during a single dry year. During a multiple dry year period, it is expected that conservation messaging and restrictions would lead to consumption dropping back down to normal year levels in the second dry year, and falling a further 10 percent in the third dry year. Tables 4.15-2, 4.15-3, and 4.15-4 (found at Draft EIR, p. 4.15-13) summarize the anticipated supplies and demands for West Valley. West Valley has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the Proposed Project Alternative, in addition to existing and planned future uses.

It is anticipated that the new water demand created by the Project Alternative would not exceed the City's anticipated water supply. West Valley provides retail water service to Fontana and portions of unincorporated San Bernardino County. West Valley's existing service area and its sphere of influence (SOI) area do not fully cover the Logistics Site.



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Therefore, an expansion of West Valley's SOI is proposed to fully cover the Logistics Site. Annexation of the Logistics Site into West Valley's service area is proposed so that the District can provide water service to this future area of the city. The San Bernardino Valley Municipal Water District (SBVMWD) is a wholesale water provider and State Water Contractor, and it provides water to the City and West Valley. The SBVMWD's existing service area does not fully include the Logistics Site. Therefore, annexation of the site into the SBVMWD's service area is proposed; refer to Exhibit 3.0-9, San Bernardino Valley Municipal Water District Existing and Proposed Service Area. As such, the SBVMWD would be able to provide wholesale water service for this future area of the city.

Based on the above, it is anticipated that existing and future water entitlements from groundwater, surface water, and imported water sources, plus recycling and conservation, will be sufficient to meet the Project Alternative's demand at buildout, in addition to forecast demand for West Valley's entire service area. Thus, impacts related to the need for new or expanded water supplies and entitlements would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-11 through 4.15-14.)

### 3. Adequate Wastewater Treatment Capacity

Threshold: Would the Project have the potential to result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant impact. (Draft EIR, p. 4.15-154.)

Explanation: Refer to the discussion for Section 3, P—1, New Water, Wastewater, Electric Power, Natural Gas, or Telecommunications Facilities. The wastewater treatment facilities upon which the City relies are still operating below capacity and are expected to continue to operate below capacity through the City's planning horizon because applicable water conservation measures will likely serve to reduce the per capita demand over historical levels due to diversion (graywater, recycled water), and reductions in water use from conservation efforts. Water conservation efforts are achieving a 10 percent reduction in wastewater generation, a level which is expected to increase to 20 percent by 2020. The amount of excess capacity (the difference between the current treatment capacity and the ultimate treatment capacity) in the existing treatment facilities serving Fontana, as identified in Table 4.15-1 (found at Draft EIR, p. 4.15-10), is 8 MGD for Regional Plant No. 1 and 7 MGD for Regional Plant No. 4. Therefore, the Project Alternative would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the Project Applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-14 through 4.15-15.)

### 4. Sufficient Landfill Capacity

Threshold: Would the Project have the potential to generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?



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Finding: Less than significant impact. (Draft EIR, p. 4.15-16.)

Explanation:

Construction Impacts: The City of Fontana is mandated by the State of California to implement programs to reduce the amount of waste sent to landfills by 65 percent by the year 2017 and beyond. In order to comply with this State mandate, the City operates a number of programs to reduce, recycle and properly divert solid waste from landfills. One such program requires all general contractors, subcontractors, or homeowners to provide a Construction Waste Management Plan (CWMP), which outlines how recoverable material will be diverted from the landfill. Completion of a CWMP is a means of documenting project compliance with the CalGreen Code, Sections 4.408 and 5.408. Applicants must complete this form and submit it with each building permit application to the City of Fontana Building & Safety Division. Per the City's Sole Franchise Hauler Agreement, all hauling resulting from construction or demolition activities may only be contracted through Burrtec Waste Industries per Fontana Municipal Code, Chapter 24-31(B). The Proposed Project Alternative would be required to prepare a CWMP prior to permit issuance, and to complete a final CWMP at the conclusion of Project construction for submittal to the Building & Safety Division prior to final inspection.

Operational Impacts: Using California Department of Resources Recycling and Recovery (CalRecycle) waste generation rates, the Proposed Project Alternative is estimated to generate approximately 7,054 pounds (3.5 tons) of waste daily (1,287 tons of solid waste annually). This estimate was derived using ratios obtained from CalRecycle's estimated solid waste generation rates for industrial uses, which projects the generation of approximately 0.006 pounds of solid waste per square foot each day (CalRecycle 2017). The Proposed Project Alternative's contribution of 1,287 tons of solid waste annually equates to approximately 0.00045 percent of the Mid-Valley Sanitary Landfill's total annual capacity. As such, the Project Alternative's annual solid waste contribution is minimal and would not substantially alter existing or future solid waste generation patterns and disposal services, considering the permitted daily capacity at the Mid-Valley Sanitary Landfill. As discussed above, the landfill has a capacity of 7,500 tons of solid waste per day and, as of September 2009, had 67,520,000 cubic yards of capacity available.

As demonstrated above, with compliance with City requirements relative to solid waste, the Project Alternative would not generate solid waste in excess of state or local standards or of the capacity of local infrastructure during construction or operation. Impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-15 through 4.15-16.)

### 5. Solid Waste Regulations

Threshold: Would the Project have the potential to be in noncompliance with federal, state, and local statutes and regulations related to solid waste?

Finding: Less than significant impact. (Draft EIR, p. 4.15-16.)



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Explanation: Refer to Section 3, P—4, Sufficient Landfill Capacity, above. Project development would comply with all federal, state, and local statutes and regulations related to solid waste. The Project Alternative does not propose any activities that would conflict with the applicable programmatic requirements. Therefore, impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.15-16.)

### Q. WILDFIRE HAZARDS

#### 1. Wildfire Risks and Pollutant Concentrations

Threshold: Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?

Finding: Less than significant impact. (Draft EIR, p. 4.16-11.)

Explanation: As discussed in Section T—1, Emergency Response Plans or Evacuation Plans, the Project Alternative would develop concrete tilt-up logistics facility on the Logistics Site that would provide setbacks in the form of parking areas, site paving, and landscaped areas; refer to **Exhibit 3.0-10** (found at Draft EIR, p. 3.0-47). The Logistic Center's concrete construction and setbacks would improve the Proposed Project Alternative's fire resistance and create defensible space. Conformance with the California Building Code and California Fire Code as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure the Proposed Project Alternative does not exacerbate wildfire risks due to slope, prevailing winds, or other factors that would expose occupants to pollutants from a wildfire or the uncontrolled spread of wildfire. There, surrounding area is either undeveloped or developed with commercial/residential uses, none of which are expected to release hazardous pollutants during a wildfire. Additionally, the City's hazard plans would be implemented in the circumstance of a fire, which would ensure that impacts to the area, including the Project Area and workers, would be less than significant. Further, pursuant to Municipal Code Chapter 28, Article I, the City has the authority to declare by resolution as a public nuisance and abate all weeds growing upon streets, sidewalks, or private property in the City. Impacts would be less than significant in this regard. No mitigation is required. (Draft EIR, pp. 4.16-10 through 4.16-11.)

#### 2. Wildfire Infrastructure

Threshold: Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Finding: Less than significant impact. (Draft EIR, p. 4.16-11.)

Explanation: The Proposed Project Alternative would develop a Logistics Center and associated infrastructure (i.e., internal roadways). As part of Project implementation, Project-related infrastructure would be required to meet minimum California Building Code and California Fire Code standards for fire safety. A key component of the Proposed Project



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Alternative is to improve area circulation via the realignment of Lytle Creek Road. The City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. These features would be subject to review by the FFPD to ensure that emergency vehicles may respond quickly to potential occurrences of wildfire. The Project Alternative would also not trigger the need for new infrastructure to respond to a potential wildfire hazard, so no new impacts to the environment would occur from fire-related infrastructure. Conformance with the California Building Code and California Fire Code, as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure impacts are less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.16-11.)

### 3. Post-Fire Risks

Threshold: Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Finding: Less than significant impact. (Draft EIR, p. 4.16-12.)

Explanation: Refer to the Draft EIR, Section 4.9, Hydrology and Water Quality, for a discussion concerning the Project Alternative's potential to result in increased flooding or landslides as a result of runoff or drainage changes. Development of the Logistics Site has the potential to result in a post-treatment increase in post-fire instability. The Project Area's existing on-site surface elevation ranges from approximately 1,850 to 2,030 feet above mean sea level and generally slopes to the southwest. In its current, undeveloped condition, the Logistics Site is relatively flat, with no areas of significant topographic relief. Should the Logistics Site in its current condition be subjected to wildfire, areas downslope of the site could be subjected to mudflow or debris flow as a result of post-fire stability. However, the Project Alternative would grade the existing, flat site to accommodate the logistics facility, parking areas, and other associated features. The graded area would be flat, and would not be likely to result in any mudflows or other slope instability after a wildfire. The Project Alternative would not, for instance, create any tiers or significant slopes, or require any topographic stabilization, that would be impacted by a future wildfire. Conversely, should areas north of the Logistics Site be subjected to wildfire, areas downslope (including the Logistics Site) could be subjected to mudflow or debris flow as a result of post-fire stability. However, the Logistics Site would be located a substantial distance from adjacent slopes, and across parking lots, landscaping, and roadways. Additionally, the Logistics facility itself would be constructed of concrete and other strong materials.

As depicted on Exhibit 3.0-10 (found at Draft EIR, p. 3.0-47), the Logistics Site would convert native fuels to ignition-resistant managed and maintained landscapes and hardscapes. Further, the City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes; refer to Response 4.8-3. These features would be subject to review by the FFPD to ensure that emergency vehicles may respond quickly to potential occurrences of wildfire. The Project Site is currently covered under the City's LHMP and Emergency Operations Plan, which include mitigation actions to reduce impacts associated with potential



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wildfires and describe steps to be taken before, during, and after a wildfire hazard emergency. Conformance with the California Building Code, California Fire Code, LHMP, and Emergency Operations Plan, as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure impacts are less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.16-12.)

### **SECTION 4: FINDINGS REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT.**

The Commission concurs with the City Council's findings that feasible Mitigation Measures have been identified in the Draft EIR and incorporated into this Resolution that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

#### **A. AIR QUALITY**

##### **1. Violate Air Quality Standards - Construction**

Threshold: Would the proposed project potentially result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?

For construction operations, the applicable daily thresholds are:

- 75 pounds of ROG;
- 100 pounds of NOx;
- 550 pounds of CO;
- 150 pounds of PM10;
- 55 pounds of PM2.5; and
- 150 pounds of SO2.

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.2-15.)

Explanation:

#### **Short-Term Construction**

Construction associated with the Project Alternative would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the project area include ozone-precursor pollutants (i.e., ROG and NOx) and PM10. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact.

Construction results in the temporary generation of emissions ensuing from site grading and excavation, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water. Construction-related emissions are



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expected from site preparation, grading, building construction, paving, architectural coatings, and construction workers commuting. Grading of the project site would involve exporting 5,000 cubic yards of soil off-site. Architectural coatings (i.e., painting) would occur sporadically throughout the building phase, as needed.

The estimated maximum daily construction emissions are summarized in Table 4.2-5, Construction-Related Emissions (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.2-15). As previously stated, all construction projects in the South Coast Air Basin are subject to the SCAQMD rules and regulations in effect at the time of construction, including Rule 403. The construction emissions summarized in Table 4.2-5 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-15) account for the quantifiable PM-reducing requirements of SCAQMD Rule 403. Please refer to specific detailed modeling inputs/outputs, including construction equipment assumptions, in Appendix B of the Final EIR. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.2-14.)

**Mitigation Measure AQ-1** would implement dust control techniques (i.e., daily watering), limitations on construction hours, and adherence to SCAQMD Rules 402 and 403 (which require watering of inactive and perimeter areas, track-out requirements, etc.) to reduce PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. These are standard dust control measures required by the SCAQMD for all projects. Total PM<sub>10</sub> and PM<sub>2.5</sub> emissions would be below the SCAQMD threshold with implementation of **Mitigation Measure AQ-1**. Therefore, total construction related air emissions would be less than significant in this regard. (Draft EIR, pp. 4.2-13 through 4.2-15; Final EIR, p. 2.0-5; Appendix B, *I-15 Logistics Center Alternative—Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp. 8-.)

### Construction Mitigation Measures

#### **AQ-1**

The construction contractor will use the following dust suppression measures from the SCAQMD CEQA Air Quality Handbook to reduce the project's emissions:

- Suspend all excavating and grading operations when wind speeds exceed 25 mph.
- Sweep all streets once per day if visible soil materials are carried to adjacent streets.
- Install “shaker plates” prior to construction activity where vehicles enter and exit unpaved roads, or wash trucks and equipment prior to their leaving the site.
- Water all active portions of the construction site every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust.



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### B. BIOLOGICAL RESOURCES

#### 1. Special-Status Plant and Wildlife Species

Threshold: Would the Project potentially have a substantial adverse effect, either directly or through habitat modifications, on a 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-28.)

Explanation:

#### **Special-Status Plant Species and Plant Communities**

Special-status plant species were observed on-site during the October 2017 habitat assessment and August 2018 rare plant surveys. Specifically, one population of Southern California black walnut consisting of approximately 90 individuals and one population of Plummer's mariposa lily consisting of approximately 46 individuals were observed. The population of Southern California black walnut is associated with the rural residential properties located along the northwestern boundary of the Project Area. Additionally, Southern California black walnut individuals were observed within the mixed riparian scrub plant community, and approximately four individuals are in the northern portion of the Project Area. The population of Plummer's mariposa lily was observed in the central portion of the Project Area on granitic, rocky soils in a disturbed RAFSS plant community.

Project development would also result in the loss of RAFSS and RSS habitat, both of which are considered special-status plant communities. The Project Alternative would result in a permanent loss of 65.55 acres of disturbed RAFSS habitat and 1.63 acres of RSS habitat. However, the Project Area has been effectively cut off from the historic fluvial flow patterns and scouring regimes of Lytle Creek and flows exiting the San Gabriel Mountains due to the construction of I-15, Lytle Creek Road, Sierra Avenue, and developments in the surrounding area. These activities have disrupted the natural flood regime in the area, resulting in remnant, poor quality disturbed RAFSS and RSS habitat on-site that no longer function as RAFSS and RSS habitat and are also isolated from other higher quality RAFSS and RSS habitat, such as those further upstream and adjacent to Lytle Creek in the San Gabriel Mountains. Additionally, the remnant disturbed RAFSS habitat is sparsely vegetated with a variety of plant species indicative of intermediate RAFSS plant community (i.e., outside of the active floodplain) and an understory comprised of non-native grasses and herbaceous shrubs. Further, as stated above, SBKR, a species typically present in RAFSS habitat, was not found during trapping surveys. Therefore, given that the Project Area has been cut off from fluvial flow patterns and scouring regimes of Lytle Creek by urban development and typical species known to occur in RAFSS (i.e., SBKR) are not present, the Project is to have a less than significant impact on disturbed RAFSS or RSS habitat.

In addition, approximately 75 Southern California black walnut individuals and 46 Plummer's mariposa lily individuals would be permanently affected by Project development. The Southern California black walnut and Plummer's mariposa lily are not listed for protection under the federal or California ESA and are only designated by CNPS as a Rank 4.2 species



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(Plants of limited distribution – a Watch List; moderately threatened in California), conveying a low level of sensitivity. Nevertheless, **Mitigation Measure BIO-1** is included and would require a qualified biologist to flag all Southern California black walnut individuals on-site prior to construction and require construction work crew to avoid these flagged individuals as feasible. If avoidance is not feasible, the Project Alternative would be required to comply with the City's tree preservation ordinance, which sets out appropriate mitigation and compensation ratios for the removal of trees covered by the ordinance, including the Southern California black walnut. Additionally, implementation of **Mitigation Measure BIO-2** would require a pre-construction protocol plant survey be conducted to determine the presence of Plummer's mariposa lily during the appropriate blooming period. If Plummer's mariposa lily is found, a qualified biologist would be required to demarcate an avoidance zone around the plant species. If the individuals cannot be avoided, a seed collection and replanting plan shall be prepared and implemented. Implementation of **Mitigation Measures BIO-1 and BIO-2** would reduce impacts to Southern California black walnut and Plummer's mariposa lily.

As detailed in Table 4.3-1, Potentially Occurring Special-Status Biological Resources, (found at Draft EIR, pp. 4.3-11 through 4.3-19) Parry's spineflower was determined to have moderate potential to occur on-site within the disturbed RAFSS and RSS habitats in the Project Area during the 2017 habitat assessment. However, this species was not observed within the Project Area during the 2018 blooming season, and thus, the species' potential to occur was reduced from moderate to low potential. All remaining special-status plant species identified in the CNDDDB either have a low potential to occur or are presumed to be absent from the Project Area due to a lack of suitable habitat and the species' known distribution.

### Special-Status Wildlife Species

Loggerhead shrike was observed during the 2017 habitat assessment. Based on the results of the field survey, it was also determined that the Project Area has a high potential to support Cooper's hawk and San Diego black-tailed jackrabbit, and a moderate potential to support California glossy snake, coastal whiptail, northern harrier, and coast horned lizard. These special-status wildlife species are not listed for protection under the federal or California ESA (only State Watch List [WL] or California Special Species of Concern [SSC]). Nevertheless, implementation of **Mitigation Measure BIO-3** would ensure a qualified biologist is present on-site during all ground-disturbing activities to verify that special-status wildlife species present or with high to moderate potential to occur on-site are not disturbed or harmed by construction activities. All remaining special-status wildlife species identified in the CNDDDB either have a low potential to occur or are presumed to be absent from the Project Area due to a lack of suitable habitat and the species' known distribution.

As stated above, no SBKR were captured during focused trapping surveys conducted in May 2018. These results were expected, given the predominance of dense grassland habitat on-site, the long history of the Project Area being outside of any typical alluvial flooding, and the various disturbances that have occurred on-site over many years. The potential for any future occupation of the Project Area by SBKR is low. SBKR are not present on immediately adjacent lands to the west, north and east. Also, habitat conditions appear to be of low quality on the lands immediately to the south and to the southwest across Lytle Creek Road. As such, no impacts to SBKR is expected to result from construction of the Project Alternative. Impacts would be less than significant in this regard.



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Additionally, no CAGN were detected during protocol breeding season surveys conducted on-site between March and May 2018. Brown-headed cowbirds, considered to be nest parasites for CAGNs, also were not observed during the surveys. As such, no impacts to this species are expected to result from the Project.

### **Nesting Birds**

No active nests or birds displaying nesting behavior were observed during the field survey, nor were burrowing owl or their sign identified. However, as stated above, loggerhead shrike was present on-site during the field survey and the Project Area has potential to support Cooper's hawk (high potential) and northern harrier (moderate potential). Therefore, **Mitigation Measure BIO 4** requires a preconstruction clearance survey for nesting birds as well as for burrowing owl, in the event that ground disturbance and vegetation removal associated with the Project Alternative cannot occur outside of the nesting season. Implementation of **Mitigation Measure BIO-4** would reduce potential impacts associated with nesting birds and burrowing owl to a less than significant level.

Therefore, impacts would be less than significant with mitigation incorporated. (Draft EIR, pp. 4.3-24 through 4.3-28; Final EIR, pp. 2.0-21.)

### **Mitigation Measures**

- BIO-1** Prior to construction, a qualified biologist shall flag all Southern California black walnut (*Juglans californica*) individuals located within the Project footprint for avoidance. If avoidance of the Southern California black walnuts is not feasible, a tree removal permit may be required from the City in compliance with the City of Fontana Municipal Code Chapter 28, Article III.
- BIO-2** Prior to approval of grading permits, a qualified biologist shall conduct a protocol-level floristic survey of the proposed development area for the Plummer's mariposa lily (*Calochortus plummerae*) within the appropriate blooming period. If Plummer's mariposa lily is found during the surveys within the proposed development area, a qualified biologist shall establish clearly demarcated avoidance zones around the plant species. If the plant populations cannot be avoided, the Project Applicant shall hire a qualified biologist to prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. The replanting plan must identify potential replanting area(s) sufficient to support the number of plants impacted by the proposed Project. The floristic survey report, seed collection, and replanting plan, and evidence of compliance with provisions of the replanting plan shall be reviewed and approved by the City of Fontana Planning Division prior to the commencement of ground disturbing activities.
- BIO-3** A biological monitor shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that special-status wildlife species with high to moderate potential to occur



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on-site (i.e., loggerhead shrike [*Lanius ludovicianus*], Cooper's hawk [*Accipiter cooperii*], northern harrier [*Circus cyaneus*], San Diego black-tailed jackrabbit [*Lepus californicus bennettii*], California glossy snake [*Arizona elegans occidentalis*], coastal whiptail [*Aspidoscelis tigris stejnegeri*], and coast horned lizard [*Phrynosoma blainvillii*]) and that are observed on-site are not adversely affected, at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.

### BIO-4

Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur.

If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.

As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground-disturbing activities to ensure burrowing owl remain absent from the Project Area.

## 2. Riparian Habitat and Other Sensitive Natural Communities

Threshold: Would the Project potentially have a substantial adverse effect on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant impact with mitigation incorporated. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-29.)



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Explanation: Five plant communities were observed within the boundaries of the Project Area during the habitat assessment: RSS, disturbed RAFSS, mixed riparian scrub, non-native grassland, and ornamental. Of the existing native vegetation communities on-site, Project development would impact two special-status plant communities: RSS and disturbed RAFSS. Additionally, as discussed in the *Caprock Warehouse Project 2018 Rare Plant Survey Report*, the southern and central portions of the Project Area are located within the boundaries of the NFCP. As permitted by the City, an applicant may dedicate a conservation easement of equivalent value to offset impacts to RAFSS or RSS habitats.

Implementation of **Mitigation Measure BIO-5** would ensure Project impacts related to the loss of Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat, are mitigated. Impacts in this regard would be reduced to less than significant levels. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.3 28 through 4.3-29.)

### **Mitigation Measures**

**BIO-5** The Project Alternative shall mitigate impacts to Suitable Habitat, Restorable Riversidean Alluvial Fan Sage Scrub (RAFSS) Habitat, and Unsuitable Habitat through the following:

- Conservation Easement/Mitigation Bank Credits. The Project Applicant shall either dedicate to a certified third-party land trust a permanent conservation easement for like habitat or purchase mitigation credits in a California Department of Fish and Wildlife (CDFW)-approved mitigation bank at a ratio of a minimum of 1:1. Proof of mitigation shall be provided to the City of Fontana Planning Division prior to the commencement of any ground disturbance activities. (Final EIR, p. 2.0-9.)

### **3. Federally Protected Wetlands**

Threshold: Would the Project potentially have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-31.)

Explanation: According to USFWS National Wetland Inventory maps, no wetland features have been documented within or adjacent to the Project Area. Additionally, no wetlands were identified during the field visit conducted for the habitat assessment.

According to the *Caprock Warehouse Project Delineation of State and Federal Jurisdictional Waters*, three unnamed, ephemeral drainage features (D-1, D-2, and D 3) were observed within the boundaries of the Project Area. These drainage features exhibited evidence of an ordinary high-water mark (OHWM); however, it was determined that all three drainages do not exhibit a surface hydrologic connection to downstream waters of the United States. Therefore, the on-site drainages are considered intrastate isolated waters with no



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apparent interstate or foreign commerce connection. As a result, the three drainages are not considered jurisdictional under the USACE. The jurisdictional delineation should be confirmed by the USACE through approval of a Jurisdictional Determination that the on-site drainage features do not qualify as waters of the United States.

Although the drainage features are not considered jurisdictional under the Clean Water Act, they may be considered “stream courses” under California Fish and Game Code Section 1602 and may be considered “waters of the State” by the RWQCB. Based on the results of the jurisdictional delineation, approximately 0.12 acres (3,115 linear feet) of non-wetland waters of the State are located within the Project Area, and approximately 0.30 acres (3,115 linear feet) of CDFW jurisdiction is located within boundaries of the Project Area. If determined to be jurisdictional by the RWQCB and CDFW, the following regulatory approvals would be required prior to Project implementation: RWQCB Report of Waste Discharge and CDFW Section 1602 Streambed Alteration Agreement. Compliance with the required regulatory approvals as detailed in **Mitigation Measure BIO-6** would ensure Project impacts in this regard are less than significant. (Draft EIR, pp. 4.3-29 through 4.3-30.)

### **Mitigation Measures**

- BIO-6** Prior to issuance of any grading permits for permanent impacts in jurisdictional features, the Project Applicant shall provide to the City of Fontana Planning Division documentation from the USACE, RWQCB and CDFW of the lack of federal and state jurisdictional waters on the Project site, or documentation that a Federal Clean Water Act Section 404 permit, a Report of Waste Discharge certification from the Regional Water Quality Control Board (RWQCB); and/or a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife (CDFW) have been obtained. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by each regulatory agency during the review of any required permit.

### **4. Conflict With Local Policies or Ordinances**

Threshold: Would the Project potentially conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-32.)

Explanation: Municipal Code Chapter 28, Article III establishes regulations for the protection and preservation of heritage trees, significant trees, and specimen trees within Fontana on both public and private property. Heritage trees are defined as trees which are (1) of historical value because of its association with a place, building, natural feature or event of local, regional or national historical significance as identified by city council resolution; (2) are representative of a significant period of the City’s growth or development (windrow tree, European Olive tree); (3) are protected or endangered species as specified by federal or State statute; or (4) are deemed historically or culturally significant by the City manager or his or her designee because of size, condition, location or aesthetic qualities. Significant



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trees are any of the following species: Southern California black walnut, Coast live oak (*Quercus agrifolia*), Deodora cedar (*Cedrus deodora*), California sycamore (*Plantanus racemosa*), and London plane (*Plantanus acerifolia*). Specimen trees are defined as mature trees (which are not heritage or significant trees) that are excellent examples of its species in structure and aesthetics and warrants preservation, relocation or replacement.

As stated above, one population of Southern California black walnut consisting of approximately 90 individuals were observed on-site. The population is associated with the rural residential properties located along the northwestern boundary of the Project Area. Additionally, Southern California black walnut individuals were observed within the mixed riparian scrub plant community, and approximately four individuals are in the northern portion of the Project Area. **Mitigation Measure BIO-1** may require the Project Applicant to obtain a tree removal permit in accordance with Municipal Code Chapter 28, Article III should Southern California black walnut trees on-site need to be removed as part of Project construction. As such, impacts in this regard are considered less than significant following compliance with the provisions of Municipal Code Chapter 28, Article III and **Mitigation Measure BIO-1**. (Draft EIR, pp. 4.3-31 through 4.3-32.)

### 5. Habitat Conservation Plans and Natural Community Conservation Plans

Threshold: Would the Project have the potential to conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Finding: Less than significant impact with mitigation incorporated. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-32.)

Explanation: The Project Area is not located within the boundary of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). However, the City's NFCP is a local conservation program that provides a coordinated conservation effort in response to development in north Fontana. Portions of the Project Area are within the NFCP area. Project impacts to Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat would be mitigated with the dedication of a permanent conservation easement on habitat of similar quality or the purchase of mitigation credits in a CDFW-approved mitigation bank at a minimum ratio of 1:1; refer to **Mitigation Measure BIO-5**. Implementation of **Mitigation Measure BIO-5** would ensure the Project Alternative is consistent with the NFCP policies and thus, impacts would be less than significant. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-32.)

## C. CULTURAL RESOURCES

### 1. Archaeological Resources

Threshold: Would the Project potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.4-17.)



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Explanation: The cultural resources study did not identify any archaeological resources on the Project Area during the field investigation, and none are known to be associated with the site. In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. Due to the existing paving located on the Lytle Creek Road, cultural resource staff are unable to survey potential resources located under the existing roadway.

Project construction activities would have the potential to disturb unknown archaeological resources on the site, if present. In the unlikely event that archaeological resources are encountered during project construction, **Mitigation Measures CR-2** and **CR-3** would address the accidental discovery of resources during Project development. **Mitigation Measure CR-2** would require archaeological and Native American monitoring for all ground-disturbing activities below 2 feet and **Mitigation Measure CR-3** would require preparation of a Treatment and Disposition Plan should archaeological or tribal cultural resources be identified during ground-disturbing activities. Thus, with adherence to **Mitigation Measures CR-2** and **CR-3**, impacts would be less than significant. (Draft EIR, pp. 4.4-16 through 4.4-17.)

### Mitigation Measures

#### **CR-2**

An archaeological monitor with at least 3 years of regional experience in archaeology and tribal monitors representing the consulting tribes (San Manuel Band of Mission Indians) shall be present for all ground-disturbing activities below 2 feet that occurs within the Proposed Project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.]).

A Monitoring Plan shall be created prior to any and all ground-disturbing activity in consultation with the consulting tribes and agreed to by all parties. The Monitoring Plan shall include details regarding the monitoring process, as well as the Treatment and Disposition Plan described in **Mitigation Measure CR 3**. A sufficient number of archaeological and tribal monitors shall be present each workday to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage.

#### **CR-3**

A Treatment and Disposition Plan (TDP) shall be established, in good faith, prior to the commencement of any and all ground-disturbing activities for the project, including any archaeological testing. The TDP will provide details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Inadvertent discoveries of human remains and/or funerary object(s) determined to be Native American in origin are subject to California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. As provided by statute, the most likely descendant (MLD), as determined by the Native



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American Heritage Commission (NAHC), shall provide a recommendation regarding the disposition of these findings to the landowner.

### 2. Human Remains

Threshold: Would the Project potentially disturb any human remains, including those interred outside of dedicated cemeteries?

Finding: Less than significant impacts with mitigation. (Draft EIR, p. 4.4-18.)

Explanation: There are no existing or known cemeteries on or adjacent to the Project site. As a result, Project implementation is not anticipated to impact human remains associated with a cemetery. If any human remains or related resources are discovered, such resources would be treated in accordance with all applicable federal, state, and local regulations and guidelines for disclosure, recovery, relocation, and preservation, including California Health and Safety Code Section 7050.5, describes the requirements if any human remains are accidentally discovered during excavation of a site and states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. Under these provisions, the coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD); refer to **Mitigation Measure CR-3**. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours once access is granted. Therefore, with compliance with California Health and Safety Code Section 7050.5, as prescribed by **Mitigation Measure CR-3**, the Project Alternative's impacts associated with human remains would be less than significant. (Draft EIR, pp. 4.4-17 through 4.4-18.)

### D. GEOLOGY AND SOILS

#### 1. (a) Earthquake Fault Rupture

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-16.)

Explanation: The Logistics Site lies within a seismically active region. Based on the fault rupture hazard investigation conducted for the Project Area, the western portion of the site lies within an Alquist-Priolo Earthquake Fault Zone designated by the State of California to include traces of suspected active faulting associated with the Cucamonga Fault Zone (CFZ). As mandated by the Alquist-Priolo Act, the logistics facility would be setback from the active fault trace. Appendix E2, Geotechnical Investigation, of the Draft EIR identifies the CFZ fault trace and the position of the logistics facility building relative to the trace. The Project Alternative would be constructed consistent with the required setback.



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The age of latest activity for the CFZ estimated by soils studies conducted by McFadden et al. (1982) is believed to have occurred prior to the deposition of 200- to 700-year-old alluvium and after deposition of 1,000-year old alluvium. This range places the latest activity between 700 and 1,000 years. Therefore, the mid-Holocene alluvial-fan sediments exposed in the during the Fault Rupture Hazard Investigation for the Project should have revealed indications of faulting, if present, from the latest event on the CFZ.

The surface projection of the CFZ was estimated based on fault-related features exposed in trenches, soil age/stratigraphic relations and interpretation of a seismic velocity profile image. This surface projection is considered a most conservative interpretation of the available site geologic data and provides a suitable reference on which to base mitigation of fault rupture hazards in accordance with the Alquist-Priolo Earthquake Fault Zoning Act. Compliance with **Mitigation Measures GEO-1, GEO-2 and GEO-3**, would reduce potential adverse effects on structures due to rupture of an existing earthquake fault to a less than significant level. (Draft EIR, pp. 4.6-8 through 4.6-16.)

### **Mitigation Measures**

**GEO-1** All Project structures shall be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process.

**GEO-2** The Project shall comply with the established no-build setback zone depicted in the Geotechnical Investigation (CHJ Consultants, 2014), and all grading operations, including site clearing and stripping, shall be observed by an onsite representative of the Project's geotechnical engineer. All final plans shall be reviewed by the City of Fontana's Building and Safety Division to verify that the Geotechnical Investigation's no-build setback zone have been incorporated, as necessary.

**GEO-3** The Project shall adhere to the construction recommendations provided in the Geotechnical Investigation (CHJ Consultants, 2014), as described below. The City Building and Safety Department shall verify compliance during the permitting process.

- Initial Site Preparation:

All areas to be graded shall be stripped of significant vegetation and other deleterious materials. These materials should be removed from the site for disposal.

- Minimum Mandatory Removal and Recompaction of Existing Soils:

All areas to be graded shall have at least the upper 24 inches of existing materials removed. The open excavation bottoms thus



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created shall be observed by the Project engineering geologist to verify and document that suitable, non-compressible native sediments are exposed prior to moisture conditioning, compaction and refilling with properly tested and documented compacted fill. Deeper removals may be necessary, depending on the conditions encountered, as well as proposed footing depths and pad elevations.

Cavities created by removal of subsurface obstructions, such as structures and tree root stocks, shall be thoroughly cleaned of loose soil, organic matter and other deleterious materials, and shaped to provide access for construction equipment and backfilled as recommended for site fill.

- Preparation of Fill Areas:

Prior to placing fill and after the subexcavation bottom has been observed and approved by the Project engineering geologist, the surfaces of all areas to receive fill shall be moisture conditioned to a depth of approximately 12 inches. The moisture conditioned soils shall be brought to near optimum moisture content and compacted to a relative compaction of at least 90 percent in accordance with ASTM D1557. It is anticipated that scarification of the underlying soils may result in dislodging oversized material, requiring additional handling. As such, a suitable alternative to the scarification of the underlying soils would be to moisture condition the soils, allowing sufficient time for the moisture to penetrate to a depth of 12 inches or more prior to compaction. Verification of the moisture penetration depth shall be required if this alternative method is utilized.

- Oversized Material:

It is anticipated that quantities of oversized material (boulders larger than 12 inches in greatest dimension) requiring special handling for disposal may be encountered during the grading operation. While site-specific recommendations may be developed during grading plan preparation or in the field during construction, the following general methods for disposing of oversized rock onsite are recommended:

- Rocks between approximately 12 and 24 inches in size may be placed in areas of fill at a depth greater than approximately 10 feet below finish grade with the approval of the building official.
- The oversized rock should be placed in windrows and adequately spaced to prevent nesting. Then, sandy matrix material should be flooded in between the rock to fill any void



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spaces. Continuous observation of the rock placement and flooding operation shall be conducted by the geotechnical engineer.

- If rock disposal areas are considered necessary, oversized rock can be disposed of within designated areas that should be indicated on the grading plans. Rock disposal areas shall be evaluated by the geotechnical engineer for suitability.
- Oversized rock can also be crushed and exported off site or used in landscaping. Use of the oversize rock and appropriate maximum size of the oversize rock shall be referred to the landscape architect.
- Preparation of Footing Areas:

All footings shall rest upon at least 24 inches of properly compacted fill material. In areas where the required thickness of compacted fill is not accomplished by the mandatory subexcavation operation and by site rough grading, the footing areas shall be subexcavated to a depth of at least 24 inches below the proposed footing base grade. The subexcavation shall extend horizontally beyond the footing lines a minimum distance of 5 feet where possible. The bottoms of these excavations shall then be moisture conditioned to a depth of at least 12 inches, brought to near optimum moisture content and recompacted to at least 90 percent relative compaction in accordance with ASTM D1557 prior to refilling the excavation to grade as properly compacted fill.

- Compacted Fills:

The onsite soil shall provide adequate quality fill material, provided it is free from roots, other organic matter, deleterious and oversized materials. Unless approved by the geotechnical engineer, rock or similar irreducible material with a maximum dimension greater than 12 inches shall not be buried or placed in fills except as noted in the above "Oversized Material" recommendations.

Import fill shall be inorganic, non-expansive granular soils free from rocks or lumps greater than 6 inches in maximum dimension. The contractor shall notify the geotechnical engineer of import sources sufficiently ahead of their use so that the sources can be observed and approved as to the physical characteristic of the import material. For all import material, the contractor shall also submit current verified reports from a recognized analytical laboratory indicating that the import has a "not applicable" (Class S0) potential for sulfate attack based



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upon current (ACI) criteria and is not corrosive to ferrous metal and copper. In addition, a report shall be submitted addressing environmental aspects of any proposed import material. The reports shall be accompanied by a written statement from the contractor that the laboratory test results are representative of all import material that will be brought to the job. If imported fill is to be utilized in structural areas, it shall meet the same strength requirement that was utilized to design the structure.

Fill material shall be spread in near-horizontal layers, approximately 12 inches in thickness. Thicker lifts may be approved by the geotechnical engineer if testing indicates that the grading procedures are adequate to achieve the required compaction. Each lift shall be spread evenly, thoroughly mixed during spreading to attain uniformity of the material and moisture in each layer, brought to near optimum moisture content, and compacted to a minimum relative compaction of 90 percent in accordance with ASTM D 1557.

Based upon the estimated relative compaction of the native soils encountered during the Geotechnical Investigation conducted for the Project Alternative, and the relative compaction anticipated for compacted fill soils, a compaction shrinkage of approximately 0 to 5 percent is estimated. Therefore, 1.00 cubic yards to 1.05 cubic yards of in-place soil material would be necessary to yield 1 cubic yard of properly compacted fill material. In addition, subsidence of approximately 0.1 foot is anticipated. These values are exclusive of losses due to stripping, tree removal or the removal of other subsurface obstructions, if encountered, and may vary due to differing conditions within the Project boundaries and the limitations of the Geotechnical Investigation. Shrinkage due to oversize material losses are estimated at 5 percent for material over 12 inches in diameter and less than 1 percent for material over 24 inches in diameter. These values are estimates only and final grades shall be adjusted, and/or contingency plans to import or export material shall be made to accommodate possible variations in actual quantities during site grading.

- Expansive Soils:

Since all soil materials encountered during the Geotechnical Investigation were granular and considered to be non-critically expansive, specialized construction procedures to specifically resist expansive soil forces are not anticipated at this time. Additional evaluation of soils for expansion potential shall be conducted by the Project geotechnical engineer during the grading operation.



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- Foundation Design:

If the Project site is prepared as recommended, the proposed structures may be safely founded on conventional spread foundations, either individual spread footings and/or continuous wall footings with slabs-on-grade, bearing on a minimum of 24 inches of compacted fill. Footings shall be a minimum of 12 inches wide and be established at a minimum depth of 12 inches below lowest adjacent final subgrade level. For the minimum width and depth, footings may be designed for a maximum safe soil bearing pressure of 2,500 pounds per square foot (psf) for dead plus live loads. This allowable bearing pressure may be increased by 400 psf for each additional foot of width and by 1,000 psf for each additional foot of depth, to a maximum safe soil bearing pressure of 5,000 psf for dead plus live loads. These bearing values may be increased by one-third for wind or seismic loading.

For footings thus designed and constructed, a maximum settlement of less than 1 inch is anticipated. Differential settlement between similarly loaded adjacent footings is expected to be approximately one-half the total settlement.

- Lateral Loading:

Resistance to lateral loads shall be provided by passive earth pressure and base friction. For footings bearing against compacted fill, passive earth pressure may be considered to be developed at a rate of 420 psf per foot of depth. Base friction may be computed at 0.39 times the normal load. Base friction and passive earth pressure may be combined without reduction. For preliminary retaining wall or shoring design purposes, a lateral active earth pressure developed at a rate of 40 psf per foot of depth shall be utilized for unrestrained conditions. For restrained conditions, an at-rest earth pressure of 65 psf per foot of depth shall be utilized. The "at-rest" condition applies toward braced walls which are not free to tilt. The "active" condition applies toward unrestrained cantilevered walls where wall movement is anticipated. The structural designer shall use judgment in determining the wall fixity and may utilize values interpolated between the "at-rest" and "active" conditions where appropriate. These values are applicable only to level, properly drained backfill with no additional surcharge loadings and do not include a factor of safety other than conservative modeling of the soil strength parameters. If inclined backfills are proposed, the Project geotechnical engineer shall be contacted to develop appropriate active earth pressure parameters. If import material is to be utilized for backfill, the Project geotechnical engineer



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shall verify the backfill has equivalent or superior strength values.

These values shall be verified prior to Project construction when the backfill materials and conditions have been determined and are applicable only to properly drained backfills with no additional surcharge loadings. Toe bearing pressure for walls on soils not bearing against compacted fill, as recommended earlier under "Preparation of Footing Areas", shall not exceed CBC values.

Backfill behind retaining walls shall consist of a soil of sufficient granularity that the backfill will properly drain. The granular soil shall be classified per the USCS as SW, SP, SW-SM, SP-SM, GW or GP and shall meet the requirements of section 300-3.5.1 of the "Greenbook". Surface drainage shall be provided to prevent ponding of water behind walls. A drainage system shall be installed behind all retaining walls consisting of either of the following:

- 4-inch-diameter perforated PVC (Schedule 40) pipe or equivalent at the base of the stem encased in 2 cubic feet of granular drain material per lineal foot of pipe; or
- Synthetic drains such as Enkadrain, Miradrain, Hydraway 300 or equivalent.

Perforations in the PVC pipe shall be 3/8 inch in diameter. Granular drain material shall be wrapped with filter cloth to prevent clogging of the drains with fines. The wall shall be waterproofed to prevent nuisance seepage and include an approved drain.

Suitable quantities of onsite soil shall be available for retaining wall backfill after screening the material to remove cobbles and boulders greater than 4 inches in diameter. Foundation concrete shall be placed in neat excavations with vertical sides, or the concrete shall be formed and the excavations properly backfilled as recommended for site fill.

- Trench Excavation:

Native materials are classified as a Type "C" soil in accordance with the CAL/OSHA (2013) excavation standards. All trench excavation shall be performed in accordance with CAL/OSHA excavation standards. Temporary excavations in native material shall not be inclined steeper than 1-1/2 (h):1(v) for a maximum trench depth of 20 feet. For trench excavations deeper than 20 feet, the Project geotechnical engineer shall be consulted.



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- Pipe Bedding and Backfills:

### *Pipe Bedding*

Pipe bedding material shall meet and be placed according to the "Greenbook" or other project specifications, and shall be uniform, free-draining granular material with a sand equivalent (SE) of at least 30. Sand equivalent testing of onsite material indicates an SE value of less than 30 for near-surface soils. Suitable material from deeper soils may be available after screening.

### *Backfill*

Backfill shall be compacted following the recommendations in the "Compacted Fills" discussed above. Soils required to be compacted to at least 95 percent relative compaction, such as street subgrade and finish grade, shall be moisture treated to near optimum moisture content not exceeding 2 percent above optimum. To avoid pumping, backfill material shall be mixed and moisture treated outside of the excavation prior to lift placement in the trench. A lean sand/cement slurry shall be considered to fill any cavities, such as void areas created by caving or undermining of soils beneath existing improvements or pavement to remain, or any other areas that would be difficult to properly backfill, if encountered.

- Slabs-On-Grade:

To provide adequate support, concrete slabs-on-grade shall bear on a minimum of 24 inches of compacted soil and be a minimum of 4 inches in thickness. The soil shall be compacted to 90 percent relative compaction. The final pad surfaces shall be rolled to provide smooth, dense surfaces.

Slabs to receive moisture-sensitive coverings shall be provided with a moisture vapor retarder. It is recommended that a vapor retarder be designed and constructed according to the American Concrete Institute (ACI) 302.1R, "Guide for Concrete Floor and Slab Construction", which addresses moisture vapor retarder construction. At a minimum, the vapor retarder shall comply with ASTM E1745 and have a nominal thickness of at least 10 mils. The vapor retarder shall be properly sealed per the manufacturer's recommendations and protected from punctures and other damage. One inch of sand under the vapor retarder may assist in reducing punctures.

Concrete building slabs subjected to heavy loads, such as materials storage and/or forklift traffic, shall be designed by a



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registered civil engineer competent in concrete design. A modulus of vertical subgrade reaction of 250 pounds per cubic inch can be utilized in the design of slabs-on-grade for the proposed project.

- Preliminary Flexible Pavement Design:

The following recommended structural sections were calculated based on traffic indices (TIs) provided in the Caltrans "Highway Design Manual for Safety Roadside Rest Areas" (Caltrans, 2012). Based upon preliminary sampling and testing, the structural sections tabulated below will provide satisfactory HMA pavement. The R-value of the most representative material was used in the analysis. As per the Caltrans Highway Design Manual, Section 614.3, a design subgrade maximum R-value of 50 for the soil was utilized in performing the pavement section calculations.

Usage	TI	R-Value	Recommended Structural Section
Auto Parking Areas	5.0	50	0.25' HMA/0.35' Class 2 AB
Auto Road	5.5	50	0.25' HMA/0.35' Class 2 AB
Truck Parking Areas	6.0	50	0.30' HMA/0.35' Class 2 AB
Truck Lanes and Roads	8.0	50	0.40' HMA/0.45' Class 2 AB

Notes: AB = Aggregate Base

The above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils and all aggregate base (AB) material brought to a minimum relative compaction of 95 percent in accordance with ASTM D1557 prior to paving. The AB shall meet Caltrans requirements for Class 2 base. The above pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified by additional sampling and testing during construction when the actual subgrade soils are exposed.

- Preliminary Rigid Pavement Design:

Based upon an R-value of 65, a modulus of subgrade reaction of approximately 200 pounds per square inch per inch (k) was utilized. The following PCC pavement designs are recommended, and are based upon the American Concrete Institute (ACI) Guide for Design and Construction of Concrete Parking Lots (ACI 330R-08).



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Design Area	Recommended Section
Car Parking and Access Lanes Average Daily Truck Traffic = 1 (Category A)	4.0" PCC/Compacted Soil
Truck Parking and Interior Lane Areas Average Daily Truck Traffic = 25 (Category B)	5.5" PCC/Compacted Soil
Truck Interior and Exterior Lanes Average Daily Truck Traffic = 300 (Category C)	6.5" PCC/Compacted Soil
Truck Interior and Exterior Lanes Average Daily Truck Traffic = 700 (Category D)	7.0" PCC/Compacted Soil

The above recommended concrete sections are based on a design life of 20 years, with integral curbs or thickened edges. In addition, the above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils brought to a uniform relative compaction of 95 percent (ASTM D1557).

Slab edges that would be subject to vehicle loading shall be thickened at least 2 inches at the outside edge and tapered to 36 inches back from the edge. Typical details are given in the ACI "Guide for Design and Construction of Concrete Parking Lots" (ACI 330R-08). Alternatively, slab edges subject to vehicle loading shall be designed with dowels or other load transfer mechanism. Thickened edges or dowels are not necessary where new pavement will abut areas of curb and gutter, buildings, or other structures preventing through-vehicle traffic and associated traffic loads.

The concrete sections may be placed directly over a compacted subgrade prepared as described above. The concrete to be utilized for the concrete pavement shall have a minimum modulus of rupture of 550 pounds per square inch. Contraction joints shall be sawcut in the pavement at maximum spacing of 30 times the thickness of the slab, up to a maximum of 15 feet. Sawcutting in the pavement shall be performed within 12 hours of concrete placement (or preferably sooner) and sawcut depths shall be equal to approximately one-quarter of the slab thickness for conventional saws or 1 inch when early-entry saws are utilized on slabs 9 inches thick or less. The use of plastic strips for formation of jointing is not recommended. The use of expansion joints is not recommended, except where the pavement would adjoin structures. Construction joints shall be constructed such that adjacent sections butt directly against each other and are keyed into each other or the joints are properly doweled with smooth dowels. Distributed steel reinforcement (welded wire fabric) is not necessary, nor would any decrease in section thickness result from its inclusion.

These pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified



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by additional sampling and testing during construction when the actual subgrade soils are exposed.

### 1. (b) Strong Seismic Groundshaking

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-17.)

Explanation: According to the Faulting Study, the Project Site, like most of southern California, is subject to ground shaking hazards from earthquakes on regional fault systems capable of producing moderate to severe groundshaking. As discussed above, **Mitigation Measure GEO-1** and **GEO-2** would ensure all Project structures are constructed pursuant to CBC seismic design and building setback zones prescribed by the *Geotechnical Investigation*. **GEO-3** requires compliance with all recommendations of the *Geotechnical Investigation* prepared for the Project Area, which will ensure impacts from ground shaking are mitigated. Following conformance with the CBC seismic design requirements and construction standards as well as the building setback zones prescribed by the *Geotechnical Investigation*, the Project Alternative's impacts related to seismic ground shaking would be less than significant. (Draft EIR, p. 4.6-16.)

### 1. (c) Landslides

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-18.)

Explanation: The potential for landslides to occur increases during or following heavy rainfall or seismic events resulting in ground shaking. While a small portion of the Project Area is identified on the County of San Bernardino's Geologic Hazards Maps as within a moderate to high landslide area, the Logistics Site is proposed to be located a substantial distance from the mapped area with landslide potential. Rock falls and rockslides may also occur, particularly along steep slopes. Road cut slopes along the western site boundary may be susceptible to seismically-induced rock falls, slumps or shallow surficial slides. However, the Logistics Site, the roadway re-alignment, and the SB 330 Compliance Alternative Site would be required to comply with site-specific construction recommendations and mitigation measures that would reduce impacts to a less than significant level. In addition, the relatively flat topography of the site reduces the potential for slope instability within the Logistics Site (CHJ Consultants 2014b). Therefore, the Proposed Project Alternative would not expose people or structures to potentially substantial adverse effects involving landslides and impacts would be less than significant. With the implementation of **Mitigation Measures GEO-1, GEO-2, and GEO-3**, impacts would be less than significant. (Draft EIR, p. 4.6-18.)

### 2. Soil Erosion or Loss of Topsoil

Threshold: Would the Project result in substantial soil erosion or the loss of topsoil?



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Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-19.)

Explanation: Soil is naturally eroded by the action of wind or water. The potential for erosion is influenced by the climate, topography, soils, vegetation, as well as agricultural activities and land development patterns. According to the Geotechnical Investigation, the surface soils encountered within the site consist of silty sands and gravelly sands that are moderately susceptible to erosion by wind and water.

The Proposed Project Alternative would be required to provide drainage facilities and water would not be allowed to pond on the developed site and would be required to comply with the Water Quality Management Plan prepared for the Project (Appendix G of the Draft EIR), which includes Best Management Practices to comply with City of Fontana and NPDES stormwater regulations. Drainage features would not be allowed to flow over graded or natural slope areas that would cause erosion. Slopes would be graded according to current CBC and would be required to adhere to conditions under the National Pollutant Discharge Elimination System Permit issued by the Regional Water Quality Control Board. Parking areas and site paving would be concrete and asphalt and would represent approximately 77 percent of the site coverage of the Logistics Site. Water from the Logistics Site would be handled in accordance with the WQMP and Best Management Practices. The realignment of Lytle Creek Road would be consistent with City of Fontana engineering requirements and standards, including with respect to water diversion and transport to the stormwater system. The Proposed Project Alternative would be required to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include Best Management Practices to ensure that construction-related water quality impacts resulting from soil erosion would be reduced to a less than significant level. In addition, proper drainage design as provided in the Geotechnical Investigation and discussed in **Mitigation Measure GEO-4** would reduce potential impacts relative to erosion to a less than significant level. (Draft EIR, p. 4.6-19.)

### Mitigation Measures

**GEO-4** The potential for erosion shall be mitigated by proper drainage design. Water shall not be allowed to flow over graded areas or natural areas so as to cause erosion. Graded areas shall be planted or otherwise protected from erosion by wind or water.

### **3. Paleontological Resources**

Threshold: Would the Project potentially directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less than significant impacts with mitigation measures. (Draft EIR, p. 4.6-22.)

Explanation: As described in the Draft EIR, Appendix D, *Cultural Resources Assessment*, BCR Consulting conducted a paleontological resources overview and consulted with the Natural History Museum on this matter. The records research and consultation concluded that based on the Project Area sediments which are composed of younger Quaternary Alluvium, these deposits typically do not contain significant vertebrate fossils, at



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least in the uppermost layers. Surface grading or shallow excavations in the younger Quaternary alluvial fan deposits exposed in most of the Project Area are unlikely to encounter significant vertebrate fossils. However, deeper excavations in the Project Area that extend down into older finer-grained Quaternary deposits may well encounter significant remains of fossil vertebrates. The closest vertebrate fossil localities from somewhat similar basin deposits are LACM 7811 and LACM 1207 in Jurupa Valley and Corona, respectively, which produced a fossil specimen of whipsnake, *Masticophis*, at a depth of 9 to 11 feet below the surface. Excavation associated with the Proposed Project may occur at similar depths.

**Mitigation Measures GEO-5 and GEO-6** are required to provide monitoring, sampling, and if needed, collection of fossils in appropriate deposits. Compliance with **Mitigation Measure GEO-5 and GEO-6** would reduce potential adverse effects related to the destruction of a unique paleontological resource or site or unique geological feature to less than significant. (Draft EIR, pp. 4.6-20 through 4.6-21.)

### **Mitigation Measures**

- GEO-5**      *Monitoring.* Any excavations in the finer-grained sedimentary deposits on the Project Area shall be monitored closely by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, to quickly and professionally recover any fossil remains while not impeding development.
- GEO-6**      *Sampling.* Prior to any excavation in the finer-grained sedimentary deposits on the Project Area, sediment samples shall be collected by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, from the finer-grained deposits on the Project Area and processed to determine their fossil potential. If subsurface fossils are discovered during earth-moving activities associated with the Proposed Project, a qualified paleontologist or qualified designee shall divert these activities temporarily around the fossil site until the remains have been recovered, a rock sample has then been collected to process to allow for the recovery of smaller fossil remains, if warranted, and construction has been allowed to proceed through the site by a qualified paleontologist or qualified designee. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to recover the remains. Any fossils collected shall be placed in an accredited scientific institution for the benefit of current and future generations.



**E. GREENHOUSE GAS EMISSIONS**

**1. Greenhouse Gas Emissions**

Threshold: Would the Project potentially generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant impact with mitigation incorporated. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 8.)

Explanation:

***Greenhouse Gas Emissions***

Project-related GHG emissions would include emissions from direct and indirect sources resulting from the construction and operation of the Logistic Facility, the realignment of Lytle Creek Road, and the SB 330 Compliance Alternative Site. The Proposed Project Alternative would result in direct and indirect emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct Project-related GHG emissions include emissions from construction activities and mobile sources, while indirect sources include emissions from area sources, electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. Project GHG emissions were calculated using CalEEMod, which relies on trip generation data and specific land use information to calculate emissions. The most recent version of the CalEEMod, version 2016.3.2, was used to calculate direct and indirect project-related GHG emissions. Table 2, *Estimated Greenhouse Gas Emissions*, (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) presents the estimated CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions of the proposed project. CalEEMod outputs are contained within Attachment A, *Greenhouse Gas Emissions Data*.

Table 2, *Estimated Greenhouse Gas Emissions*, (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) presents the Logistic Facility's and SB 330 Compliance Alternative Site's estimated CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions without implementation of the Project's sustainable design features (e.g., energy and water efficiency features) that would reduce operational GHG emissions. The CalEEMod outputs in Appendix B of the Draft EIR outline the assumptions used to calculate mobile source, area source, and construction GHG emissions. Operational GHG estimations are based on energy sources, area sources, and automobile emissions. CalEEMod relies on trip data in the traffic impact analysis and Project-specific land use data to calculate emissions. The total Logistics Facility-related emissions would result in 12,618.90 MTCO<sub>2</sub>eq per year. The SB 330 Compliance Alternative Site would generate 403.14 MTCO<sub>2</sub>eq/yr. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-13; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.)



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### ***Direct Proposed Project-Related Sources of Greenhouse Gases***

#### *Construction Emissions*

Construction-related GHG emissions for the Logistics Facility and realignment of Lytle Creek Road would result in approximately 3,184.59 MTCO<sub>2</sub>eq over the course of construction, and the SB 330 Compliance Alternative Site would result in an additional 7.91 MTCO<sub>2</sub>eq, which represents an additional approximately 237.39 MTCO<sub>2</sub>eq from construction activities. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.) Construction-related GHG emissions are typically summed and amortized over the lifetime of the Project Alternative (assumed to be 30 years), then added to the operational emissions ( $3,184.59 \div 30 = 106.15$ ). The estimate for construction duration is primarily based on CalEEMod model defaults. For instance, the numbers and types of construction equipment are derived from CalEEMod model defaults. However, modeling parameters were refined in the case of construction phasing and duration. Construction would begin with the demolition and removal of three houses and debris located on the Logistics Site. Following this phase of construction, the entire Logistics Site would be mass graded, after which the actual building construction would commence. The building construction phase accounts for the simultaneous actions of carpentry, asphalt paving, and painting.

#### *Mobile Source*

CalEEMod relies on trip data in the Project traffic impact analysis and Project-specific land use data to calculate mobile source emissions. For instance, modeling parameters were refined to account for 2,046 average daily trips associated with the Logistics Facility, 18.7 percent of which are heavy-duty (4+ axle) truck trips, which is consistent with SCAQMD guidance. (Michael Baker International 2018b).

In accordance with SCAQMD's recommendation for warehouse and industrial projects, a 40-mile one-way trip length is assumed. Therefore, the Logistics Facility would directly result in approximately 10,648.33 MTCO<sub>2</sub>eq per year of mobile source-generated GHG emissions.

The SB 330 Compliance Alternative Site would generate an additional approximately 231 daily trips. The SB 330 Compliance Alternative Site would directly result in approximately 322.75 MTCO<sub>2</sub>eq of mobile source-generated GHG emissions. (Final EIR, Attachment 1— Revised Draft EIR, p. 4.7-14.)

### ***Indirect Project-Related Sources of Greenhouse Gases***

#### *Area Source*

Area source emissions, which include GHGs from the combustion emissions associated with on-site natural gas use (e.g., natural gas-powered forklifts), landscape maintenance equipment, and emissions from consumer products, were calculated using CalEEMod and Project-specific land use data. As noted in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo),



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prepared by Michael Baker International, dated March 25, 2020, p. 5)), the Logistics Facility would result in 0.04 MTCO<sub>2</sub>eq per year and the SB 330 Compliance Alternative Site would result in 0.38 MTCO<sub>2</sub>eq per year of area source GHG emissions. (See also Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-14.)

### *Energy Consumption*

Energy consumption emissions were calculated using CalEEMod and Project-specific land use data. Southern California Edison (SCE) would provide electricity to the Project site. California Green Building Code/Title 24 sets mandatory energy efficiency standards for new buildings and SB 107 requires 20% of electricity in CA to come from renewable sources. The Logistic Facility's proposed operations would indirectly result in 628.16 MTCO<sub>2</sub>eq per year and the SB 330 Compliance Alternative Site would indirectly result in 58.62 MTCO<sub>2</sub>eq per year due to energy consumption. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.7-14 through 4.7-15; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5).

### *Solid Waste*

Logistic Facility operations would result in 277.90 MTCO<sub>2</sub>eq per year related to solid waste. The SB 330 Compliance Alternative Site would result in 6.50 MTCO<sub>2</sub>eq per year related to solid waste. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-15; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5).

### *Water Demand*

The Proposed Project Alternative's operations would result in a demand of approximately 271.88 million gallons of water per year (Logistics Facility) and 1.89 million gallons of water per year (SB 330 Compliance Alternative Site). Emissions from indirect energy impacts due to water supply would result in 958.32 MTCO<sub>2</sub>eq (Logistics Facility) and 6.99 MTCO<sub>2</sub>eq (SB 330 Compliance Alternative Site).

As shown in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5), the Logistic Facility will result in approximately 1,970.57 MTCO<sub>2</sub>eq per year from construction, area, energy, waste, and water usage. In addition, it has the potential to generate an additional 10,648.33 MTCO<sub>2</sub>eq per year from mobile sources, assuming that all trips to and from the Logistic Facility are new trips that result from the project's development. As shown in Table 4.7-1 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-13), the Logistic Facility has the potential generate a total of approximately 12,618.9 MTCO<sub>2</sub>eq per year.

Table 2, Project Greenhouse Gas Emissions shows the improvements to indirect emissions as a result of the following Project design features:

- Enhanced insulation for walls and roof
- Enhanced window insulation (0.32 U-factor, 0.25 SHGC)



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- Duct leakage testing and verification
- Daylighted rooms
- Energy-efficient lights
- Energy Star commercial appliances
- North/south building alignment to optimize conditions for natural heating, cooling, and lighting
- Water-efficient landscaping and irrigation systems
- Recycled water connection for irrigation
- Charging stations for electric vehicles available for employees and guests

There is no applicable adopted numerical threshold of significance for the residential GHG emissions associated with the SB 330 Compliance Alternative Site. However, in addition to determining the significance of the residential GHG emissions consistent with CEQA Guidelines Section 15064.4(b) (i.e., by evaluating whether the project complies with applicable plans, policies, regulations, and requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions), the City has selected the SCAQMD's staff proposal of 3,000 MTCO<sub>2</sub>eq per year for commercial/residential project emissions as a significance criterion for the project's residential GHG emissions. As shown in Table 2, the SB 330 Compliance Alternative Site has the potential to generate residential emissions of approximately 403.14 MTCO<sub>2</sub>eq/yr, which is less than SCAQMD's staff-proposed threshold for commercial/residential emissions. Impacts would be less than significant.

SCAQMD has adopted a numerical threshold of 10,000 MTCO<sub>2</sub>eq per year for industrial stationary source emissions. As shown in Table 2, the Logistics Facility has the potential generate a total of approximately 12,618.90 MTCO<sub>2</sub>eq per year, which exceeds the SCAQMD adopted threshold for industrial stationary source emissions. Therefore, **Mitigation Measures GHG-1** and **AQ-4** would be implemented to reduce operational mobile GHG emissions to the extent feasible. With implementation of **Mitigation Measures GHG-1** and **AQ-4**, the Logistics Facility's long-term operational emissions would be approximately 9,949 MTCO<sub>2</sub>e per year (including construction emissions). As such, the Logistics Facility's GHG emissions would be reduced below the 10,000 MTCO<sub>2</sub>eq per year threshold with implementation of **Mitigation Measures GHG-1** and **AQ-4**, and impacts would be less-than-significant with mitigation. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.7-15 through 4.7-16; Appendix B, 1-15 *Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 4-8.)

### **Mitigation Measures**

#### **GHG-1**

Prior to issuance of a Certificate of Occupancy, the tenant shall submit an Operations Plan to the City of Fontana Community Development Director detailing the following GHG reduction measures/programs that shall be applied during Project operations:

- Ride-Sharing Programs. The tenant shall administer a ride-sharing program to reduce daily vehicle trips and vehicle miles traveled (VMT) and provide information to employees on ride share programs



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to reduce mobile GHG emissions. The tenant shall promote ride-sharing programs through a multi-faceted approach such as:

- Designating a certain percentage of parking spaces for ride-sharing vehicles;
  - Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and
  - Providing a web site or message board for coordinating rides.
- Public Transit Incentive Program. The tenant shall provide subsidized/discounted daily or monthly public transit passes for employees to reduce daily vehicle trips and VMT. The tenant may also provide free transfers between all shuttles and transit to participants.
  - Preferential Parking Permit Program. The tenant shall provide preferential parking in convenient locations (such as near public transportation or building front doors) in terms of free or reduced parking fees, priority parking, or reserved parking for commuters who carpool, vanpool, ride-share or use alternatively fueled vehicles. The Project shall provide wide parking spaces to accommodate vanpool vehicles.

### 2. Greenhouse Gas Reduction Plans

Threshold: Would the Project potentially conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Finding: Less than significant impact with mitigation incorporated. (Appendix B, I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 15-16.)

Explanation:

The City has a Climate Action Plan (CAP) that is in draft form. Since the City's CAP has not been approved, Impact Statement GHG- 2 assesses the project's consistency with the *California Air Resources Board 2017 Climate Change Scoping Plan* (2017 Scoping Plan).

Climate Change Scoping Plan

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the Legislature as the 2006 Global Warming Solutions Act (AB 32). In 2008, CARB approved a *Climate Change Scoping Plan* (Scoping Plan) as required by Assembly Bill (AB) 32.5 The Scoping Plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program. The 2017 Scoping Plan identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those



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identified in the *First Update to the Scoping Plan* (2013). Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets.

Table 3 (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 8-9), provides an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2017 Scoping Plan.

As seen in Table 3, the Project Alternative is consistent with all applicable 2017 Scoping Plan goals and generally furthers the State's goals relative to greenhouse gases. In addition, the Logistics Facility would include several sustainable design features that would help reduce GHG emissions. The Logistics Facility's long-term operational GHG emissions would be reduced below SCAQMD's threshold of 10,000 MTCO<sub>2</sub>eq with implementation of **Mitigation Measures GHG-1** and **AQ-4**, and thus, an impact would not occur in this regard. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 8-13.)

### F. HAZARDS AND HAZARDOUS MATERIALS

#### 1. Hazardous Substance Release

Threshold: Would the Project potentially 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?

Finding: Less than significant with mitigation measures. (Draft EIR, p. 4.8-13.)

Explanation: The Logistics Site was historically used for agricultural purposes. There is the potential that pesticides, herbicides, and fertilizers were used on-site. According to the Phase I ESA conducted for the Proposed Project Alternative, it is likely that potential concentrations of these chemicals have degraded over time, as the Logistics Site has not been used for agricultural purposes for approximately 60 years. This condition is not considered to be a REC. The Phase I ESA included in its recommendations that, if redevelopment of the Logistics Site is planned for residential use, the Project proponent should contact the City of Fontana Community Development Department to determine whether sampling relating to the former agricultural use of the site is required. However, no residences are proposed for construction on the Logistics Site as a part of the Proposed Project Alternative. Any future residential development associated with those parcels would be subject to environmental review and all applicable local, state, and federal regulatory requirements in place for hazardous materials.

#### Asbestos-Containing Materials

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability,



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and high tensile strength. OSHA Regulation 29 CFR 1926.1101 requires certain construction materials to be presumed to contain asbestos for purposes of this regulation. All thermal system insulation, surfacing material, and asphalt/vinyl flooring that are present in a building constructed prior to 1981 and which have not been appropriately tested are “presumed asbestos-containing material” (PACM).

The existing buildings on the Logistics Site were constructed in 1925, 1945, 1957, 1963, and 1965. As such, due to the age of these structures, the potential exists for the presence of ACMs. While not identified as a REC in the Phase I ESA prepared for the Proposed Project Alternative, the presence of ACMs on the Logistics Site would constitute a potentially significant impact. **Mitigation Measure HAZ-1** would require testing of any materials suspected to contain ACMs and remediation of any such materials. With implementation of **Mitigation Measure HAZ-1**, significant impacts with respect to ACMs would be reduced to a less than significant level.

### **Lead-Based Paint**

Lead is a highly toxic metal that affects virtually every system of the body. LBP is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm<sup>2</sup> (or 5,000 ug/g or 0.5 percent by weight) or more of lead. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X, to protect families from exposure to lead from paint, dust, and soil. Under Section 1017 of Title X, intact LBP on most walls and ceilings is not considered a hazard, although the condition of the paint should be monitored and maintained to ensure it does not become deteriorated. Further, Section 1018 of this law directed the US Department of Housing and Urban Development (HUD) and the EPA to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978.

Based on the age of the existing buildings on the Logistics Site (pre-1978), there is a potential that LBP is present. While not identified as a REC in the Phase I ESA prepared for the Proposed Project, the presence of LBPs on the site would constitute a potentially significant impact. **Mitigation Measure HAZ-2** would require testing of any materials suspect for LBPs and remediation of any such materials. With implementation of **Mitigation Measure HAZ-2**, significant impacts related to the potential presence of LBPs would be reduced to a less than significant level. (Draft EIR, pp. 4.8-11 through 4.8-13.)

Pursuant to General Plan EIR MM-HAZ-5, a Phase 1 ESA would be required for future development of the SB 330 Compliance Alternative Site needing a grading permit. This Phase I ESA would investigate the potential for site contamination and identify Specific Recognized Environmental Conditions (e.g., asbestos containing materials, lead-based paints, and polychlorinated biphenyls) that may require remedial activities prior to land acquisition or construction. With implementation of **Mitigation Measures HAZ-1** and **HAZ-2**, any potential significant impacts related to asbestos and lead-based paint would be less than significant.

### **Mitigation Measures**

**HAZ-1** Prior to any renovation or demolition or building permit approval, an Asbestos Hazard Emergency Response Act (AHERA) and California



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Division of Occupational Safety and Health (Cal/OSHA) certified building inspector shall conduct an asbestos survey to determine the presence or absence of asbestos containing-materials (ACMs). If the asbestos survey reveals ACMs, asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403 prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

### HAZ-2

If paint is to be chemically or physically separated from building materials during structure demolition, the paint shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.

## 2. Wildland Fires

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires?

Finding: Less than significant impact with mitigation measures. (Draft EIR, pp. 4.8-13, 4.16-9 through 4.16-13.)

Explanation: Refer to Section 3-Q, Wildfire. (Draft EIR, p. 4.8-10.)

## G. LAND USE AND PLANNING

### 1. Conflict with a Land Use Plan, Policy, or Regulation

Threshold: Would the Project 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?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.10-17.)

Explanation: As detailed in Section 3.0, Project Description, of the Draft EIR, the Project Alternative will apply a Light Industrial (I-L) land use designation and Light Industrial (M-1) zoning designation to the Logistics Site. Refer to Exhibit 3.0-7a, Proposed Pre-Zoning Designations – Option 1 (found at Draft EIR, p. 3.0-35). Here, the only physical development



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proposed by the Project Alternative is for the construction of the logistics facility on the Logistics Site.

A consistency analysis of the Project Alternative is provided below.

### **General Plan Analysis**

The Project Area is located within unincorporated San Bernardino County and the City's SOI. The Project Alternative is proposing to annex a total of 21 parcels and portions of roadway right-of-way (ROW) encompassing the 152-acre Project Area into the City's jurisdiction. The Project Alternative is also proposing a SOI amendment to incorporate a 2.14-acre area of the Project Area (Assessor's Parcel Number [APNs] 0239-014-15 and portions of APNs 0239-091-13 and -14, and westerly ROW of Lytle Creek Road) into the City's existing SOI to be annexed together as part of the 152-acre Project Area into the City of Fontana. The Project Alternative is also proposing to "upzone" an approximately 12.5-acre site comprised of 28 contiguous parcels. The County's General Plan Land Use Element states that its land use policies adopted for SOI areas, such as the Project Area, are designed to encourage annexations or incorporations, in accordance with California Government Code Section 65300, which places a dual mandate on both cities and counties relating to land use planning in SOI areas. The proposed SOI amendment and annexation would occur in accordance with the San Bernardino County LAFCO Policy and Procedure Manual, which contains policies and procedures related to LAFCO operations, application processing (Section IV), and environmental review (Section V). Upon approval of the SOI amendment and annexation, development of the Project Area would be under the purview of the City's General Plan and land use plan. However, Table 4.10-3, County General Plan Consistency Analysis, (found at Draft EIR, p. 4.10-9) analyzes the Project Alternative's consistency with applicable policies related to annexations and cities' sphere of influence areas from the County's General Plan.

Upon approval of the SOI amendment and annexation, development of the Project Area would be under the purview of the City's General Plan and land use plan. As such, Table 4.10-4, City of Fontana General Plan Consistency Analysis, (found at Draft EIR, pp. 4.10-9 through 4.10-14) analyzes the Project Alternative's consistency with applicable policies from the City's General Plan.

As detailed above, with the requested entitlements and development of the logistics facility on the Logistics Site, the Project Alternative would be consistent with the City's General Plan goals and policies.

### **Development Code Consistency Analysis**

As stated, the City's existing pre-zoning for the Project Area is Residential Estate (R-E) and Public Utility Corridor (P-UC). Only the Logistics Site (pre-zoned Residential Estate [R-E]) is proposed for development as a logistics facility; no changes are proposed to the Public Utility Corridor (P-UC) zoned parcels. However, the Residential Estate (R-E) zoning is intended for single-family housing and would not permit the proposed industrial use. Therefore, with the requested entitlements, the Project Alternative would permit construction of the logistics facility.



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Although not part of the Development Code, Municipal Code Chapter 28, Article III establishes the City's tree preservation ordinance. As detailed in the Draft EIR, Section 4.3, Biological Resources, the ordinance describes the preservation of heritage, significant, and specimen trees in the City and procedures to follow if any protected trees are proposed for removal. Implementation of **Mitigation Measure BIO-1** would ensure project impacts to on-site Southern California black walnut (*Juglans californica*) are reduced to less than significant levels.

In addition, to ensure consistency with the Development Code, the Project Alternative requires a Development Agreement between the City and the Project Applicant for the proposed logistics facility development; a Design Review to ensure the proposed site plan, improvements, and building elevations (architecture) of the logistics facility are consistent with Development Code standards; and a Tentative Parcel Map to consolidate all parcels that make up the 76-acre Logistics Site into one parcel. Upon City approval of the Zone Change, Development Agreement, Design Review, and Tentative Parcel Map the Project Alternative would be consistent with the Development Code and impacts in this regard would be less than significant.

### SCAG RTP/SCS Consistency Analysis

As stated above, SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted 2016 RTP/SCS. SCAG refers to State CEQA Guidelines Section 15206 in determining whether a project meets the criteria to be deemed regionally significant. The Project Alternative would be considered regionally significant as it would meet the following criteria, requiring consistency review.

- (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.

The Project Alternative proposes General Plan Amendments to:

- Assign a General Plan land use designation of Residential Estate (R-E) to APN 0239-041-15 and to a portion of APN 0239-091-14;
- Change the General Plan land use designation of the Logistics Site from Residential Estate (R-E) to Light Industrial (I-L); and
- Change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector.

Therefore, the requested entitlements of the Project Alternative is considered regionally significant and must demonstrate consistency with the 2016 RTP/SCS. Table 4.10-5, SCAG Consistency Analysis, (found at Draft EIR, pp. 4.10-15 through 4.10-17) provides an analysis of the Project's consistency with the applicable 2016 RTP/SCS goals and adopted growth forecasts. As concluded, the Project Alternative is consistent with the 2016 RTP/SCS goals and impacts would be a less than significant impact in this regard.

Overall, with the implementation of **Mitigation Measure BIO-1**, potential Project impacts, would be less than significant with regard to conflicts with applicable land use plans, policies, or regulations. (Draft EIR, pp. 4.10-8 through 4.10-17.)



**H. TRANSPORTATION**

**1. (a) Conflict with Applicable Roadway Plans – Construction and Operations-Existing With Project Conditions**

Threshold: Would the Project potentially conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Finding: Less than significant with mitigation measures. (Draft EIR, p. 4.13-24.)

Explanation:

**Construction**

Construction of the Proposed Project Alternative is anticipated to occur in one single phase over a duration of 12 months beginning in 2020. Localized truck traffic could result as construction materials are hauled to specific work zones for the Proposed Project Alternative. According to the air quality analysis conducted for the Project Alternative, demolition activities would require 15 worker trips and 22 hauling trips per day for 70 days; site preparation would require 18 worker trips per day for 40 days; grading would require 20 worker trips per day for 110 days; and building construction, paving, and architectural coating would require a total of 1,160 worker trips and 372 vendor trips over 280 days; refer to the Draft EIR, Appendix B, Air Quality Analysis. Overall, vehicular and truck traffic generated during construction would result in total volumes higher than existing conditions. A potentially significant but temporary impact to transportation and circulation would occur.

These temporary construction-related impacts would be reduced with implementation of a Construction Traffic Management Plan (TMP), to be established prior to issuance of any construction or demolition permits (**Mitigation Measure TR-1**). The TMP would be required to address the following, among others: traffic control of any street closure, detour, or other disruptions to traffic circulation; identification of construction vehicle haul routes; limitation of hauling activities to off-peak hours; and utilization of appropriate traffic control personnel to ensure construction vehicles operate safely along adjacent local roadways. Implementation of **Mitigation Measure TR-1** would ensure construction-related traffic impacts are reduced to less than significant levels.

**Operations**

**Project Trip Generation and Distribution**

The Institute of Transportation Engineers (ITE) 10th Edition Trip Generation Manual trip generation rates were used to forecast the number of Project generated trips. Table 4.13-8, ITE Trip Generation Rates (found at Draft EIR, p. 4.13-12), summarizes the ITE trip generation rates used as well as the breakdown by vehicle type (passenger car, 2-axle trucks, 3-axle trucks, and 4+axle trucks) according to the South Coast Air Quality Management District (SCAQMD). The assumed 31 percent of truck trips and 69 percent of passenger car trips is based on the High-Cube Warehouse Vehicle Trip Generation Analysis, prepared by the ITE and dated October 2016.



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Utilizing the ITE trip generation rates, Table 4.13-9, Proposed Project Trip Generation (Vehicles), shows the vehicular trips generated by the Proposed Project Alternative (found at Draft EIR, p. 4.13-12).

As shown, the Project Alternative would generate approximately 2,046 vehicle trips per day, with approximately 200 trips occurring during the AM peak hours and approximately 223 trips occurring during the PM peak hours.

To account for the truck trips generated by the Project Alternative, vehicular trips were converted to PCE trips. Table 4.13-10 (found at Draft EIR, p. 4.13-13), Proposed Project Trip Generation (PCEs), shows the conversion of vehicle trips to PCEs after the following factors were applied to account for truck activity:

- 2-axle trucks = 2.0 PCE;
- 3-axle trucks = 2.5 PCE; and
- 4+ axle trucks = 3.0 PCE.

As show in Table 4.13-10 (found at Draft EIR, p. 4.13-13), the Project Alternative would generate approximately 3,122 daily PCE trips with 305 PCE trips occurring during the AM peak hours and 340 PCE trips occurring during the PM peak hours.

TIA Exhibit 7, *Project Inbound/Outbound Distribution- Passenger Cars*, shows the Project's forecast trip distribution of cars, and TIA Exhibit 8, *Project Inbound/Outbound Distribution – Trucks*, shows the Project Alternative's forecast trip distribution of trucks.

### **Existing With Project Conditions**

#### **Intersection LOS**

The existing with Project conditions traffic volumes were derived by adding trips forecast to be generated by the Project Alternative to existing traffic volumes. The Project Alternative proposes to realign and construct a new Lytle Creek Road from the property's northern boundary to Sierra Avenue. The easternmost segment Lytle Creek Road would be realigned in conjunction with a new roadway referred to as the "Public Access Road" that would serve the Logistics Facility. The remaining western segment of Lytle Creek Road would be vacated but left in place for continued access to adjacent parcels. It should be noted the Project Alternative is proposing to construct a new traffic signal at Sierra Avenue / Lytle Creek Road (Intersection No. 6) with the proposed realignment. A traffic signal was determined to be warranted in the Lytle Creek Road Alignment Study (dated May 31, 2016) and therefore, a signal is proposed as part of the road realignment.

West of the Project Area, Lytle Creek Road currently connects to Duncan Canyon Road which is the southerly alignment. For Existing With Project conditions, Project-related traffic is assumed to use the existing Lytle Creek Road. Since Project traffic heading west on Lytle Creek Road distributes south towards the I-15/Duncan Canyon Road interchange, there is no Project traffic at the intersection of Coyote Canyon Road/Duncan Canyon Road and therefore is not studied under the Existing With Project condition.



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Table 4.13-11 (found at Draft EIR, pp. 4.13-14 through 4.13-15), Existing With Project Conditions AM/PM Peak Hour Intersection LOS, summarizes the peak hour LOS for all study intersections.

As shown in Table 4.13-11 (found at Draft EIR, pp. 4.13-14 through 4.13-15), all study intersections are forecast to operate at an acceptable LOS during the peak hours with the addition of the Project-related traffic to existing traffic volumes with the exception of the following intersections:

- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS F in the AM and PM peak hours.

Based on the City's significance criteria, the Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) would not meet the change in delay threshold of significance under LOS F (1.0 seconds), and thus, impacts to this intersection would be less than significant.

The Sierra Avenue/Riverside Avenue (Intersection No. 9) would exceed the change in delay threshold of significance and would result in a potentially significant impact. The City is planning to construct an additional northbound through lane on Sierra Avenue and install a new traffic signal. The proposed improvements at this location are fully funded, is included in the City's Capital Improvement Program, and would improve the operations of the intersection to an acceptable level of service. This improvement is in the project design phase and is anticipated to be completed in Spring 2020. Therefore, no additional mitigation is required to reduce impacts in this regard.

### **Roadway Segment LOS**

Table 4.13-12 (found at Draft EIR, p. 4.13-16), Existing With Project Conditions Roadway Segment LOS, presents the results of the Existing With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds with the addition of Project-related traffic. Therefore, no significant impacts have been identified and no mitigation measures are required.

Overall, construction-related Project impacts would be reduced to less than significant levels with mitigation incorporated. (Draft EIR, pp. 4.13-11 through 4.13-12.) Under Existing With Project conditions, the Project Alternative's potentially significant impact to Riverside Avenue/Sierra Avenue (Intersection No. 9) would be reduced to less than significant levels with implementation of the City's plans to construct an additional northbound lane on Sierra Avenue and install a new traffic signal. (Draft EIR, p. 4.13-24.)

### **Mitigation Measures**

- TR-1** Prior to issuance of any grading and/or demolition permits, whichever occurs first, the Project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall be submitted for review and approval



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by the County of San Bernardino Traffic Division if any County maintained roads are proposed for construction traffic. The TMP shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the Project site, traffic controls and detours, and proposed construction phasing plan for the Project.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be subject to the requirements of the City of Fontana Public Works Department and/or the County of San Bernardino.
- Use of local streets shall be prohibited.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.
- Should the Project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation (Caltrans) for review and comment.
- Should Project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer regarding timing and duration of proposed temporary lane and/or sidewalk closures to ensure the closures do not impact operations of adjacent uses or emergency access.

The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer, and County of San Bernardino Traffic Division, as applicable, if needed to improve safety and/or efficiency. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.13-23.)



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### I. TRIBAL CULTURAL RESOURCES

#### 1. Tribal Cultural Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code section 5024.1?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.14-12.)

Explanation: Three historic-age structures that have been evaluated for historic significance would be demolished to allow for the development of the Logistics Facility. Only one property is eligible for listing in the California Register of Historic Places: the stone house at 4055 Lytle Creek Road. Refer to the Draft EIR, Section 4.4 for discussion of the stone house at 4055 Lytle Creek Road and other properties. The stone house was constructed in the 1920s and occupied by families who farmed the site. None of these resources, however, were identified by the Native American representatives contacted under SB 18 or AB 52 as a resource that is sacred or an object of cultural value to the Native American tribe. Therefore, no tribal cultural resources have been identified on the Project Area.

In compliance with AB 52 and SB 18, the City distributed letters notifying each tribe that requested to be on the City's list for the purposes of AB 52 and SB 18 of the opportunity to consult on the Project and assist the City in determining whether there were potential tribal cultural resources associated with the Project Area.

The San Manuel Band of Mission Indians and the Gabrieleno Indians both participated in a formal consultation with the City of Fontana regarding the Project. The San Manuel Band of Mission Indians raised concerns regarding the potential for tribal cultural resources to be present and directly impacted by Project development. As noted in the Draft EIR, Section 4.4, there are no known archeological resources on the Logistics Facility site; however, there is potential for the accidental discovery of archeological resources. **Mitigation Measure CR-2**, has been included, which states that if undocumented cultural resources are identified during earthmoving activities a qualified archeologist shall be contacted to assess the resource and divert construction activities if necessary.

As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2 and CR-3**. **Mitigation Measure CR-2** would require archaeological monitoring for all ground-disturbing activities below 2 feet. **Mitigation Measure CR-3** would require preparation of a Treatment and Disposition Plan (TDP) which provides details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Following implementation of **Mitigation Measures CR-1, CR-2 and CR-3**, the Project Alternative's impacts to tribal cultural resources would be less than significant. (Draft EIR, pp. 4.14-11 through 4.14-12.)



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### J. WILDFIRE HAZARDS

#### 1. Emergency Response Plans or Evacuation Plans

Threshold: Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.16-10.)

Explanation: Government Code Section 51175-89 directs the CAL FIRE to identify areas of very high fire hazard severity in local responsibility areas. Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities, which quantify the likelihood and nature of vegetation fire exposure (including firebrands) to buildings. Local responsibility area VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data.

The SB 330 Compliance Alternative Site is not designated as a VHFHSZ and therefore impacts would be less than significant. The Logistics Site has been designated as a VHFHSZ and the City and its sphere of influence, including the Logistics Site, are currently covered under the City's LHMP and Emergency Operations Plan. The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the site. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction traffic management plan (TMP) to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). In addition, all proposed construction activities would be subject to compliance with all applicable State and local regulations in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. Implementation of **Mitigation Measure TR-1**, in conjunction with minimum construction standards for fire safety, would minimize impacts to construction-related impacts to adopted emergency response plans or emergency evacuation plans to less than significant.

In 2008, the California Building Standards Commission adopted California Building Code Chapter 7A requiring new buildings in Very High Fire Hazard Severity Zones to use ignition-resistant construction methods and materials. The code includes provisions to improve the ignition resistance of buildings, especially from firebrands. Therefore, development of the Proposed Project Alternative would be subject to compliance with the 2016 California Building Code (or the most current version) and the 2016 Edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations). Fire Code Chapter 49 cites specific requirements for wildfire-urban interface areas that include, but are not limited to, creating and maintaining defensible space and managing hazardous vegetation and fuels. The Project Alternative would develop concrete tilt-up logistics facility on the Logistics Site that would provide setbacks in the form of parking areas, site paving, and landscaped areas; refer to Exhibit 3.0-10, Conceptual Site Plan (found at Draft EIR, p. 3.0-



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47). The Logistic Center's concrete construction and setbacks would improve the Proposed Project's fire resistance and create defensible space.

To further minimize operational impacts to emergency access, all on-site roadways would be designed in compliance with FFPD standards prior to issuance of building permits. The conceptual project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. Further, the LHMP identifies mitigation actions to reduce impacts associated with potential wildfires, and the EOP is updated regularly to ensure a high state of readiness when emergencies (including wildfires) occur in the community. According to the Draft EIR, Section 6.2, Mitigation 5 Year Progress Report of the LHMP, on-going mitigation actions include implementing fire resistive construction projects, a weed abatement/rubbish removal program, and other continuous improvements of fire services. As a result, Project operations would have a less than significant impact related to emergency response or evacuation activities. (Draft EIR, pp. 4.16-9 through 4.16-10.)

### **SECTION 5: FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT**

The Commission concurs with the City Council findings that, despite the incorporation of Mitigation Measures outlined in the Draft EIR and in this Resolution, the following impacts from the proposed Project Alternative and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

#### **A. AIR QUALITY**

##### **1. Conflict With Air Quality Plan**

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.2-13.)

Explanation: The Project Area is located in the South Coast Air Basin, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the federal Clean Air Act, to reduce emissions of criteria pollutants for which the Basin is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 Air Quality Management Plan, which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state and national air quality standards.

According to the SCAQMD (1993) CEQA Air Quality Handbook, in order to determine a project's consistency with the AQMP, two main criteria must be addressed.

#### **Criterion 1**

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.



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- a) Would the project result in an increase in the frequency or severity of existing air quality violations? **NO**

Since the consistency criteria identified under the first criterion pertain to pollutant concentrations rather than to total regional emissions, an analysis of a project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Impact 4.2 3, localized concentrations of NOX, CO, PM10, and PM2.5 would not exceed SCAQMD thresholds during project operations. Therefore, the Proposed Project Alternative would not result in an increase in the frequency or severity of existing air quality violations.

- b) Would the project cause or contribute to new air quality violations? **YES**

As discussed in Impact 4.2-2, operations of the Proposed Project Alternative would result in NOX emissions that would exceed SCAQMD operational thresholds. Therefore, the Proposed Project Alternative would have the potential to cause or affect a violation of the ambient air quality standards.

- c) Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP? **YES**

The Proposed Project Alternative would result in potentially significant impacts with regard to NOX emissions during project operations. As such, the Proposed Project Alternative could delay the timely attainment of the air quality standards or emissions reductions in the 2016 AQMP.

### Criterion 2

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning in the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions used in preparing the forecasts presented in the 2016 AQMP. Determining whether a project exceeds the assumptions reflected in the 2016 AQMP involves the evaluation of the three criteria outlined below. The following discussion analyzes each of these criteria.

- a) Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP? **NO**

For the 2016 AQMP, future emissions forecasts were based on demographic and economic growth projections provided by SCAG and in SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS also includes socioeconomic forecast projections of regional population growth. The San Bernardino County General Plan



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designates the majority of the project site as Single Residential (RS), with smaller portions designated Rural Living (RL), and Institutional (IN), and Special Development (SD).

The Project Area is currently located in San Bernardino County. With the Proposed Project Alternative, the Project Area would be annexed into the City of Fontana under existing City General Plan land use designations applicable to the Project Area. The areas not currently pre-designated by the City's General Plan will be designated as part of the Proposed Project Alternative during the annexation process. 2.14 acres of the Project Area are not currently pre-designated and pre-zoned by the City. With the Proposed Project Alternative, the Project Area designations will include Residential Estate (R-E), General Commercial (G-C), and Public Utility Corridor (P-UC) (as analyzed in the Fontana General Plan EIR). Additionally, the Proposed Project Alternative would change the land use designation of approximately 76 acres (the Logistics Site) to Light Industrial (I-L). Given that the land use for the Logistics Site is not consistent with the previous San Bernardino County land uses analyzed during preparation for the 2016 AQMP, the Proposed Project Alternative is not consistent with the types, intensity, and patterns of land use envisioned for the site. Therefore, the Project Alternative is not consistent with the population, housing, and employment forecasts adopted by SCAG and incorporated into the 2016 AQMP.

- b) Would the project implement all feasible air quality mitigation measures? **YES**

Compliance with all feasible emissions reduction measures would be required as identified in Findings C-2. As such, the Proposed Project Alternative would meet this AQMP consistency criterion.

- c) Would the project be consistent with the land use planning strategies set forth in the AQMP? **NO**

The Proposed Project Site is currently in unincorporated San Bernardino County but would be annexed into the City of Fontana consistent with the recently-adopted General Plan Update. The Proposed Project Alternative would change the land use designation of the approximately 76-acre Logistics Site to Light Industrial (I-L). A 2.14-acre portion of the Project Area that is not pre-designated or pre-zoned would be annexed into the City, designated as Residential Estate (R-E) and pre-zoned Residential Estate. As discussed in the Project Description, no further development of this area is anticipated due to development limits and site constraints. Thus, due to the land use changes associated with the Proposed Project Alternative, the Project Alternative is not consistent with the AQMP's planning assumptions and strategies considered for the project's location.

In conclusion, the determination of 2016 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Basin. As discussed above, the Proposed Project Alternative would generate emissions that were not anticipated and could delay the timely attainment of the air quality standards in the 2016 AQMP, and the Proposed



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Project Alternative is not consistent with the land uses and emissions forecasts assumed in the 2016 Air Quality Management Plan. Therefore, even with **Mitigation Measures AQ-1** through **AQ-4**, impacts would be significant and unavoidable. (Draft EIR, pp. 4.2-11 through 4.2-13; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp 4-6.)

### 2. Violate Air Quality Standards – Long Term Operational Emissions

Threshold: Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard?

For project operation, the applicable daily thresholds are:

- 55 pounds of ROG;
- 55 pounds of NOx;
- 550 pounds of CO;
- 150 pounds of PM10;
- 55 pounds of PM2.5; and
- 150 pounds of SO2.

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.2-16.)

Explanation:

#### Long-Term Operational Emissions

Operational activities associated with the Proposed Project Alternative, particularly the Logistics Facility, will result in emissions of ROG, NOX, CO, sulfur oxides (SOX), PM10, and PM2.5. Operational emissions would be expected from the following primary sources: vehicles, combustion emissions associated with natural gas and electricity, fugitive dust related to vehicular travel, landscape maintenance equipment, emissions from consumer products, and architectural coatings.

The operational-related project emissions, along with a comparison of SCAQMD-recommended significance thresholds, are shown in Table 4.2-6, Unmitigated Long-Term Operational Emissions (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16).

As shown in Table 4.2-6 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16), NOX emissions resulting from project operations would exceed the SCAQMD regional threshold of significance for NOX.

#### Operational Mitigation Measures

**AQ-2** All Logistics Facility truck access gates and loading docks within the Logistics Facility shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use.



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- Truck drivers shall shut down the engine after 5 minutes of continuous idling operation once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking break is engaged.
- Telephone numbers of the building facilities manager and CARB to report violations.

**AQ-3** The project applicant shall make all Logistics Facility tenants aware of funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program and other similar funding opportunities, by providing applicable literature on such funding opportunities as available from the California Air Resources Board.

**AQ-4** The Logistics Facility shall include a minimum of ten on-site Level 2 electric vehicle charging stations available for use by employees and guests.

Although the operational mitigation measures identified above would serve to reduce operational emissions associated with the Proposed Project Alternative, the extent to which such measures would result in reductions is not quantifiable. No mitigation measures beyond **Mitigation Measures AQ-1** through **AQ-4** would reduce project-related impacts to levels that are less than significant. Long-term project operation would generate NOX emissions that exceed the applicable SCAQMD thresholds. Therefore, impacts resulting from the project's long-term operation would be considered significant and unavoidable. (Draft EIR, pp. 4.2-15 through 4.2-16; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 9-10.)

### Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). As noted above and shown in Table 4.2-6 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16), the Project's operational emissions would exceed the SCAQMD's NOX significance thresholds, resulting in a significant and unavoidable long-term air quality impact.

NOX (often used interchangeably with nitrogen dioxide [NO<sub>2</sub>]) is a family of highly reactive gases that are a primary precursor to the formation of ground level ozone (O<sub>3</sub>). NO<sub>2</sub> is a reddish-brown gas that can cause breathing difficulties, irritate and damage the lungs, and lower resistance to respiratory infections such as influenza at elevated levels. Continued or frequent exposure to NO<sub>2</sub> concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO<sub>2</sub> may aggravate eyes and mucus membranes and cause pulmonary dysfunction. Short-term, high concentration of NO<sub>2</sub> can aggravate respiratory diseases, particularly asthma, leading to respiratory symptoms (such as coughing, wheezing or difficulty breathing), hospital admissions and visits to emergency rooms.



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With respect to regional emissions, according to the SCAQMD's 2016 AQMP, ozone, NO<sub>x</sub>, and ROG have been decreasing in the Basin since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the Basin continue to increase, NO<sub>x</sub> levels are decreasing because of CARB-mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NO<sub>x</sub> emission reductions to attain the 1-hour ozone standard by 2022. The SCAQMD's air quality modeling demonstrates that NO<sub>x</sub> reductions prove to be much more effective in reducing ozone levels. The 2016 AQMP also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NO<sub>x</sub> emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO<sub>x</sub> from stationary sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NO<sub>x</sub> reductions from stationary sources achieved in the decades prior to 2008.

The EIR identifies a significant and unavoidable impact with respect to NO<sub>x</sub> emissions, due largely to trucking operations. NO<sub>x</sub> is a "criteria" pollutant, a pollutant that is regulated by the US EPA pursuant to the federal Clean Air Act. The potential health impacts of criteria pollutants are analyzed on a regional level, not on a facility/project level. The SCAQMD and the San Joaquin Valley Unified Air Pollution Control District ("SJVAPD"), experts in the area of air quality, both recognize that a meaningful, accurate analysis of potential health impacts resulting from criteria pollutants is not currently possible and not likely to yield substantive information that promotes informed decision making. The SJVAPD, in its Amicus Curiae Brief for *Sierra Club v. County of Fresno*, explained that "it is not feasible to conduct a [health impact analysis] for criteria air pollutants because currently available computer modeling tools are not equipped for this task." The SJVAPD described a project-specific health impact analysis as "not practicable and not likely to yield valid information" because "currently available modeling tools are not well suited for this task." The SJVAPD further noted that "...the CEQA air quality analysis for criteria pollutants is not really a localized, project-level impact analysis but one of regional" cumulative impacts.

It should also be noted that NO<sub>x</sub> is a "precursor" pollutant, which makes analysis of potential health impacts even more difficult. NO<sub>x</sub> is a precursor to ozone, which is formed in the atmosphere from the chemical reaction of NO<sub>x</sub> and VOCs in the presence of sunlight. As explained by the SCAQMD in its Amicus Curiae Brief for *Sierra Club v. County of Fresno*, it takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources." Given this, "...it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region." Therefore, SCAQMD opined that while it "may be feasible" for large, regional projects with very high emissions of NO<sub>x</sub> and VOCs to conduct an accurate health impact analysis, "SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NO<sub>x</sub> or VOC emissions from relatively small projects."

Thus, the difficulties with preparing potential health impact analysis related to the project's NO<sub>x</sub> emissions are twofold. First, current modeling is not capable of correlating emissions of criteria pollutants to concentrations that can be reasonably linked to specific health impacts. Second, NO<sub>x</sub> is a precursor emissions and concentrations of NO<sub>x</sub> are



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impacted by regional atmospheric conditions. NO<sub>x</sub> emitted by the project may, depending upon interactions with the sun and other emissions, convert to ozone by complex chemical processes. Thus, there is a significant level of unpredictability associated with such conversion to ozone, as noted by the SCAQMD and the SJVAPD.

The EIR did analyze localized operational impacts associated with the project's NO<sub>x</sub> emissions, and concluded that such impacts would be less than significant. The SCAQMD's Localized Significance Thresholds ("LST") represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor and distance to the nearest sensitive receptor. Therefore, the Project Alternative would not generate emissions on a localized scale that are expected to result in an exceedance of applicable standards, which are intended to be protective of the public health. The Project Alternative's significant and unavoidable NO<sub>x</sub> impact is related to the project's regional emissions, which are assessed against the SCAQMD's regional thresholds. As discussed above, given the regional nature of such emissions and numerous unpredictable factors, an analysis that correlates health with regional emissions is not possible. It should also be noted that the EIR does identify health concerns related to NO<sub>x</sub> emissions. Table 4.2-1 (found at Draft EIR, p. 4.2-2) includes a list of criteria pollutants and summarizes common sources and effects. Thus, the EIR's analysis is reasonable and intended to foster informed decision making. (Draft EIR, pp. 4.2-17 through 4.2-19; Appendix B, *I-15 Logistics Center Alternative – Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 10-12.)

### **B. CULTURAL RESOURCES**

#### **1. Historical Resources**

Threshold: Would the Project potentially cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines Section 15064.5?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.4-16.)

Explanation: Three historic-age properties would be demolished in order to develop the proposed Logistics Facility. The historic-era buildings at 4053, 4055, and 4175 Lytle Creek Road were evaluated for historic significance. Two of the three properties (4053 and 4175 Lytle Creek Road) are not eligible for listing in the CRHR and as such are not considered significant resources under CEQA; refer to Table 4.4-1 (found at Draft EIR, p. 4.4-14). The stone house at 4055 Lytle Creek Road is eligible for listing under CRHR Criteria 1 and 3 and as such is considered a historical resource (i.e., significant) under CEQA. The State CEQA Guidelines state that "a Project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment." Furthermore, substantial adverse change is defined by the State CEQA Guidelines as "demolition, destruction, relocation, or alteration of the resource or its surroundings such that the significance of an historical resource would be materially impaired." (State CEQA Guidelines Section 15064.5(b)(1).) A resource is materially impaired when a project demolishes or materially alters those physical characteristics of a historical resource that convey its historic significance and that justify its status as a historic resource. (State CEQA Guidelines Section 15064.5(b)(2).) The demolition of the house at 4055 Lytle Creek Road



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would constitute a substantial adverse change in the significance of a historical resource in this regard.

Preservation in place is the preferred manner of mitigating impacts to historical resources under CEQA. In this case, preservation in place would preclude the Project Alternative as the resource is located within the grading elevation for the proposed warehouse site. In addition, the nature of house's construction (stacked stone) would not permit the relocation of the impacted resource without significant adverse impacts. A data collection mitigation program has been developed in which potential adverse effects of the proposed demolition would be reduced, and **Mitigation Measure CR 1** is required so that the resource will be documented prior to its demolition. Although significant impacts to the historical resource would be reduced with implementation of **Mitigation Measure CR 1**, documentation of the stone house at 4055 Lytle Creek Road would not fully mitigate impacts. Impacts would be significant and unavoidable in this regard.

In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. The footprint of the existing roadway that will be improved, as well as the proposed future alignment of Lytle Creek Road, do not contain known historical resources that could be adversely impacted as a result of Project development.

### **Mitigation Measure**

**CR-1** Data Collection. Prior to any Project-related impacts, Historic American Building Survey (HABS) style photographic documentation shall be prepared for the historic stone house at 4055 Lytle Creek Road. While the photographs will meet HABS standards, only local curation (and no federal curation or involvement) will be necessary. The photographic documentation shall be provided to the City (and any required local repositories) for curation.

In most cases, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historical resource (14 California Code of Regulations Section 15126.4[b]). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate the impact below a level of significance. In this context, recordation serves a legitimate archival purpose. Although significant impacts to the historical resource would be reduced with implementation of **Mitigation Measure CR 1**, documentation does not fully mitigate impacts. Impacts would be significant and unavoidable. (Draft EIR, pp. 4.4-15 through 4.4-16.)

### **C. TRANSPORTATION**

#### **1. (b) Conflict with Applicable Roadway Plans – Operations - Opening Year (2020) With Project Conditions, Horizon Year (2040 With Project Conditions)**

Threshold: Would the Project potentially conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?



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Finding: Significant and unavoidable impact. (Draft EIR, p. 4.13-25.)

Explanation:

### **Operations**

#### **Opening Year (2020) With Project Conditions**

Opening Year (2020) conditions assumes the following roadway improvements to the Project study area would be completed by 2020:

- Realignment of the southwest portion of Lytle Creek Road as an extension of the existing Coyote Canyon Road west of the Project Area (to be constructed by other parties);
- As part of the Lytle Creek Road realignment west of the Project Area, signalization of Coyote Canyon Road / Duncan Canyon Road is assumed based on the existing lane geometry;
- Removal of approximately 0.83 miles of existing Lytle Creek Road; and
- Extension of Duncan Canyon Road from Citrus Avenue to Sierra Avenue.

To derive Opening Year (2020) traffic volumes, an annual growth rate of two percent per year was applied to existing traffic volumes to account for general regional growth in the vicinity of the Project site. The growth rate was based on the adopted SCAG 2016 RTP growth forecasts for the City based on population, households, and employment.

Additionally, approved or pending projects within the City of Fontana, City of Rialto, and San Bernardino County that are anticipated to be completed prior to Project opening and forecast to contribute traffic to the study area were identified. Forecast traffic related to these future developments were added to the existing plus ambient growth traffic volumes. A total of 27 cumulative projects were considered and 18 cumulative projects were found to contribute traffic to the Project's study area. For large cumulative specific plan projects (greater than 10,000 ADT) the analysis conservatively assumes a phased construction of what could be reasonably constructed by Opening Year (2020) without oversaturating the housing and commercial markets within the region. The remaining development of these cumulative specific plan projects would be constructed after the Project Alternative's opening year and is included in the Horizon Year (2040) analysis. In addition, the Opening Year (2020) analysis conservatively assumes a two percent per year growth above existing volumes to account for regional and local growth on the roadways.

TIA Table 13, *Cumulative Projects Trip Generation*, presents the cumulative projects identified with the direction of City staff and the forecast trip generation estimated for each project, and TIA Exhibit 12, *Cumulative Project's Location Map*, identifies the relative location of each cumulative project to the Proposed Project site. The phasing assumptions for the larger cumulative specific plans are also summarized in TIA Table 13.



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### Intersection LOS

Table 4.13-13 (found at Draft EIR, p. 4.13-18), Opening Year (2020) With Project Conditions – AM/PM Peak Hour Intersection LOS, summarizes Opening Year (2020) traffic with and without Project conditions. It should be noted that the Proposed Project Alternative is responsible for constructing a new traffic signal at Sierra Avenue/Lytle Creek Road (Intersection No. 6) with the proposed realignment. A traffic signal was determined to be warranted in the *Lytle Creek Road Alignment Study* (dated May 31, 2016) and therefore, a signal is assumed to be installed as part of the road alignment.

As shown in Table 4.13-13 (found at Draft EIR, p. 4.13-18), all study intersections are forecast to operate at an acceptable LOS (LOS C or better) during the peak hours under Opening Year (2020) With Project conditions with the exception of the following intersections:

- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours;
- Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS D in AM and PM peak hours.

According to the City's significance criteria, Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8) would result in a potentially significant impact as a result of the Project Alternative. This intersection is within the County and Caltrans' jurisdiction. Therefore, the City cannot require mitigation for the potential impact. Additionally, there are no planned improvements identified at this interchange by Caltrans or the County. The City has no established mechanism whereby the applicant can provide fair share funds to the jurisdiction within which the impact is occurring, such as the County or Caltrans, to help finance the recommended improvements. Also, as the intersection and/or roadway falls outside the jurisdiction of the City, the City does not have the authority to construct or demand the construction of such improvements. Therefore, Project-related impacts are considered significant and unavoidable.

### Roadway Segment LOS

Table 4.13-14 (found at Draft EIR, pp. 4.13-19 through 4.13-20), Opening Year (2020) With Project Conditions Roadway Segment LOS, presents the results of the Opening Year (2020) With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds with the addition of Project-related traffic. Therefore, no significant impacts have been identified and no mitigation measures are required.

### **Horizon Year (2040) With Project Conditions**

Horizon Year (2040) With Project conditions assumes the following roadway improvements at Sierra Avenue / Riverside Avenue:



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- One additional northbound and southbound through lane on Sierra Avenue classified as a Major Highway and consistent with the General Plan Community Mobility and Circulation Chapter (General Plan Exhibit 9.2);
- One additional westbound right-turn lane to accommodate future development; and
- One additional southbound left-turn lane to accommodate future development.

Horizon Year (2040) traffic volumes were based on a combination of cumulative projects and a background growth rate. As previously discussed, some of the cumulative specific plans identified as cumulative projects were phased during the Opening Year (2020) scenario, therefore, the remaining development was added to the Horizon Year (2040) traffic volumes. In addition, a 1.95 percent per year growth was applied to the Opening Year (2020) traffic volumes to conservatively estimate volume forecasts for Horizon Year (2040). The growth rate was based on the adopted SCAG 2016 RTP growth forecasts for the City based on population, households and employment.

### Intersection LOS

Table 4.13-15 (found at Draft EIR, p. 4.13-21), Horizon Year (2040) With Project Conditions AM/PM Peak Hour Intersection LOS, summarizes traffic conditions under Horizon Year (2040) with and without the Proposed Project Alternative.

As shown in Table 4.13-15 (found at Draft EIR, p. 4.13-21), all study intersections are forecast to operate at an acceptable LOS (LOS C or better) during the peak hours under Horizon Year (2040) With Project conditions with the exception of the following intersections:

- Coyote Canyon Road / Duncan Canyon Road (Intersection No. 1) – LOS F in AM and PM peak hours;
- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in the AM peak hours;
- Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in the AM and PM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS D in PM peak hours.

According to the City's significance criteria, Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) and Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) would result in potentially significant impacts as a result of the Project Alternative. These intersections are within the County and Caltrans' jurisdiction. Therefore, the City cannot require mitigation for the Project Alternative's potential impacts. Additionally, there are no planned improvements identified at these interchanges by Caltrans or the County. The City has no established mechanism whereby the applicant can provide fair share funds to the jurisdiction within which the impact is occurring, such as the County or Caltrans, to help finance the recommended improvements. Also, as the intersection and/or roadway falls outside the jurisdiction of the City, the City does not have the authority to construct or demand the construction of such improvements. Therefore, Project-related impacts are considered significant and unavoidable.



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### Roadway Segment LOS

Table 4.13-16 (found at Draft EIR, p. 4.13-22), Horizon Year (2040) With Project Roadway Segment LOS, presents the results of the Horizon Year (2040) With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds.

Overall, under Opening Year (2020) With Project conditions, the Project Alternative would result in significant and unavoidable impacts to the following intersection:

- Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8). (Draft EIR, pp. 4.13-17 through 4.13-25.)

Overall, under Horizon Year (2040) With Project conditions, the Project Alternative would result in significant and unavoidable impacts to the following intersections:

- Sierra Avenue/I-15 Southbound Ramps (Intersection No. 7); and
- Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8). (Draft EIR, pp. 4.13-20 through 4.13-25.)

### 2. Conflict With a Congestion Management Program

Threshold: Would the Project potentially conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.13-27.)

Explanation: Freeway mainline and freeway ramp merge/diverge operations were analyzed in the TIA to determine potential Project impacts related to the County's congestion management program.

#### Freeway Mainline

Consistent with the City of Fontana Traffic Impact Study Guidelines, freeway segments with more than 100 two-way peak hour project trips were included in this analysis. The Proposed Project Alternative contributes approximately 101 trips (two-way) in the PM peak hour to I-15 south of Duncan Canyon Road and 73 trips (two-way) in the PM peak hour north of Duncan Canyon Road. To be conservative, the following three freeway segments were analyzed:

- I-15 segment between Glen Helen Parkway and Sierra Avenue;
- I-15 segment between Sierra Avenue and Duncan Canyon Road; and
- I-15 segment between Duncan Canyon Road and Beech Avenue.

The study freeway mainline segments for Existing, Existing With Project, Opening Year (2020), Opening Year (2020) With Project, Horizon Year (2040), and Horizon Year (2040) With Project conditions, and the results of this analysis are presented in TIA Table 22, *Existing Freeway Mainline Segment LOS*, through Table 27, *Horizon Year (2040) With Project*



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*Freeway Mainline Segment LOS.* Under Existing and Existing With Project conditions, all three study freeway segments are operating at LOS D. Under Opening Year (2020) Without and With Project conditions, freeway segments analyzed are forecast to operate at LOS E. For the Horizon Year (2040) Without and With Project conditions, the results of the analysis show freeway segments forecast to operate at LOS F. At Caltrans facilities, LOS D is considered acceptable and LOS E or F is considered deficient. A significant impact occurs when Project-related traffic causes a freeway mainline segment to deteriorate from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or F) or if the Project Alternative contributes to an existing deficiency. As shown in TIA Tables 25 and 27, I-15 between Glen Helen Parkway and Beech Avenue is significantly impacted by the Project under the Opening Year (2020) With Project conditions. Improvements to the I-15 corridor are not planned or funded by Caltrans at this time. Under State law it is the responsibility of Caltrans to plan and implement improvements to reduce congestion on state-owned freeways. Caltrans is vested with the authority to determine what proposed improvements are feasible. The City does not have an established mechanism whereby the City can collect such funds from the applicant and transfer them to Caltrans to help finance the recommended freeway improvements. The City of Fontana cannot implement mitigation for identified freeway segments that would result from Project traffic. Therefore, impacts at these locations would remain significant and unavoidable

### **Freeway Ramp Merge/Diverge**

Consistent with the *City of Fontana Traffic Impact Study Guidelines*, analysis of freeway on and off ramps with more than 50 directional peak hour project trips were included in the TIA. The Proposed Project Alternative contributes more than 50 (non-PCE) peak hour trips to the northbound and southbound ramps at Sierra Avenue. As such, the following ramp merge/diverge areas were analyzed:

- I-15 Northbound Off-Ramp to Sierra Avenue;
- I-15 Northbound On-Ramp from Sierra Avenue;
- I-15 Southbound Off-Ramp to Sierra Avenue; and
- I-15 Southbound On-Ramp from Sierra Avenue.

The ramp merge/diverge areas were evaluated for Existing, Existing With Project, Opening Year (2020), Opening Year (2020) With Project, Horizon Year (2040), and Horizon Year (2040) With Project conditions and the results of this analysis are presented in TIA Table 28, *Existing Freeway Ramp Merge/Diverge LOS*, through Table 33, *Horizon Year (2040) With Project Freeway Ramp Merge/Diverge LOS*. Under Existing and Existing With Project conditions, freeway on and off ramps at Sierra Avenue are currently operating at LOS C, D, and E. Under Opening Year (2020) and Horizon Year (2040) Without and With Project conditions, freeway on and off ramps analyzed are forecast to operate at a deficient LOS F. At Caltrans facilities, LOS D is considered acceptable and LOS E or F is considered deficient. A significant impact occurs when Project-related traffic causes a freeway ramp to deteriorate from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or F) or if the Project Alternative contributes to an existing deficiency. As shown in TIA Tables 29, 31, and 33, I-15 northbound and southbound on and off ramps at Sierra Avenue are significantly impacted by the Project Alternative under Existing With Project, Opening Year (2020) With Project, and Horizon Year (2040) With Project conditions. Improvements at this freeway interchange and/or ramps are not planned or funded by Caltrans at this time. Under State law it is the



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responsibility of Caltrans to plan and implement improvements to reduce congestion on state-owned freeways. Caltrans is vested with the authority to determine what proposed improvements are feasible. The City has no established mechanism whereby the City can collect such funds from the applicant and transfer them to Caltrans to help finance the recommended freeway improvements. The City of Fontana cannot implement mitigation for identified merge/diverge locations that would result from Project traffic. Therefore, impacts at these locations would remain significant and unavoidable. (Draft EIR, pp. 4.13-26 through 4.13-27.)

### **SECTION 6: FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS**

Consistent with CEQA's requirements, the EIR for the Project Alternative includes an analysis of cumulative impacts. The Commission concurs with the City Council findings as follows:

#### **A. AESTHETICS**

The analysis below focuses on cumulative impacts to aesthetic and visual resources resulting from development of the area surrounding the Project site. The following projects from Table 4.0-1, Cumulative Projects in Section 4.0 Introduction to Environmental Analysis (found at Draft EIR, p. 4.0-4) may be located within the same viewshed as the Logistics Facility:

- Monarch Hills
- Lytle Creek Village
- Sierra Crest II – Tract 18944
- Arboretum Specific Plan
- Ventana Specific Plan

The geographic scope of the cumulative analysis for aesthetics is focused on public views from which the Proposed Project Alternative is visible, as well as surrounding areas that would have the potential to visibly change the existing visual character of the Project Area and immediately surrounding areas. In the project vicinity, the site is surrounded by rural residential and vacant land to the north, vacant land and I-15 to the south, commercial uses and vacant land to the east, and open space and rural residential to the west. The Logistics Facility site currently encompasses eight single-family residences that would be demolished with project implementation. As discussed above, five future residential development projects have been identified within the viewshed of the Logistics Site, which will change the visual character of the Project vicinity over time.

The San Gabriel Mountains are a scenic resource offering distant vistas of mountain backdrops. Cumulative impacts involving view blockage of scenic resources could occur as development progresses in the area. As discussed above, five cumulative projects are situated in the Project vicinity. Although development of these cumulative projects would continue to reduce overall views toward these visual resources, no specific public views are afforded that constitute a possible scenic vista or scenic corridor in the Project's viewshed (i.e., Lytle Creek Road and I-5). Thus, cumulative considerations for the Project Alternative's scenic views/vistas are considered less than significant.



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Development of the area surrounding the Project Area would change the character of the area from a rural community with large vacant areas and widely dispersed houses, to a more urban/suburban community with tract homes and commercial/industrial buildings as planned under the latest General Plan. However, based on the Project Alternative's compliance with General Plan land use designations and zoning and existing local code requirements related to design and compatibility, impacts associated with visual character and quality would be less than significant.

Future development at the Project site and of surrounding cumulative projects in the area would be subject to a formal development review process including site and architectural plan review. Such discretionary review would ensure consistency with existing and proposed land use designations and zoning mandated by the County or the City's General Plan and Zoning and Development Code. Additionally, over time, it is anticipated that the visual character of the area in the vicinity of the Logistics Facility will change as residential and industrial development is contemplated for the surrounding area in the County General Plan, as well as the Fontana and Rialto General Plans. The Proposed Project Alternative would be consistent with the development contemplated by these jurisdictions and planned for under their respective General Plans documents. As a result, the Proposed Project Alternative in combination with future proposed projects would result in views from surrounding areas that are consistent with the aesthetic goals and policies envisioned by the City for the project area. A less than significant cumulative aesthetic impact would occur.

With regard to cumulative light and glare impacts, implementation of the Proposed Project Alternative and future proposed projects would increase the amount of light and glare in the surrounding area, as it would increase the amount of development compared to existing conditions. It is anticipated that lighting would include exterior wall-mounted light fixtures and lighting in the on-site surface parking areas to ensure public safety and safe pedestrian and vehicular circulation. To ensure cumulative light and glare impacts are reduced to levels that are less than significant, future proposed projects—including the Proposed Project Alternative—would be required to adhere to existing City policies for community design and aesthetics. The Proposed Project Alternative would be designed in compliance with the City's Zoning and Development Code, which requires that all lighting used on site to be directed and/or shielded to prevent the light from adversely affecting adjacent properties and that no structures or features that create adverse glare effects are permitted. Therefore, the Project Alternative would not result in cumulatively considerable light and glare impacts since impacts would be less than significant. (Draft EIR, pp. 4.1-11 through 4.1-12.)

### **B. AGRICULTURE AND FORESTRY**

The Project Alternative would have no impact on agriculture and forestry resources, as neither resource is located within the Project site. (Draft EIR, pp. 5.0-1.) No cumulative impact would occur.

### **C. AIR QUALITY**

A project could contribute to an existing or projected air quality exceedance because the Basin is currently in nonattainment for state and federal O<sub>3</sub> and PM<sub>10</sub> standards and for state PM<sub>2.5</sub> standards. With regard to determining the significance of the cumulative contribution from the project, the SCAQMD recommends that any given project's potential



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contribution to cumulative impacts be assessed using the same significance criteria as for project-specific impacts.

The Proposed Project Alternative would violate air quality standards and would conflict with the SCAQMD's Air Quality Management Plan, which is intended to bring the Basin into attainment for all criteria pollutants. Development density and vehicle trip generation associated with the Project Alternative are anticipated to be greater than what would occur under the General Plan's current land use designation for the Project Site. This increase in anticipated vehicle trips would result in the increased generation of air pollutants, potentially exceeding the air pollutant inventory and assumptions in the AQMP. As such, cumulative impacts would be cumulatively considerable.

As discussed previously, no additional mitigation measures would make the Project Alternative consistent with the 2016 AQMP. Therefore, even with **Mitigation Measures AQ-1** through **AQ-4**, the cumulative air quality impact would be significant and unavoidable. (Draft EIR, pp. 4.2-25 through 4.2-26.)

### D. BIOLOGICAL RESOURCES

Cumulative projects that would have the potential to be considered in a cumulative context with the Project Alternative's incremental contribution are identified in the Draft EIR, Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects in Section 4.0, Introduction to the Environmental Analysis, of the Draft EIR.

Implementation of the identified cumulative projects would contribute to the local and regional loss of native vegetation types in the region that potentially provide habitat for special-status plant and wildlife species, as well as riparian habitat and federally protected wetlands. The potential also exists for the cumulative projects to conflict with local policies and ordinances and with habitat conservation plans/natural community conservation plans.

Development of cumulative projects could result in direct take of special-status species, construction and post-construction disturbances, special-status habitat conversion, and/or disruption of wildlife corridors. However, as with the Project Alternative, all future cumulative development would undergo environmental review on a project-by-project basis, to evaluate potential impacts to biological resources and ensure compliance with the established regulatory framework. As such, cumulative impacts to biological resources within the City would be mitigated on a project-by-project basis.

The Proposed Project Alternative's contribution to the cumulative loss of native habitat would be fully mitigated by dedication of a permanent conservation easement on habitat of similar quality or the purchase of mitigation credits in a CDFW-approved mitigation bank at a minimum ratio of 1:1. Overall, cumulative Project impacts on biological resources would be less than significant. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-35.)

### E. CULTURAL RESOURCES

The term cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental



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impacts. Table 4.0-1, Cumulative Projects, in the Draft EIR, Section 4.0, Introduction to Environmental Analysis, identifies the cumulative projects considered in this evaluation.

The cumulative effect of projects in Fontana and San Bernardino County would have the potential to result in the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a cultural resource would be materially impaired. However, development projects in the county are regulated by federal, state, and local regulations. Specifically, these regulations include the Mills Act, PRC Section 5097.98, California Health and Safety Code Section 7050.5, and the Secretary of the Interior's Standards for Rehabilitation and Standards for the Treatment of Historic Properties. To comply with these requirements, cultural investigations, including records searches and physical surveys, as well as tribal consultation, are routinely conducted as part of the planning and environmental review process to determine the extent of cultural resources that would be affected by a Project and to identify mitigation measures to reduce impacts to a less than significant level.

Because the Project Area contains cultural resources that qualify for the consideration of the CRHR, the Project would contribute to cumulative impacts. Although the Project Alternative and other cumulative projects in the city and county would be required to comply with the above-mentioned regulations, the Proposed Project Alternative, in combination with cumulative projects in the region, would have a significant and unavoidable impact on cultural resources because of the potential for future development to impact historic resources which, even with mitigation, might not be considered mitigated to less than significant.

In the event of an unexpected resource discovery during construction of the Proposed Project Alternative, **Mitigation Measures CR-2** and **CR-3** would provide guidance and reduce potential impacts to a less than significant level. Additionally, the California Public Resources Code and the California Health and Safety Code mandate the process for handling the discovery of any human remains. Required compliance with these state laws would reduce cumulative impacts to a less than significant level.

Overall, even with the implementation of **Mitigation Measures CR-2** and **CR-3**, the Proposed Project Alternative, in combination with cumulative projects in the region, would have a significant and unavoidable impact on cultural resources. (Draft EIR, pp. 4.4-18 through 4.4-19.)

### F. ENERGY

Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0 of the Draft EIR.

Quantifying and/or analyzing energy consumption by cumulative projects in the area would be speculative in nature, as the proposed land use types, intensities, and sizes of projects are unknown at this time. However, each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential energy consumption impacts and identify necessary mitigation measures, where appropriate.



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The Proposed Project Alternative would not result in significant energy consumption impacts. The Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary with regard to energy. Thus, the Proposed Project Alternative and identified cumulative projects are not anticipated to result in a significant cumulative impact. (Draft EIR, p. 4.5-12.)

### G. GEOLOGY AND SOILS

Geotechnical and paleontological impacts are site-specific rather than cumulative in nature. For example, seismic events may damage or destroy a structure on the Logistics Site, but the construction of a development project on one site would not cause any adjacent parcels to become more susceptible to seismic events, nor can a project affect local geology or paleontology in such a manner as to increase risks or impacts regionally. Soils associated with the Project site are similar to other soils in the area. While the construction of the Logistics Site and associated improvements will involve grading, compliance with existing codes and standards and adherence to the recommendations in the Geotechnical Investigation and Cultural Resources Assessment would reduce to less than significant the Proposed Project's contribution to cumulative impacts related to geological and paleontological conditions. Geotechnical and paleontological resource impacts would not be cumulatively considerable.

Overall, with the implementation of **Mitigation Measures GEO-1** through **GEO-6**, cumulative impacts would be less than significant. (Draft EIR, p. 4.6-22.)

### H. GREENHOUSE GAS EMISSIONS

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory (CAPCOA 2008). GHG impacts are recognized as exclusively cumulative impacts; there are no noncumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. With implementation of **Mitigation Measure GHG-1** and **AQ-4**, the Project-related GHG emissions would be reduced below the SCAQMD's threshold of 10,000 MTCO<sub>2</sub>eq per year threshold, and would not impede 2030 and 2050 GHG emission reduction targets. As such, the Project Alternative would result in less than significant cumulative GHG impact. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-26.)

### I. HAZARDS AND HAZARDOUS MATERIALS

Cumulative projects that would have the potential to be considered in a cumulative context with the Proposed Projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hazards and hazardous materials, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, the Draft EIR.

The individual project-level impacts associated with hazards and hazardous materials were found to be less than significant with the incorporation of **Mitigation Measures HAZ-1** through **HAZ-2**. The Proposed Project Alternative would be required by law to comply with



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all applicable federal, state, and local requirements related to the handling, transport, use, and disposal of hazardous materials in order to prevent accident conditions. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, and consistent with the provisions set forth by CEQA and the State CEQA Guidelines, would be obligated to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified.

In addition, because hazards and hazardous materials exposure is generally localized and development activities associated with the other related projects may not coincide with the Proposed Project Alternative, this could preclude the possibility of cumulative exposure. Because all future public or private development projects in the City and its sphere of influence would be subject to independent environmental reviews on a case-by-case basis and would be required to implement mitigation to offset all potentially significant impacts relative to hazards and hazardous materials, cumulative impacts are not anticipated. (Draft EIR, p. 4.8-12.)

### **J. HYDROLOGY AND WATER QUALITY**

Cumulative projects that would have the potential to be considered in a cumulative context with the Projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hydrology and water quality, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0 of the Draft EIR.

Cumulative impacts to hydrology and water quality generally occur as a result of incremental changes that degrade water quality. Cumulative impacts can also include individual projects which, taken together, adversely contribute to drainage flows or increase potential for flooding in a project area or watershed.

Future projects in the area would result in a cumulative increase in stormwater runoff that would drain into the existing stormwater drainage system in the city. The Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Project site. Similar to the Proposed Project Alternative, future projects would be required to conduct environmental review and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Since the Proposed Project Alternative would not have a significant impact on existing stormwater drainage facilities, the Project Alternative would not combine with other cumulative projects to result in significant impacts regarding stormwater drainage.

According to the City of Fontana General Plan EIR, General Plan buildout would contribute to increased hydrology and water quality impacts. However, impacts would be reduced to a less than significant level following compliance with General Plan goals, policies, and programs. As discussed throughout this section, the Project Alternative would not involve a significant and unavoidable impact on hydrology and water quality following compliance with existing regulations. In addition, each future cumulative development Project is subject to compliance with existing regulations and would be required to address site-specific hydrology and water quality issues to City standards through implementation of recommendations outlined in site-specific hydrologic and water quality evaluations.



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Cumulative development would be required to construct on- and off-site facilities capable of offsetting any identified cumulative impacts to drainage and flooding conditions and would be required to mitigate potential water quality impacts. Therefore, the Proposed Project Alternative, in combination with cumulative projects, would have a less than significant cumulative impact on hydrology and water quality. (Draft EIR, pp. 4.9-24 through 4.9-25.)

### **K. LAND USE AND PLANNING**

Cumulative projects with the potential to be considered in a cumulative context with the Proposed Project Alternative's incremental contribution, and which are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

The Proposed Project Alternative would result in less than significant impacts in regard to physically dividing an established community, conflicting with the goals and policies of applicable land use plans (including the City's General Plan and Development Code, County's General Plan, and 2016 RTP/SCS).

With regards to physically dividing an established community, cumulative impacts would be site specific and limited to areas in close proximity to the Project Area. The closest cumulative project to the Project Area is the Monarch Hills Residential Development Project, to the southwest of the Project Area along Lytle Creek Road; refer to Exhibit 4.0-1, Cumulative Projects (found at Draft EIR, p. 4.0-4). Development of the Monarch Hills Residential Development Project also would not physically divide any established communities; instead, it would connect to the existing Coyote Canyon residential area further southwest of the Project Area. As such, the Project Alternative would not result in cumulatively considerable impacts in this regard.

Future cumulative projects would also undergo a similar plan review process to determine potential land use planning policy and regulation conflicts. Each cumulative project would be analyzed independent of other projects, within the context of their respective land use, zoning, and regulatory setting. As part of the review process, each project would be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zone(s). As with the Proposed Project Alternative, each project would be analyzed to determine potential conflicts with the applicable goals and policies of the applicable land use plans. Thus, the Project Alternative would not result in cumulatively considerable impacts.

Therefore, the Project Alternative would have a less than significant cumulative impact in this regard. Overall, cumulative land use and planning impacts would be less than significant. (Draft EIR, pp. 4.10-17 through 4.10-18.)

### **L. MINERAL RESOURCES**

The Project Alternative would have no impact on mineral resources, as the Project site is not a known source of any mineral resources nor is it identified as a locally important mineral resource recovery site. (Draft EIR, p. 5.0-4.) No cumulative impact would occur.



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### M. NOISE

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The combined effect compares the "Cumulative with Project" condition to "Existing" conditions. This comparison accounts for the traffic noise increase generated by a project combined with the traffic noise increase generated by projects in the cumulative project list. The following criteria have been utilized to evaluate the combined effect of the cumulative noise increase.

- Combined Effect. The cumulative with project noise level ("Future with Project") would cause a significant cumulative impact if (1) a 3.0 dB increase over existing conditions occurs and (2) the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the Proposed Project Alternative in combination with other related projects (combined effects), it must also be demonstrated that the Project Alternative has an incremental effect. In other words, a significant portion of the noise increase must be due to the Proposed Project Alternative. The following criteria have been utilized to evaluate the incremental effect of the cumulative noise increase.
- Incremental Effects. The "Future with Project" causes a 1.0 dBA increase in noise over the "Future without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and reduces as distance from the source increases. Consequently, only the Proposed Project Alternative and growth due to occur in the Project site's general vicinity would contribute to cumulative noise impacts. Table 4.11-16, Cumulative Noise Analysis, (found at Draft EIR, p. 4.11-29) lists the traffic noise effects along roadway segments in the Project vicinity for "Existing," "Future without Project," and "Future with Project," conditions, including incremental and net cumulative impacts.

As previously discussed, a significant impact would result only if all three significance criteria are exceeded: (1) Project noise levels result in a 3.0 dBA increase over existing conditions and (2) future Project noise levels exceed the applicable land use compatibility criterion and (3) the Project results in an incremental increase of 1.0 dBA or more. As shown in Table 4.11-16, Project Alternative generated traffic noise on all four roadway segments would exceed the first criteria for combined effects (increase of 3.0 dB over existing conditions) but only two roadway segments would exceed the "Normally Acceptable" land use standard of 50-60 dBA as identified in Table 4.11-6. Under incremental effects, only the road segment between the public access road and Sierra Avenue would result in a difference greater than 1.0 dBA when comparing future with and without Project. As shown in Table 4.11-16 of the Draft EIR, none of the roadway segments exceed all three criteria for cumulative impacts, therefore cumulative noise impacts would be less than significant. (Draft EIR, pp. 4.11-28 through 4.11-31.)



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### **N. POPULATION AND HOUSING**

The Project Alternative would have no impact on population and housing. (Draft EIR, pp. 5.0-4 through 5.0-5.) No cumulative impact would occur.

### **O. PUBLIC SERVICES AND RECREATION**

Cumulative projects that would have the potential to be considered in a cumulative context with the Project Alternative's incremental contribution, and which are included in the analysis of cumulative impacts relative to public services and recreation, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

Growth resulting from implementation of the identified cumulative projects would result in increased demand for police and fire services, parks and recreational facilities, and other public facilities such as schools and libraries. The City has incorporated the growth anticipated in the adopted General Plan into its long-range planning programs. Standard measures such as the payment of impact fees and the incorporation of needed public services and facilities would be addressed in the environmental analysis that is required for each cumulative project.

The potential impacts to public services and facilities associated with implementation of the Proposed Project Alternative were analyzed, and it was concluded that no significant impacts would occur. The proposed logistics facility would have the potential to generate limited population growth with the potential to impact public services and recreational facilities as a result of new employees relocating to the Project Area. Many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, many Project employees could already live in the City. According to the General Plan, businesses in the City employ 6,214 workers that live in Fontana and 40,358 workers that live outside the City. Thus, it would be highly speculative to estimate the number of future employees who would relocate to the City. Notwithstanding, the Project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to public services and recreational facilities by helping fund capital improvements and expenditures. As such, the Project Alternative's contribution to cumulative impacts related to public services and facilities is not cumulatively considerable. (Draft EIR, p. 4.12-14.)

### **P. RECREATION**

The Project Alternative would have no impact on park and recreational facilities. (Draft EIR, p. 5.0-6.) Thus, no cumulative impacts would occur.

### **Q. TRANSPORTATION**

Approved or pending projects within the City of Fontana, City of Rialto, and San Bernardino County anticipated to be completed prior to Project opening and forecast to contribute traffic to the study area were identified. Forecast traffic related to these future developments were added to the existing plus ambient growth traffic volumes. A total of 27 cumulative projects were considered and 18 cumulative projects were found to contribute



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traffic to the Project's study area. TIA Table 13, *Cumulative Projects Trip Generation*, presents the cumulative projects identified with the direction of City staff and the forecast trip generation estimated for each project, and TIA Exhibit 12, *Cumulative Project's Location Map*, identifies the relative location of each cumulative project to the Proposed Project site.

Construction activities associated with the Project Alternative and nearby cumulative projects may overlap and result in temporary traffic impacts to local roadways. However, as stated, Project construction would not result in significant traffic impacts upon implementation of a construction TMP required under **Mitigation Measure TR-1**. Cumulative development projects would also be required to reduce construction traffic impacts on the local circulation system and implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the Project Alternative's contribution to cumulative construction traffic impacts would not be considerable.

A cumulative impact analysis was provided under Section G-(b), Conflict With Applicable Roadway Plans, and included analyses for Existing With Project, Opening Year (2020) With Project and Horizon Year (2040) With Project conditions. As summarized in the Draft EIR, Tables 4.13-11 through 4.13-16, all study intersections are anticipated to operate at an acceptable LOS (LOS C or better) during peak hours with the Project except for following intersections:

- Existing With Project
  - Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS F in AM and PM peak hours
- Opening Year (2020) With Project
  - Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours
- Horizon Year (2040) With Project
  - Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours
  - Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours

The City has plans to construct an additional northbound lane on Sierra Avenue and install a new traffic signal at the Sierra Avenue / Riverside Avenue intersection, which would reduce the Project Alternative's cumulative impacts under Existing With Project conditions to less than significant levels. However, given the jurisdictional issues discussed above, no feasible mitigation is available to reduce the Project Alternative's cumulative traffic impacts under Opening Year (2020) With Project and Horizon Year (2040) With Project conditions, and would result in in significant and unavoidable impacts.

Additionally, as detailed under Section 5, C—1(b), Conflict With Applicable Roadway Plans, the Project Alternative would result in cumulatively significant and unavoidable impacts related to I-15 freeway mainline and on and off ramps. Under Existing and Existing With Project conditions, all three freeway mainline segments studied are operating at LOS D. Under Opening Year (2020) and Horizon Year (2040) conditions with and without the Project Alternative, freeway segments analyzed are forecast to operate at LOS E and F respectively.



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Freeway on and off ramps at Sierra Avenue are currently operating at LOS C, D, and E for Existing and Existing With Project conditions. Under Opening Year (2020) and Horizon Year (2040) Without and With Project conditions, freeway on and off ramps analyzed are forecast to operate at LOS F.

As stated above, improvements at study area freeway mainline segments and freeway on and off ramps are not planned or funded by Caltrans at this time, and jurisdictional issues preclude the City from identifying, mandating, or constructing improvements to freeway mainline segments or on and off ramps. Therefore, mitigation measures at these locations have not been proposed and as such, impacts at these freeway mainline segments and ramps locations are considered significant and unavoidable. (Draft EIR, pp. 4.13-29 through 4.13-30.)

### R. TRIBAL CULTURAL RESOURCES

Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

Ongoing development and growth in the broader Project Area may result in a cumulatively significant impact to cultural resources, tribal cultural resources, and paleontological resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried archaeological, paleontological, or tribal cultural resources. Because there is always a potential to encounter unrecorded archaeological, tribal cultural, and paleontological resources during construction activities, no matter the location or sensitivity of a particular site, **Mitigation Measures CR-2** and **CR-3** are required to protect, preserve, and maintain the integrity and significance of cultural, tribal cultural, and/or paleontological resources in the event of the unanticipated discovery of a significant resource.

As discussed above, the individual, Project-level impacts were found to be less than significant with incorporation of mitigation measures, and the Proposed Project Alternative would be required by law to comply with all applicable federal, state, and local requirements related to historical, archaeological, paleontological, and tribal cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA, and to implement all feasible mitigation measures should a significant project-related or cumulative impact be identified. Therefore, cumulative impacts would be less than significant with mitigation. (Draft EIR, pp. 4.14-12 through 4.14-13.)

### S. UTILITIES AND SERVICE SYSTEMS

Cumulative projects that would have the potential to be considered in a cumulative context with the Proposed Project Alternative's incremental contribution, and that are included in the analysis of cumulative impacts relative to utilities and service systems, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.



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The Proposed Project Alternative would result in an incremental increase in wastewater generation. However, given the existing available wastewater facility capacity, the wastewater treatment needs of the Proposed Project Alternative—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded wastewater treatment facilities that could result in significant environmental impacts or that could cause the wastewater treatment to exceed the capacity of the wastewater treatment facilities. The cumulative impact with respect to wastewater treatment capacity would be less than significant.

The Proposed Project Alternative would result in an incremental increase water demand. However, given the existing available water supply, the water supply needs of the Proposed Project Alternative—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded water entitlements that could result in significant environmental impacts. As discussed above, the 2015 RUWMP assessed the projected water demand and supply in West Valley's service area and concluded that West Valley has, and will have, an adequate water supply to meet all demands within its service area to 2040 (West Valley Water District 2015). In addition, as discussed in the WSA prepared for the Proposed Project Alternative, West Valley has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the Proposed Project Alternative, in addition to existing and planned future uses.

The cumulative impact with respect to water supply would be less than significant. In addition, as with the Proposed Project Alternative, any cumulative projects are required to conduct environmental review under CEQA and are approved by the City on a project-by-project basis. Since the Proposed Project Alternative would not have a significant impact on water supply and would have adequate water infrastructure improvements, the Project Alternative would not combine with other cumulative projects to result in significant water supply and infrastructure impacts.

Future projects in the area would result in a cumulative increase in stormwater runoff that would drain into the existing stormwater drainage system in Fontana. The Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a 3-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Logistics Site. Similar to the Proposed Project Alternative, future projects would be required to conduct environmental review and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Since the Proposed Project Alternative would not have a significant impact on existing stormwater drainage facilities, the Project Alternative would not combine with other cumulative projects to result in significant impacts regarding stormwater drainage.

Future projects in the area would increase solid waste generation and decrease available capacity of the landfills in the area. However, as with the Proposed Project Alternative, these projects have been, or would be, required to conduct environmental review. Furthermore, the Mid-Valley Sanitary Landfill is projected to have sufficient capacity to serve current and future needs through 2033. The Project Alternative would not combine with other cumulative projects to result in significant impacts to solid waste.



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No significant cumulative impact is anticipated regarding utilities and service systems, and the Project Alternative's contribution is not considered cumulatively considerable. (Draft EIR, pp. 4.15-16 through 4.15-17.)

### **T. WILDFIRE HAZARDS**

Cumulative projects that would have the potential to be considered in a cumulative context with the project's incremental contribution, and that are included in the analysis of cumulative impacts relative wildfire hazards, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

Like the Proposed Project Alternative, cumulative development occurring within FHSZs would be subject to risk of wildfire hazards. Development of cumulative projects occurring within FHSZs would be subject to compliance with the 2016 California Building Code (or the most current version) and the 2016 Edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations). All proposed construction would be required to meet minimum standards for fire safety. Development occurring within the City of Fontana would be subject to review by the City and FFPD to ensure cumulative development is designed to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. Implementation of these plans and policies, in conjunction with compliance with the Fire Code and City and FFPD, would ensure cumulative impacts with respect to wildfire hazards are less than significant.

As indicated above, the Proposed Project Alternative would not result in significant wildfire hazard impacts following conformance with the California Building Code, California Fire Code, Municipal Code, and City and FFPD requirements. The Project Alternative's proposed realignment of Lytle Creek Road would improve area circulation and better allow FFPD emergency access to the Project Area. Thus, the Proposed Project Alternative and identified cumulative projects are not anticipated to result in a significant cumulative impact. (Draft EIR, p. 4.16-13.)

### **SECTION 7: FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

Sections 15126(c) and 15126.2(c) of the State CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should the Project Alternative be implemented. The Commission concurs with the City's following findings regarding significance of irreversible environmental changes.

Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or



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- The proposed consumption of resources is not justified.

Here, more information on these significant and unavoidable impacts is found in Section 4 of the Revised Draft EIR and supporting appendices.

- Air Quality
  - Impact 4.2-1: The Project Alternative would potentially conflict with or obstruct implementation of the applicable air quality plan (or applicable air quality thresholds);
  - Impact 4.2-2: The Project Alternative would violate an air quality standard or contribute substantially to an existing or projected air quality violation; and
  - Impact 4.2-5: The Project Alternative would potentially create a cumulative air quality impact.
- Cultural Resources
  - Impact 4.4-1: The Project Alternative would potentially cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; and
  - Impact 4.4-5: The Project Alternative would potentially result in cumulative impacts to cultural resources.
- Traffic and Circulation
  - Impact 4.13-1: The Project Alternative would potentially conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
  - Impact 4.13-2: The Project Alternative would conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; and
  - Impact 4.13-5: The Project Alternative would potentially result in cumulatively significant traffic and circulation impacts.

### Significant Irreversible Environmental Changes

Section 15126.2(c) of the State CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would result from implementation of a proposed project. Examples include: primary or secondary impacts of the project that would generally commit future generations to similar uses (e.g., highway improvements at the access point); uses of nonrenewable resources during the initial and continued phases of the project (because a large commitment of such resources make removal or nonuse thereafter unlikely); and/or, irreversible damage that could result from any potential environmental accidents associated with the project.

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type or quantity of materials released



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and the receptors exposed to that release. Demolition and construction activities associated with the Proposed Project Alternative would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations, and would follow professional industry standards for safety. Once operational, any materials associated with environmental accidents would comply with applicable federal, state, and local regulations.

Implementation of the Proposed Project Alternative would require the long-term commitment of land and natural resources as follows:

- Construction of the Proposed Project Alternative would require the use of timber, steel, sand, gravel, and other minerals and natural resources. Although these uses are not considered an unusual demand for these resources during construction, they nonetheless represent an incremental increase in demand for nonrenewable resources.
- Nonrenewable energy sources such as oil-based fuels would be used during construction and subsequent operation of the Proposed Project Alternative; and
- Heavy machinery would be used during construction, resulting in proportionate air emissions and noise levels.

Once the average 50-to-100-year life span of the Proposed Project Alternative is reached, it is probable that the site would continue to support industrial uses. The large investment of capital resources that would be expended on the Proposed Project site, infrastructure, and amenities would likely continue beyond the average life span of the project. Consequently, the Project Alternative would largely commit the project site to similar uses in the future.

Construction and implementation of the Proposed Project Alternative would commit energy, labor, and building materials. This commitment would be commensurate with that of other projects of similar nature and magnitude. Energy, labor, and building materials would also be committed to the construction of buildings and infrastructure necessary to support the redevelopment of the existing site. Ongoing maintenance of the project site would entail a long-term commitment of energy resources in the form of natural gas and electricity. This commitment of energy, labor, and building materials would be a long-term obligation, because once the project site has been developed, it is highly unlikely that the land could be returned to its original condition. (Draft EIR, pp. 6.0-1 through 6.0-3.)

### **SECTION 8: FINDINGS REGARDING GROWTH-INDUCING IMPACTS**

Section 15126.2(d) of the State CEQA Guidelines requires a Draft EIR to discuss the ways the Project Alternative could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.



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It should be noted that the Proposed Project Alternative involves the development of an industrial warehouse facility and does not include the construction of any new housing. As such, the Project Alternative is not expected to foster direct population growth. While the Proposed Project Alternative could have the potential to indirectly generate population as a result of new employees relocating to the Project area, potential indirect population growth would be limited.

### **Removal of Barrier to Growth**

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. Several types of projects can induce population growth by removing obstacles that prevent growth. An example of this type of project would be the expansion of a wastewater treatment plant, which would accommodate additional sewer connections within a service area, and therefore, would allow future construction and growth.

The Project Applicant proposes to construct a single approximately 1,175,788 square-foot concrete tilt up logistics warehouse building within an approximately 76-acre property, with associated facilities and improvements such as a guard booth, parking, landscaping, and drainage facilities. Parking and site paving would be concrete and asphalt, and would represent approximately 77 percent of the site coverage. All existing structures on the Project site would be demolished prior to Project construction.

The proposed infrastructure enhancements and upgrades, including roadways, water system, sewer system and storm drain system, would be designed to accommodate the Proposed Project Alternative. These infrastructure capacity increases would remove impediments that currently inhibit growth associated specifically with the Proposed Project site, resulting in the potential environmental impacts as discussed throughout this Draft EIR. However, the proposed infrastructure improvements have been sized to serve the Proposed Project Alternative and do not contain adequate excess capacity to support substantial, unplanned growth. Therefore, growth-inducing impacts are precluded because the infrastructure is sized to serve only the Proposed Project Alternative.

### **Economic Growth**

The Proposed Project Alternative would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the warehouse building and associated improvements, as well as the roadway associated with the Lytle Creek Road realignment. The Project Alternative is anticipated to be developed in one phase. Should the Project Alternative be approved, construction is anticipated to commence in 2021 and be completed in 2022.

Because the future tenants are not yet known, the number of jobs that the Proposed Project Alternative would generate cannot be precisely determined. Therefore, for the purposes of this analysis, employment estimates were calculated using average employment density factors reported by the Southern California Association of Governments (SCAG). SCAG reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The Project Alternative



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would include approximately 1,175,788 square feet of warehouse space. As such, the estimated number of employees required for operation would be approximately 1,000 people.

According to the SCAG Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy) (SCAG 2016), employment in the City of Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040. The Project-related increase of 1,000 employees would be minimal in comparison to the increase anticipated in the SCAG Growth Forecast.

In addition, data provided by the California Employment Development Department in January 2017 found that the unemployment rate for Riverside and San Bernardino Counties is at 5.2%, which is above the state (5.0%) and national (4.5%) averages. As such, the Project Alternative's temporary and permanent employment opportunities could be met by the City of Fontana's existing labor force without people needing to relocate into the Project region, and the Project Alternative would not stimulate significant population growth or a population concentration above what is assumed in local and regional land use plans. While there is potential that employees could move to the City for jobs at the Proposed Project Alternative, indirect growth would be limited.

### **Establishment of a Precedent-Setting Action**

The Proposed Project Alternative includes a General Plan Amendment to change the existing land use designation from Residential Estate (R-E) to Light Industrial (M 1). In order to accommodate the proposed Logistics Facility, the Proposed Project Alternative includes a change of zone on approximately 76 acres of the Project Area to change the pre-zoning from Residential Estate (R-E) to Light Industrial (M-1) (refer to the Draft EIR, Section 3.0, Project Description, for detailed information regarding the proposed General Plan Amendment). The Proposed Project Alternative also includes an annexation of a total of 21 parcels and portions of road right-of-way (ROW) encompassing approximately 152-acres into the City of Fontana. Additionally, the Proposed Project Alternative includes a General Plan Amendment to change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector. The Proposed Project Alternative also includes the amending of the Zoning Code of a 12.5-acre site as Medium Density Residential (R-2) to accommodate the future development of up to 150 units. None of these actions are considered precedent setting actions (defined as any act, decision, or case that serves as a guide or justification for subsequent situations), as they are commonly undertaken on a regular basis by many jurisdictions. Therefore, less than significant impacts would occur in this regard. (Final EIR, pp. 2.0-13 through 2.0-14.)

### **Conclusion**

The Proposed Project Alternative does not include the construction of new houses and is not anticipated to result in a substantial increase in population. As outlined above, the Project Alternative would not result in any of the following: remove an impediment to growth, foster substantial economic expansion or growth, or establish a precedent-setting action. Therefore, the Proposed Project Alternative would have less than significant growth-related impacts. (Draft EIR, pp. 7.0-1 through 7.0-3.)



**SECTION 9: FINDINGS REGARDING ALTERNATIVES**

**A. Background**

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.



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The range of alternatives required is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

Here, a range of feasible alternatives to the proposed Project was developed to provide additional information and flexibility to the decision-makers when considering the proposed Project. (See Draft EIR, Section 8, including at pp. 8.01 through 8.0-19.)

### **B. Project Objectives**

An EIR must only discuss in detail an alternative that is capable of feasibly attaining most of the basic objectives associated with the action, while at the same time avoiding or substantially lessening any of the significant effects associated with the proposed project. As discussed in Section 3.0, Project Description, of the Draft EIR, the Proposed Project would develop and operate an approximately 1,175,788-square foot logistics facility on approximately 76 acres (Logistics Site); realign a segment of Lytle Creek Road; annex 152 acres (Annexation Area or Project Area), inclusive of the 76-acre Logistics Site; and implement related Project components and entitlements. A summary of the objectives, as provided within Section 3.0 of the Draft EIR, is provided below:

- Objective 1: Implement the City of Fontana’s desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.
- Objective 2: Improve area circulation via the realignment of Lytle Creek Road.
- Objective 3: Facilitate goods movement for the benefit of local and regional economic growth.
- Objective 4: Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.
- Objective 5: Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.
- Objective 6: Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.

### **C. Alternatives Considered But Rejected From Detailed Analysis**

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are potentially feasible, meet most of the project objectives, and avoid significant environmental effects that would occur from the project, and therefore, merit in-depth consideration. Alternatives that are remote or speculative, are infeasible, or the effects of which cannot be reasonably predicted, need not be considered (State CEQA Guidelines Section 15126.6(f), (f)(3)).

Per the State CEQA Guidelines (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated Project objectives, infeasibility, or inability to avoid environmental effects. During the EIR process, a potential alternative for developing the site was considered, resulting in the



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alternative identified and analyzed in the Draft EIR, Section 8.0. The following development alternative was initially considered but was rejected because it would either 1) not meet the proposed Project's primary objectives or 2) was considered infeasible.

**“Alternative Site” Alternative:** The “Alternative Site” Alternative proposes that the Proposed Project would be built on another site within the City of Fontana. Due to the large size of the Proposed Project, there are limited sites within the City that could accommodate the Logistics Facility, specifically sites located near major transportation corridors. A project site that is located away from major transportation corridors could result in greater localized impacts due to truck traffic traveling on neighborhood and local streets. Further, the “Alternative Site” Alternative would not achieve Objective 2 (Improve area circulation via the realignment of Lytle Creek Road) and has the potential to not achieve Objective 1 (capitalize on nearby transportation corridors) and Objective 6 (development of a logistics facility that takes advantage of the proximity to I-15 and nearby commercial/industrial uses). For these reasons, the “Alternative Site” Alternative was rejected from further consideration. (Draft EIR, p. 8.0-5.)

### **D. Evaluation of Alternatives Selected For Further Analysis**

In accordance with State CEQA Guidelines Section 15126.6, “An EIR shall describe a range of reasonable alternatives to the project . . .” The Commission concurs that the following alternatives have been determined by the City to represent a reasonable range of alternatives. In particular, the alternatives presented have been determined to be physically feasible and have the potential to avoid or substantially lessen one or more of the significant effects of the project. The Alternatives include:

- Alternative 1: No Project Alternative (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-5 through 8.0-13.)
- Alternative 2: Reduced Project Alternative (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-13 through 8.0-19.)
- Alternative 3: “Annexation Only” Alternative (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-19 through 8.0-25.)
- Alternative 4: “SB 330 Compliance” Alternative (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-25 through 8.0-37.)

#### **1. Alternative 1 - No Project Alternative**

Description: The 152-acre Project Area predominantly consists of vacant parcels of undeveloped land with surface elevations ranging from approximately 1,850 to 2,079 feet above mean sea level, generally sloping to the southwest. Existing on-site development includes paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with eight existing residential properties, as well as a small commercial development at the north end of the Project Area. In addition, there is an existing water tank located in the southern portion of the Project Area, approximately 0.3-mile from the southern boundary of the Logistics Site. Existing transmission towers are located along the entirety of the Project Area's eastern boundary, including the Logistics Site.

The No Project Alternative assumes that the Project Area would not be annexed to the City, and that the Project Area would remain in the County and would be developed under



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the County of San Bernardino's existing land use and zoning designations. None of the existing buildings on-site would be demolished under the No Project Alternative. Based upon the County's General Plan and zoning, as explained below, the No Project Alternative can be reasonably assumed to result in development of 132 dwelling units in the RL and RS zones. As indicated in Table 4.10-2, Current Land Use Designations/Zoning (found at Draft EIR, p. 4.10-2), the Project Area currently includes the following County of San Bernardino Land Use Zoning Districts:

- Single Residential 1-acre minimum (RS-1);
- Institutional (IN);
- Rural Living (RL); and
- Special Development (SD).

The County of San Bernardino has designated the following land uses for the Project Area:

- Single Residential (RS);
- Rural Living; (and);
- Institutional (I); refer to Exhibit 3.0-16, Existing General Plan Land Use Designations.

As depicted on Exhibit 3.0-16 (found at Draft EIR, p. 3.0-59), the majority of the Project Area is designated Single Residential (RS) and Rural Living (RL) by the County of San Bernardino. Institutional (I) uses would also be permitted in the northeast portion of the Project Area. According to the County General Plan, the Single Residential land use is intended to provide areas for single-family homes on individual lots, provide areas for accessory and nonresidential uses that complement single-family residential neighborhoods, and discourage incompatible nonresidential uses in single-family residential neighborhoods. The Rural Living (RL) designation is intended to encourage appropriate rural development where single-family residential use is primary; identify areas where rural residences may be established and where associated related animal uses may be permitted; prevent inappropriate demand for urban services; and establish areas where nonagricultural activities are the primary use of the land, but where agriculture and compatible uses may co-exist. Institutional uses are intended to identify existing lands and structures committed to public facilities and public agency uses and proposed public facilities, where site selection has not occurred; provide areas for development of future public facilities to meet public needs; enable identification of potential facility locations that satisfy both community and regional needs relating to the population levels being served; and identify potential facility sites in advance of immediate need so that facility design and location may be based on the character of the area being served and can also be compatible with and supportive of the comprehensive plans of agencies within the facility service area.; refer to Table 3.0-7, Description of Land Use Designations, of the Draft EIR.

As such, the following discussion evaluates the potential environmental impacts associated with development of the Project Area pursuant to its existing zoning and land use designations, as compared to impacts from the Project. (Draft EIR, pp. 8.06 through 8.07.)



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### Impacts:

#### **Aesthetics and Visual Resources**

Under the No Project Alternative, the majority of the Project Area would be developed with Single Residential and Rural Living development as currently permitted under the County General Plan. Institutional uses would also be permitted; however, these uses would be limited to the northeast limits of the Project Area.

Conversely, the Proposed Project includes a change of zone on approximately 76 acres of the Project Area from R-E to Light Industrial (M-1) in order to accommodate the Logistics Site; refer to Exhibit 3.0-7a, Proposed Pre-Zoning Designations – Option 1.

Development occurring on the Project Area in accordance with the County's existing zoning would be less intensive than the Proposed Project. As a result, the No Project Alternative would have similar less than significant impacts to scenic resources as the Proposed Project. Both the No Project Alternative and the Proposed Project would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Project Area. The No Project Alternative would better preserve the existing visual character or quality of the Project Area as it would facilitate similar development to existing conditions (i.e., a single residential and rural living land uses on the majority of the Project Area with institutional uses permitted in the northeastern extent of the site) and would decrease the potential for the introduction of additional sources of light or glare. The No Project Alternative would have similar less than significant impacts to visual character/quality in this regard.

#### **Air Quality**

Under the No Project Alternative, the majority of the Project Area would be developed with Single Residential and Rural Living development as currently permitted under the County General Plan. Institutional uses would also be permitted; however, these uses would be limited to the northeast limits of the Project Area. Based on reduced development intensity of these land use designations, the No Project Alternative would substantially reduce and/or avoid the Proposed Project's short-term construction and long-term operational impacts to air quality. This Alternative would also likely be consistent with the 2016 Air Quality Management Plan (2016 AQMP). Thus, the Proposed Project's significant and unavoidable long-term operational air emissions and cumulative operational emissions would be eliminated under this alternative. The No Project Alternative would avoid the Project's significant and unavoidable impacts pertaining to long-term operational air emissions and cumulative operational emissions, and would maintain consistency with the 2016 AQMP.

#### **Biological Resources**

Based on reduced development intensity that could be developed under the County's existing land use designations and Land Use Zoning Districts for the Project Area, the No Project Alternative would have fewer impacts to special status plant, wildlife species, and sensitive vegetation communities than the Project which also has a less than significant impact, but would most likely result in a greater disturbance to land area than the No Project Alternative. As with the Project, the No Project Alternative would have no impact to federally protected wetlands as none are present on the Project Area. Nonetheless, any construction



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activities that would result from the No Project Alternative would have the potential to disturb biological resources on-site. As a result, the No Project Alternative would result in similar impacts to the Project, which could be reduced to less than significant through compliance with **Mitigation Measures BIO-1** through **BIO-4** that were identified for the proposed Project.

### Cultural Resources

The No Project Alternative would avoid the Project's significant and unavoidable impacts to historic resources, as it would not involve demolition of the stone house at 4055 Lytle Creek Road, which is already developed pursuant to the County's intended Single Residential [RS] land use for the site. As discussed in the Draft EIR, Section 4.4, Cultural Resources, no archaeological resources were recorded on the Project Area during the field investigation, and none are known to occur on-site. Nonetheless, any construction activities would have the potential to disturb unknown archaeological resources on-site, if present. As a result, the No Project Alternative would result in similar less than significant impacts to archaeological resources with **Mitigation Measure CR-2** and **CR-3**. Impacts to human remains would also be similar to the Proposed Project. Because the No Project Alternative could avoid demolition of the stone house, the No Project Alternative would avoid the Proposed Project's significant and unavoidable impacts to cultural resources.

### Energy

Compared to the Proposed Project, impacts from energy usage related to electricity consumption would commensurately be reduced given that the development intensity allowed under the County's existing land use designations and Land Use Zoning Districts for the Project Area would be less than the Proposed Project. Demands for electricity would also be reduced. Thus, the No Project Alternative would result in similar less than significant energy demands as compared to the Proposed Project.

### Geology and Soils

None of the geologic conditions or hazards affecting the Project Area would be altered as a result of the No Project Alternative. Like the Proposed Project, potential development associated with the No Project Alternative could require deeper excavations in older finer-grained Quaternary deposits, as this soil type is common throughout the northwestern portion of the Project Area and adjacent to the southwestern portion of the Project Area; refer to Appendix D, *Cultural Resources Assessment*. These activities have the potential to encounter significant remains of fossil vertebrates. As a result, the No Project Alternative would have similar impacts to the Proposed Project and its impacts would be less than significant with implementation of **Mitigation Measures GEO-2** and **GEO-3**.

However, the reduced intensity of development permitted under the County's existing land use designations (a mixture of Single Residential 1-acre minimum, Institutional, Rural Living, and Resource Conservation uses) and Land Use Zoning Districts for the Project Area would proportionally reduce the number of persons exposed to potential adverse effects associated with seismic, geologic, and soil hazards. It should be noted, however, that development consistent with the County's General Plan and zoning would introduce housing to the area. The No Project Alternative would result in less than significant impacts similar to the Proposed Project in this regard.



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### Greenhouse Gas Emissions

Based on the reduced intensity of development permitted under the County's existing land use designations and Land Use Zoning Districts for the Project Area, the No Project Alternative would reduce the amount of GHG emissions compared to the emissions anticipated under the Proposed Project. With **Mitigation Measures GHG-1** and **AQ-4**, the Proposed Project would reduce impacts to less than significant. (Final EIR, p. 2.0-15.)

Under the No Project Alternative, GHG emissions would be substantially reduced when compared to the Proposed Project due to the elimination of the truck trips associated with the Logistics Center. Like the Proposed Project, the No Project Alternative would result in less than significant impacts.

### Hazards and Hazardous Materials

None of the hazards and hazardous materials affecting the Project Area would be altered as a result of the No Project Alternative. However, none of the existing buildings on-site would be demolished under the No Project Alternative. As a result, the No Project Alternative would not result in the potential hazards to the public or environment through foreseeable upset and accident conditions involving the release Asbestos Containing Materials (ACMs) or Lead-Based Paint (LBP) into the environment, as ACM and LBP materials generally pose no risk unless they are damaged or cut (i.e., demolition and/or removal of structures containing these materials). Like the Proposed Project, the No Project Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5 and airport-related hazards, since these hazards do not affect the Project Area; refer to the Draft EIR Section 4.7, Hazards and Hazardous Materials.

### Hydrology and Water Quality

Based on reduced development intensity allowed under County's existing land use designations and Land Use Zoning Districts for the Project site, the No Project Alternative would proportionally reduce the amount of anticipated hardscapes. Like the Proposed Project, development occurring pursuant to the County's existing land use designations and zoning which disturb more than one acre of soil would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) and demonstrate compliance with Title 3, Division 5, Chapter 1 of the San Bernardino County Code to reduce short-term construction-related impacts to water quality to a less than significant level. Similar to the Proposed Project, development occurring pursuant to the County's existing land use and zoning designations for the Project Area would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The No Project Alternative is also not expected to create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff subject to compliance with the City's Master Drainage Plan.

As compared to the Proposed Project, the No Project Alternative would have fewer impacts with respect to hydrology and water quality simply as a result of the reduced



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hardscapes anticipated if development under the County's existing land use designations and Land Use Zoning Districts for the Project site were implemented.

### **Land Use and Relevant Planning**

As the No Project Alternative would not demolish the eight on-site residential units and would be developed pursuant to the County's existing land use designations for the project site, implementation of the No Project Alternative would involve similar less than significant impacts related to the division of an established community and the potential to conflict with an applicable land use plan, policy, or regulation. As a result, the No Project Alternative's impacts would be similar to the Proposed Project concerning land use and planning.

### **Noise**

As discussed, the No Project Alternative would allow development in accordance with the site's existing County land use designations and Land Use Zoning Districts under the jurisdiction of the County. The reduced development intensities allowed under the Project Area's existing land use designations and zoning would proportionally reduce anticipated construction and operational noise and vibration as compared to the Proposed Project. As such, the No Project Alternative would involve similar mitigated less than significant impacts related to construction noise and vibration and operational noise (mobile and stationary sources) as compared to the Proposed Project.

### **Public Services and Recreation**

The reduced development intensities allowed under the site's existing County land use designations and Land Use Zoning Districts would proportionally reduce anticipated construction and operational impacts to certain public services, such as fire and police protection services. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or increase demand for local or regional parks and recreational facilities. However, the residential development which would be permitted under the No Project Alternative would increase demand for local or regional parks and recreational facilities. As a result, the No Project Alternative would involve greater impacts to parks and recreational facilities than the Proposed Project. The impacts to public services would be similar to the Proposed Project.

### **Transportation**

The reduced development intensities allowed under the site's existing County land use designations and Land Use Zoning Districts would result in a proportionate reduction of average daily trips and traffic and circulation impacts within the Project vicinity in comparison to the Project. As a result, this Alternative would likely avoid the Project's identified significant and unavoidable impacts for Existing, Opening Year (2020), and Horizon Year (2040) With Project Conditions. This alternative would have reduced traffic impacts in comparison the Proposed Project.



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### Tribal Cultural Resources

As indicated in the Draft EIR, Section 4.14, Tribal Cultural Resources, the San Manuel Band of Mission Indians has indicated that the Project Area has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2 and CR-3**. Similar to the Proposed Project, development associated with the No Project Alternative would have the potential to impact tribal cultural resources during ground disturbing activities. Impacts to tribal cultural resources would be similar to the Proposed Project in this regard.

### Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the No Project Alternative would be commensurately reduced given that development intensity allowed under the County's existing land use designation and Land Use Zoning Districts for the Project site would be reduced. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced. The Proposed Project has a less than significant impact on public services and utilities. The No Project Alternative would have reduced demand, but would also have a similar less than significant impact.

### Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or substantially increase demand for fire protection services. The residential uses permitted under the No Project Alternative may be more vulnerable to wildfire than the industrial uses which would be permitted under the Proposed Project due to development materials, landscaping and other attributes. The No Project Alternative would not realign Lytle Creek Road to improve area circulation and better allow the Fontana Fire Protection District (FFPD) emergency access to the Project Area. As a result, this alternative may have greater impacts than the Proposed Project.

(Draft EIR, pp. 8.0-7 through 8.0-12; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-7 through 8.0-12.)

**Objectives:** The No Project Alternative assumes development consistent with the General Plan and zoning of the County. Because no logistics facility would be constructed and Lytle Creek Road would not be realigned, the No Project Alternative would not accomplish any of the project objectives:

Objective	Discussion
<u>Objective 1:</u> Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors. Also, the City would not annex the Project Area. The No Project Alternative would not achieve this objective.



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<u>Objective 2</u> : Improve area circulation via the realignment of Lytle Creek Road.	The No Project Alternative would not include any realignment of Lytle Creek Road. The No Project Alternative would not achieve this objective.
<u>Objective 3</u> : Facilitate goods movement for the benefit of local and regional economic growth.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors or facilitating goods movement for the benefit of local or regional growth. No new jobs would be created through a logistics facility. The No Project Alternative would not achieve this objective.
<u>Objective 4</u> : Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The No Project Alternative would not establish any logistics or warehousing uses, and would be developed consistent with County zoning, which proposes residential uses. The No Project Alternative, therefore, would not generate any additional employment opportunities and would not benefit the City's and County's jobs-housing ratios, as discussed in Chapter 5 of the EIR. The No Project Alternative would not achieve this objective.
<u>Objective 5</u> : Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on area infrastructure and the Project Area's location in proximity to commercial/industrial uses. The No Project Alternative would not achieve this objective.
<u>Objective 6</u> : Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	The No Project Alternative would not establish any logistics or warehousing uses. Therefore, it would not achieve this objective.

(Draft EIR, pp. 8.0-12 through 8.0-13; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-12 through 8.0-13.)

Findings: The City Council rejects Alternative 1 and the Commission concurs with this finding: No Project Alternative on the following ground, which provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives.

### 2. Alternative 2 – Reduced Project Alternative

Description: The Reduced Project Alternative would reduce development of the Project by approximately 25.4 percent, constructing an 877,000 square foot industrial building



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as compared to the Project's proposed approximately 1,175,788 square foot building. Given the 25.4 percent reduction in development, it is assumed that the building footprint and required parking spaces would be slightly reduced, and thus provide slightly more pervious areas on-site.

The Reduced Project Alternative was selected for analysis due to its ability to avoid the Proposed Project's significant and unavoidable impacts to historic resources (the Stone House at 4055 Lytle Creek Road). A 25.4 percent reduction in development could potentially lessen the significant and unavoidable impacts for the Project related to air quality (operational air emissions and consistency with the 2016 AQMP), and transportation (Existing With Project Conditions, Opening Year (2020) With Project Conditions, and Horizon Year (2040) With Project Conditions). (Draft EIR, p. 8.0-13.)

### Impacts:

#### **Aesthetics and Visual Resources**

Both the Proposed Project and the Reduced Project Alternative would have short-term visual impacts associated with demolition, grading, and construction activities. Although this alternative would result in 25.4 percent less development, construction-related impacts to visual character/quality would be only nominally reduced, if not similar, to the Proposed Project.

Under this alternative, the long-term visual character of the Logistics Site and its surroundings would be altered to a lesser degree than the Proposed Project, since the site would be developed with an 877,000 square foot industrial building as compared to the Project's proposed approximately 1,175,788 square foot building. However, even with a 25.4 percent reduction in building square footage, the industrial building would continue to be the predominant view of and across the site. Views of the San Gabriel Mountains would continue to be obstructed under this alternative. However, as discussed in Section 4.1, the Logistics Site is developed with significant electrical infrastructure, including power lines and towers, are visible in the foreground. These features significantly lessen the existing quality of views of the San Gabriel Mountains from I-15. As a result, this alternative would have similar less than significant impacts to scenic resources (i.e., views of the foothills of the San Gabriel Mountains) as the Proposed Project. Additionally, the industrial development, including its infrastructure improvements, would be designed similarly under both scenarios. As such, the visual character and quality of the industrial development would be similar to the Proposed Project. Because the building materials used in construction of this alternative would be similar to those of the Project, and because all development would be required to comply with applicable lighting standards, impacts to lighting and glare would be similar to the Project.

#### **Air Quality**

The 25.4 percent reduction in development density under this alternative would result in fewer short-term air quality emissions associated with construction activities, including demolition, grading, building, worker trips, and truck hauling. As a result, air quality emissions associated with the Reduced Project Alternative would be less than the Proposed Project's less than significant impacts, given the reduced level of construction activities. Although



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short-term air quality emissions under this alternative would be reduced, mitigation measures would still be required to ensure impacts are reduced to less than significant.

Operations of the Proposed Project would result in NOX emissions that would exceed SCAQMD operational thresholds, mostly due to a substantial increase in mobile emissions from average daily trips. Due to this alternative's 25.4 percent reduction in building development and associated daily trips, long-term air quality impacts from mobile and area source pollutant emissions generated under the Reduced Project Alternative would be proportionally reduced as compared to the Proposed Project. However, this alternative would not avoid the significant and unavoidable impacts associated with operational NOX emissions and consistency with the 2016 AQMP. A 25.4 percent reduction in building development would result in an estimated 109.37 pounds per day of NOx emissions and would still exceed SCAQMD's daily emissions threshold of 55 pounds per day. As a result, the Reduced Project Alternative would have significant air quality impacts, similar to the Proposed Project.

### Biological Resources

Although this alternative would reduce total building square footage by 25.4 percent, the Reduced Project Alternative would still result in similar ground disturbance as the Proposed Project. As a result, the Reduced Project Alternative would involve similar mitigated less than significant impacts to special status plant, wildlife species, and sensitive vegetation communities as the Proposed Project. Like the Proposed Project, this alternative would not impact federally protected wetlands. The area that would be avoided under this alternative would be the site of the historic house, which is already developed. The Reduced Project Alternative would result in similar impacts to the Project, which could be reduced to less than significant through compliance with **Mitigation Measures BIO-1** through **BIO-4** that were identified for the proposed Project. As a result, the Reduced Project Alternative would have similar impacts to biological resources as the Proposed Project.

### Cultural Resources

The Reduced Project Alternative would avoid the Project's significant and unavoidable impacts to historic resources, as it would not involve demolition of the stone house at 4055 Lytle Creek Road. Although the total building square footage would be reduced by 25.4 percent, this alternative would involve similar ground-disturbing activities within the Logistics Site. As a result, impacts to archaeological resources and human remains would be similar to the Proposed Project. Given the substantial change in the Logistics Site, the character of the area surrounding the historic stone house would be significantly changed from rural and open land to a logistics facility. The house site would be substantially surrounded by warehousing uses, including a logistics center, parking lots, as well as access roadways. The Public Access Road would be constructed, as proposed by the Project, and Lytle Creek Road would be realigned. These roadways would straddle the house site, which would remain immediately adjacent to the logistics facility. With the Reduced Project Alternative, the character of the Logistics Site would be changed from largely undeveloped to industrial uses. Although the larger site has been used and disturbed in the past, most of the site consists of undeveloped land associated with past agrarian activities. The Reduced Project Alternative would change this character significantly, which would impact the historic setting of the house site. As noted in Section 4.4 of the EIR, the house is considered historic based partly on its setting. Table 4.4-1 (found at Draft EIR, p. 4.4-14) explains that the house was constructed



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“within the context of twentieth century farming and ranching. An excellent example of a local family ranch compound.” With even a smaller logistics facility, the substantial changes to the surrounding environment would materially alter the setting of the historic resource. As such, although the historic stone house would not be physically destroyed by the Reduced Project Alternative, significant impacts to the historic resource would remain.

### Energy

Compared to the Proposed Project, impacts from energy usage related to electricity consumption under the Reduced Project Alternative would be commensurately reduced given that development intensity would be reduced by 25.4 percent. Demands for electricity would be proportionally reduced. Thus, although the Proposed Project would result in a less than significant energy impact, that impact would be further reduced under this alternative.

### Geology and Soils

Given that the site limits would remain the same under the Proposed Project and the Reduced Project Alternative, none of the site-specific geologic conditions and hazards would be altered under this alternative. However, reducing overall development by 25.4 percent would proportionally reduce the number of workers on-site. As such, this alternative would expose fewer people to potential adverse effects associated with seismic, geologic, and soil hazards. Like the Proposed Project, the Reduced Project Alternative would also involve less than significant impacts concerning geology and soils.

### Greenhouse Gas Emissions

Based on Table 4.7-1, Project Greenhouse Gas Emissions, (found at Final EIR, Attachment 1—Draft EIR, p. 4.7-13) the Project would generate 12,618.90 metric tons of carbon dioxide equivalent per year (MTCO<sub>2</sub>eq/yr) and would exceed SCAQMD's threshold for industrial and warehouse projects. Therefore, **Mitigation Measures GHG-1** and **AQ-4** would be implemented to reduce operational mobile GHG emissions to the extent feasible. With implementation of **Mitigation Measures GHG-1** and **AQ-4**, the Warehouse Facility's long-term operational emissions would be approximately 9,949 MTCO<sub>2</sub>e per year (including construction emissions) and would not exceed the GHG significance threshold of 10,000 MTCO<sub>2</sub>eq/yr. Although this alternative would reduce development by 25.4 percent, an 877,000 square foot industrial building would generate 9,413.7 MTCO<sub>2</sub>eq/yr and thus would not exceed the GHG significance threshold of 10,000 MTCO<sub>2</sub>eq/yr due to the substantial increase in mobile GHG emissions from operational vehicle and truck trips. Thus, this alternative would not be required to implement **Mitigation Measure GHG-1** and **Mitigation Measure AQ-4** to reduce the Reduced Project's GHG emissions below SCAQMD's threshold. As a result, the Reduced Project Alternative would result in similar less than significant impacts from GHG emissions.

### Hazards and Hazardous Materials

Demolition of existing residential uses under the Reduced Development Alternative could similarly release hazardous materials into the environment through reasonably foreseeable upset and accident conditions involving LBPs and ACMs; however, this impact can be mitigated to less than significant. This alternative would reduce development intensity



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by 25.4 percent, and thus would likely require a shorter construction period and less overall construction; however, the same materials would be utilized. As such, the Proposed Project's mitigated less than significant impacts related to hazards and hazardous materials during construction would be similar to, but potentially slightly less than the Proposed Project. In addition, long-term operational impacts related to the transport, use, and/or storage of hazardous materials under this alternative could be commensurately reduced although the materials used and stored at the logistics facility would be the same under either circumstance.

### **Hydrology and Water Quality**

Like the Proposed Project, the Reduced Project Alternative would be required to comply with NPDES requirements and the San Bernardino County Municipal Code to reduce water quality impacts. Similar to the Proposed Project, the Reduced Project Alternative would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The Reduced Project Alternative is also not expected to create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff subject to compliance with the City's Master Drainage Plan.

However, given the 25.4 percent reduction in development, this alternative would have slightly more pervious areas on-site and a proportional reduction in runoff volumes. According to the Proposed Project's Water Quality Management Plan (WQMP), 80 percent of the Logistics Site would be paved at project completion (approximately 60.8 acres). Under the Reduced Project Alternative, approximately 45.6 acres of the Logistics Site would be impervious.

### **Land Use and Relevant Planning**

This alternative would develop 25.4 percent fewer square feet of industrial uses on-site. Similar to the Project, this alternative would involve the same entitlements described for the Proposed Project in the Draft EIR, Section 4.9, Land Use and Planning. However, under SB 330, adoption of the Reduced Project Alternative would require an additional land use action to move the residential development potential "lost" to a different site within the City. See discussion of SB 330, below, under the SB 330 Compliance Alternative. Presumably the same parcels identified for up-zoning under the SB 330 Compliance Alternative could be up-zoned as part of the Reduced Project Alternative. As a result, the Reduced Development Alternative would involve similar land use impacts as the Proposed Project.

### **Noise**

Compared to the Proposed Project, short-term noise impacts from demolition, grading, and construction activities associated with the Reduced Project Alternative would be incrementally reduced due to an anticipated shorter construction schedule, however, even with a reduced square footage, most all of the same noise impacts would be expected to occur. However, the uses surrounding the historic stone house would be significantly changed from rural and open land to a logistics facility. Thus, construction of the Logistics



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Facility, albeit under the Reduced Project Alternative, could result in noise and vibrational impacts to occupants living at this property.

Similarly, long-term operational noise impacts would most likely reflect an incremental reduction as compared to the Proposed Project. A smaller facility would have fewer truck docks and would result in an incremental reduction in noise impacts from average daily trips and vehicular travel on the surrounding roadway network. Operational noise sources, such as HVAC equipment, would remain the same under the Project and Reduced Project Alternative. However, based on the Reduced Project Alternative's preservation of the historic stone house, operation of this alternative could result in noise impacts to occupants living at this property.

### **Public Services and Recreation**

Impacts related to public services and recreation under the Reduced Project Alternative would be commensurately reduced given that the development intensity would be reduced by 25.4 percent. Thus, the Proposed Project's less than significant impacts concerning public services and recreation would be incrementally reduced under this alternative. Impacts would remain less than significant.

### **Transportation**

This alternative would reduce the square footage of development by approximately 25.4 percent. Therefore, with a smaller facility, the Reduced Project Alternative would generate fewer average daily trips and traffic and circulation impacts within the site vicinity in comparison to the Proposed Project. However, it is not anticipated that the Reduced Project Alternative would avoid the Project's significant and unavoidable traffic and circulation impacts to intersections, freeway mainlines, and freeway ramp/merge divides under Existing With Project, Opening Year (2020), and Horizon Year (2040) Conditions given the fact that the reduction in trips would be spread throughout the assumed trip distribution area and the significantly impacted intersections are all above the thresholds such that a minor reduction in trips would not result in any thresholds falling below a level of significance.

Although this alternative may generate fewer trips due to the smaller size of the facility, this alternative would have similar impacts to the Proposed Project regarding transportation, the significant unavoidable impacts identified above would not be eliminated under this alternative.

### **Tribal Cultural Resources**

As indicated in the Draft EIR, Section 4.13, the San Manuel Band of Mission Indians has indicated that the Project site has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. Although this alternative would reduce total building square footage by 25.4 percent, the Reduced Project Alternative would still result in a similar disturbance footprint as the Proposed Project. As a result, the Reduced Project Alternative would involve similar impacts to tribal cultural resources during ground disturbing activities as the Proposed Project.



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### Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the Reduced Project Alternative would be incrementally reduced given that development square footage would be reduced by 25.4 percent. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced given the reduced square footage of development. The Proposed Project has a less than significant impact on public services and utilities. The Reduced Project Alternative would have reduced demand, but would also have a similar less than significant impact.

### Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. Under the Reduced Project Alternative, the risk of wildfire would be similar to the Proposed Project although the avoidance of the existing residence would present the potential for more residents to be exposed to wildfire threats than the Proposed Project.

(Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-13 through 8.0-18.)

Objectives: The Reduced Project Alternative would reduce the overall development of the Proposed Project by 25.4 percent. As discussed below, the Reduced Project Alternative would achieve a majority of the project objectives; however, it would not do so to the same extent as the Proposed Project.

Objective	Discussion
<u>Objective 1:</u> Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	Under the Reduced Project Alternative, the City would annex the Project Area into the City and would permit development of a logistics facility, albeit smaller than the Proposed Project. The Reduced Project Alternative would capitalize on nearby transportation corridors and truck routes, but would do so to a lesser extent than the Proposed Project. Also, by leaving the historic resource in-place, the Reduced Project Alternative would substantively change the surrounding area's character and establish trucking uses within close proximity to the historic resource. Thus, this alternative would also retain uses that are inconsistent with the City's development goals for the Logistics Site.
<u>Objective 2:</u> Improve area circulation via the realignment of Lytle Creek Road.	The Reduced Project Alternative would facilitate the realignment of Lytle Creek Road. Thus, the project would achieve this objective.



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Objective	Discussion
<u>Objective 3:</u> Facilitate goods movement for the benefit of local and regional economic growth.	The Reduced Project Alternative would facilitate goods movement that would benefit local and regional economic growth but, as discussed in the EIR, would not establish as many employment opportunities or generate as much tax revenue for the City. The Reduced Project Alternative would achieve this objective, but to a lesser extent than the Proposed Project.
<u>Objective 4:</u> Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The Reduced Project Alternative would not result in as many job opportunities as the Proposed Project. Thus, the Reduced Project Alternative would not benefit the City's and County's jobs-housing ratio, as discussed in Chapter 5 of the EIR, to the same extent as the Proposed Project.
<u>Objective 5:</u> Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The Reduced Project Alternative would capitalize on nearby transportation corridors and truck routes, and would be developed in proximity to commercial/industrial uses. Lesser overall square footage would be constructed under this alternative, however, not fully taking advantage of the Logistics Site's proximity to nearby commercial and industrial uses that would benefit from logistics/warehousing uses.
<u>Objective 6:</u> Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	The Reduced Project Alternative would be financially viable and would provide long-term fiscal benefits to the City. However, it would not permit construction to the extent of the Proposed Project, and would not take full advantage of the Logistic Site's location and proximity to uses and transportation. Therefore, it would also not generate fiscal benefits (and employment benefits) to the City to the same extent as the Proposed Project.

Findings: The City Council rejects Alternative 2 and the Commission concurs with this finding: Reduced Project Alternative, on the following ground, which provides sufficient justification for rejection of this alternative: (1) the alternative fails to achieve a majority of the Project objectives to the same extent as the Project. (Draft EIR, p. 8.0-18.)



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### 3. Alternative 3 – “Annexation Only” Alternative

Description: The Proposed Project includes the development and operation of an approximately 1,175,788-square foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Annexation Area or Project Area), inclusive of the 76-acre Logistics Site; and the related Project components and entitlements. The 152-acre Project Area would be annexed to the City of Fontana and developed under the jurisdiction of Fontana pursuant to its General Plan, zoning, and development standards. The City's SOI, as shown in the City's General Plan, includes most but not all of the Project Area, with the exception of approximately 2.14 acres, located north of the Lytle Creek Road as shown in **Exhibit 3.0-4, Sphere of Influence and Annexation Area**, of the EIR. To annex these parcels into the City, an expansion of the City's SOI is proposed to add these parcels into the Project Area.

Under the Annexation Only Alternative, the 152-acre Project Area would be annexed to the City and would be developed pursuant to its Fontana General Plan, Zoning, and development standards. As indicated on **Exhibit 3.0-6A, Pre-Zoning Designations**, of the EIR, the City of Fontana has pre-zoned the Project Area as follows:

- Residential Estate [R-E];
- Public Utility Corridor [P-UC]; and,
- General Commercial [C-G]).

As indicated in **Table 3.0-6, Current General Plan Land Use Designations** of the EIR and depicted on **Exhibit 3.0-15, Existing General Plan Land Use Designations** of the EIR, the City of Fontana designates the Project site as Residential Estate (R-E) and Public Utility Corridor (P-UC). This alternative assumes that the 2.14 acres of property that is not-designated and pre-zoned would be slated for Residential Estate [R-E] development, consistent with surrounding pre-zoning. As a result, the proposed logistics facility and related Project components and entitlements would not be implemented under this alternative. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-19 through 8.0-20.)

#### Impacts:

The following discussion evaluates the potential environmental impacts associated with the Annexation Only Alternative, as compared to impacts from the Project.

#### **Aesthetics and Visual Resources**

Under the Annexation Only Alternative, the majority of the Annexation Area would be developed in accordance with the site's existing R-E zoning. PU-C and C-2 uses would be permitted in the northeast portion of the Project site. Conversely, the Proposed Project includes a change of zone on approximately 76 acres of the Project Area from R-E to Light Industrial (M-1) (Option 1) in order to accommodate the Logistics Site; refer to **Exhibit 3.0-6B** and **Exhibit 3.0-6C** of the EIR. According to the City of Fontana Zoning Code, the R-E zone is a single-family zoning district that permits low density residential uses, as well as accessory agricultural uses.



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Development occurring in accordance with the Annexation Area's existing zoning would be less intensive than the Proposed Project. As a result, the Annexation Only Alternative would reduce the Project's less than significant impacts to scenic resources (i.e., views of the foothills of the San Gabriel Mountains). Both the Annexation Only Alternative and the Proposed Project would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Project site. The Annexation Only Alternative would better preserve the existing visual character or quality of the Project site as it would facilitate similar development to existing conditions (i.e., a rural community with large vacant areas and widely dispersed houses) and would decrease the potential for the introduction of additional sources of light or glare. The Annexation Only Alternative would have similar less than significant impacts to visual character/quality in this regard.

### Air Quality

Under the Annexation Only Alternative, the majority of the Annexation Area would be developed in accordance with the site's existing R-E pre-zoning. Based on reduced development intensity of this zoning designation, the Annexation Only Alternative would substantially reduce and/or avoid the Proposed Project's short-term construction and long-term operational impacts to air quality. This Alternative would also likely be consistent with the 2016 AQMP. Thus, the Proposed Project's significant and unavoidable long-term operational air emissions and cumulative operational emissions would be eliminated under this alternative.

The Annexation Only Alternative would be environmentally superior to the Project regarding air quality, given it would substantially reduce and/or avoid the Project's significant and unavoidable impacts pertaining to long-term operational air emissions and cumulative operational emissions, and would maintain consistency with the 2016 AQMP.

### Biological Resources

Based on reduced development intensity allowed under the site's existing pre-zoning, the Annexation Only Alternative would reduce the Project's mitigated less than significant impacts to special status plant, wildlife species, and sensitive vegetation communities. The Annexation Only Alternative would also likely reduce the Project's less than significant impacts to federally protected wetlands. As a result, the Annexation Only Alternative would be environmentally superior to the Proposed Project regarding biological resources, given that it would lessen the intensity of development on the Project site.

### Cultural Resources

The Annexation Only Alternative would avoid the Project's significant and unavoidable impacts to historic resources, as it would not involve demolition of the stone house at 4055 Lytle Creek Road. No archaeological resources were recorded on the Project site during the field investigation, and none are known to occur on-site. Nonetheless, any construction activities would have the potential to disturb unknown archaeological resources on-site, if present. As a result, the Annexation Only Alternative would result in similar less than significant impacts to archaeological resources with **Mitigation Measure CR-2** and **CR-3**. Overall, this alternative would be environmentally superior to the Project, given that it would avoid the Project's significant and unavoidable impacts to historic resources.



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### Energy

Compared to the Proposed Project, impacts from energy usage related to electricity and natural gas consumption under the Annexation Only Alternative would be commensurately reduced given that development intensity allowed under the site's existing pre-zoning designation would be reduced. Demands for electricity and natural gas would be proportionally reduced. Thus, the Annexation Only Alternative would result in similar less than significant energy demands as compared to the Proposed Project.

### Geology and Soils

None of the geologic conditions or hazards affecting the Project site would be altered as a result of the Annexation Only Alternative. Development associated with the Annexation Only Alternative could require deeper excavations in older finer-grained Quaternary deposits. These activities have the potential to encounter significant remains of fossil vertebrates. As a result, the Annexation Only Alternative would result in similar less than significant impacts to paleontological resources with implementation of **Mitigation Measures GEO-2 and GEO-3**.

However, the reduced intensity of development permitted under the site's existing zoning would proportionally reduce the number of person's exposed to potential adverse effects associated with seismic, geologic, and soil hazards. It should be noted, however, that development consistent with the site's existing R-E pre-zoning would introduce housing to the area. The Annexation Only Alternative would result in less than significant impacts similar to the Proposed Project in this regard.

### Greenhouse Gas Emissions

As the majority of the Annexation Area would be developed in accordance with the site's existing R-E pre-zoning under the Annexation Only Alternative, this alternative would proportionally reduce the amount of GHG emissions anticipated under the Proposed Project. The Proposed Project would result in less than significant GHG emissions and would conflict with the 2016 AQMP with implementation of **Mitigation Measures GHG-1 and AQ-4**. GHG emissions would be substantially reduced under the Annexation Only Alternative. Thus, this alternative would not be required to implement **Mitigation Measure GHG-1 and AQ-4** to reduce the Annexation Only Alternative's GHG emissions below SCAQMD's threshold. As a result, the Annexation Only Alternative would result in similar less than significant impacts from GHG emissions.

### Hazards and Hazardous Materials

None of the hazards and hazardous materials affecting the Project site would be altered as a result of the Annexation Only Alternative. However, none of the existing buildings on-site would be demolished under the Annexation Only Alternative. As a result, the Annexation Only would avoid the Project's (mitigated) less than significant impacts regarding foreseeable upset and accident conditions involving the release ACMs or LBP into the environment. Like the Proposed Project, the Annexation Only Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile



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of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5 and airport-related hazards, since these hazards do not affect the Project site.

### Hydrology and Water Quality

Based on the reduced development intensity allowed under the site's existing pre-zoning, the Annexation Only Alternative would proportionally reduce the amount of anticipated hardscapes. Like the Proposed Project, development occurring pursuant to the site's existing pre-zoning which disturbs more than one acre of soil would be required to obtain coverage under the NPDES and demonstrate compliance with Title 3, Division 5, Chapter 1 of the San Bernardino County Code to reduce short-term construction-related impacts to water quality to a less than significant level. Similar to the Proposed Project, development occurring pursuant to the site's existing zoning would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The Annexation Only Alternative is also not expected to create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff subject to compliance with the City's Master Drainage Plan.

As compared to the Proposed Project, the Annexation Only Alternative would have fewer impacts with respect to hydrology and water quality based on the reduced hardscapes anticipated under the site's existing zoning.

### Land Use and Relevant Planning

As the Annexation Only Alternative would not demolish the eight on-site residential units, implementation of this alternative would reduce the Project's less than significant impacts related to the division of an established community. Although development would occur pursuant to the site's existing pre-zoning, the 152-acre Project Area would still be annexed to the City of Fontana and developed under the jurisdiction of Fontana pursuant to its General Plan, zoning, and development standards. Impacts concerning conflict with an applicable land use plan, policy, or regulation would be similar in this regard. Based on reduced development intensity that would be allowed under the Annexation Only Alternative, this alternative would also reduce the Project's mitigated less than significant impacts to Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat; refer to **Exhibit 4.3-2, North Fontana Conservation Fee Map**. As a result, the Annexation Only Alternative would be similar to the Proposed Project concerning land use and planning.

### Noise

As discussed, the Annexation Only Alternative would not preclude development occurring in accordance with the site's existing pre-zoning. The reduced development intensities allowed under the site's existing pre-zoning would proportionally reduce anticipated construction and operational (mobile and stationary sources) noise and vibration as compared to the Proposed Project. The Annexation Only Alternative would involve similar mitigated less than significant impacts related to construction noise and vibration and operational noise (mobile and stationary) as compared to the Proposed Project.



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### Public Services and Recreation

The reduced development intensities allowed under the site's existing pre-zoning would proportionally reduce anticipated construction and operational impacts to public services. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or increase demand for local or regional parks and recreational facilities. However, the residential development which would be permitted under the Annexation Only Alternative would increase demand for local or regional parks and recreational facilities. As a result, the Annexation Only Alternative would involve greater impacts to parks and recreational facilities than the Proposed Project. The impacts to public services would be similar to the Proposed Project.

### Traffic and Circulation

The reduced development intensities allowed under the site's existing pre-zoning would have a proportionate reduction of average daily trips and traffic and circulation impacts within the Project vicinity in comparison to the Proposed Project. As a result, this Alternative would likely avoid the Project's identified significant and unavoidable impacts for Existing, Opening Year (2020) and Horizon Year (2040) With Project Conditions. This alternative would have reduced traffic impacts in comparison to the Proposed Project. It would also eliminate direct impacts to the I-15 mainline.

### Tribal Cultural Resources

As indicated in Section 4.13 of the Draft EIR, the San Manuel Band of Mission Indians has indicated that the Project site has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2** and **CR-3**. Similar to the Proposed Project, development associated with the Annexation Only Alternative would have the potential to impact tribal cultural resources during ground disturbing activities. Impacts to tribal cultural resources would be similar to the Proposed Project in this regard.

### Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the Annexation Only Alternative would be commensurately reduced given that development intensity allowed under the site's existing pre-zoning designation would be reduced. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced. Thus, the Proposed Project's less than significant public services and utilities would be further reduced under this alternative. The Annexation Only Alternative would have reduced demand, but would also have a similar less than significant impact.

### Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or substantially increase demand for fire protection services. The residential uses



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permitted under the Annexation Only Alternative may be more vulnerable to wildfire than the industrial uses which would be permitted under the Proposed Project due to development materials, landscaping and other attributes. The Annexation Only Alternative would not realign Lytle Creek Road to improve area circulation and better allow the FFPD emergency access to the Project Area. As a result, this alternative may have greater impacts than the Proposed Project. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-20 through 8.0-25.)

**Objectives:** The Annexation Only Alternative would not achieve any of the project objectives as shown below.

<b>Objective</b>	<b>Discussion</b>
<u>Objective 1:</u> Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	The Annexation Only Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors. The Annexation Only Alternative would not achieve this objective.
<u>Objective 2:</u> Improve area circulation via the realignment of Lytle Creek Road.	The Annexation Only Alternative would not include any realignment of Lytle Creek Road. The Annexation Only Alternative would not achieve this objective.
<u>Objective 3:</u> Facilitate goods movement for the benefit of local and regional economic growth.	The Annexation Only Alternative would not establish any logistics or warehousing uses and therefore would not capitalize on transportation corridors or facilitating goods movement for the benefit of local or regional growth. No new jobs would be created through a logistics facility. The Annexation Only Alternative would not achieve this objective.
<u>Objective 4:</u> Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The Annexation Only Alternative would not establish any logistics or warehousing uses. The Annexation Only Alternative, therefore, would not generate any additional employment opportunities and would not benefit the City's and County's jobs-housing ratios, as discussed in Chapter 5 of the EIR. The Annexation Only Alternative would not achieve this objective.
<u>Objective 5:</u> Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The Annexation Only Alternative would not establish any logistics or warehousing uses, thus not capitalizing on area infrastructure and the Project Area's location in proximity to commercial/industrial uses. The Annexation Only Alternative would not achieve this objective.
<u>Objective 6:</u> Development of a logistics facility that is economically viable and	The Annexation Only Alternative would not establish any logistics or warehousing



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provides long term fiscal benefits to the City.	uses. Therefore, it would not achieve this objective.
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Findings: The City Council rejects Alternative 3 and the Commission concurs with this finding: “Annexation Only” Alternative, on the following ground, which provides sufficient justification for rejection of this alternative: (1) the alternative fails to achieve any of the Project objectives to the same extent as the Project.

### **4. Alternative 3 – SB 330 Compliance Alternative (“Project Alternative”)**

Description: Pursuant to Senate Bill 330 (SB 330), also known as the Housing Crisis Act of 2019 (the “Act”), a local agency is prohibited from disapproving, or conditionally approving in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. Further, Government Code Section 66300(b)(1)(A) stipulates that agencies shall not “chang[e] the general plan land use designation, specific plan land use designation, or zoning...to a less intensive use... below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018”. For purposes of Government Code Section 66300(b)(1)(A), a “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any changes that would lessen the intensity of potential housing development. However, the Act includes an exception, and general plan and zoning designation changes to a “less intensive use” are permitted so long as the agency concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction, such that there is no net loss in residential capacity. (Govt. Code § 66300(i).)

As depicted on Exhibit 3.0-16, Existing County of San Bernardino General Plan Land Use Designations (found at Draft EIR, p. 3.0-59), 59.53 acres of the Logistics Site are currently designated by the County of San Bernardino as Single Residential (RS), which permits up to 1 dwelling unit per acre (du/acre). In addition, 15.95 acres of the Logistics Site are currently designated Rural Living (RL), which permits residential development at a density of 1 du/2.5 acre. Under these designations, a total of 65 potential dwelling units would need to be shifted elsewhere within the City to permit implementation of the Proposed Project. (See Table 8.0-4 of Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-29.)

Pursuant to SB 330 requirements, the SB 330 Compliance Alternative was selected for analysis in order to offset the Proposed Project’s lost dwelling unit potential of 65 units. Under this Alternative, the Project would be implemented as it is described in the Draft EIR. However, in addition, the SB 330 Compliance Alternative considers the up-zoning of an approximately 12.5-acre site within the City of Fontana comprised of 28 contiguous parcels generally located between Ceres Avenue to the north, Citrus Avenue to the east, Merrill Avenue to the south, and Catawba Avenue to the west; refer to Exhibit 8.0-1, SB 330 Compliance Alternative Footprint (found at Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-12 through 8.0-13). Regional access to the SB 330 Compliance Alternative site is provided via the Interstate 10 (I-10; Christopher Columbus Transcontinental Highway) and



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Interstate 15 (I-15; Ontario Freeway). Local access to the SB 330 Compliance Alternative site is provided via Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue.

Currently, 22 residential dwellings (and associated ancillary structures), one abandoned institutional use (church), outdoor storage areas, and vacant uses are present on-site. Overall, the site is relatively flat with an average aboveground elevation of 1,219 feet above mean sea level. Ornamental landscaping, scattered trees, and low-lying grasses are dispersed throughout.

The site selected for the SB 330 Compliance Alternative is currently designated by the City General Plan as R-SF: Single Family Residential (2.1-5 du/ac). Similarly, the site is zoned by the City of Fontana as Single Family Residential (R-1), which permits up to 5 du/acre. Under this alternative, the site would be re-designated in the General Plan to R-M: Medium Density Residential (5.1-12 du/ac) and re-zoned as Medium Density Residential (R-2), which similarly permits between 5.1 to 12 du/acre. The R-2 zone is defined by the City of Fontana Zoning Code as a medium intensity, multiple-family zoning district that permits the development of attached and detached single-family, duplex, and multiple-family dwellings, as well as condominiums. Applying an R-2 zoning designation on the 12.5-acre site would accommodate the future development of up to 150 units, which is 87 additional units beyond what the current R-1 zoning would allow. As such, the proposed rezone would more than offset the 65 dwelling units that need to be shifted from the Project's proposed warehouse site. The proposed up-zone is limited to relocating the units that would be displaced by the Project to another location within the City in compliance with SB 330. A limited number of additional units would be allowed under the alternative. Residential uses surround the SB 330 Compliance Alternative site on all sides. Specifically, the SB 330 Compliance Alternative site is surrounded by the following uses:

- North: Ceres Avenue borders the alternative to the north. Single-family residential uses, designated Light Industrial (I-L) and zoned Light Industrial (M-1), are located to the north.
- East: Citrus Avenue and multi-family residential uses, designated Medium Density Residential (R-M) and zoned R-2, border the alternative site to the east.
- South: Merrill Avenue borders the alternative site to the south. Single-family and multi-family residential uses, designated R-M and Community Commercial (C-C) and zoned R-2 and Community Commercial (C-1), are located to the south.
- West: Catawba Avenue borders the alternative site to the west. Single-family residential uses, designated Single Family Residential (RS-F) and I-L and zoned R-1 and M-1, are located to the west.

(Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-25 through 8.0-30.)

### Impacts:

The following discussion evaluates the potential environmental impacts associated with the SB 330 Compliance Alternative, as compared to impacts from the Project. Given that development of the Logistics Site would be the same under the Proposed Project as under this alternative, the following analysis evaluates the additional potential environmental impacts associated with development of the SB 330 Compliance Alternative site.



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### **Aesthetics and Visual Resources**

Both the Proposed Project and the SB 330 Compliance Alternative would have short-term visual impacts associated with demolition, grading, and construction activities. As the site selected for this alternative is currently developed with 22 residential dwellings and is surrounded on all sides by residential uses (which would be sensitive to construction activities), construction-related impacts to visual character/quality and light and glare would be greater than the Proposed Project.

As discussed in the Draft EIR, Section 4.1, the Fontana General Plan Conservation, Open Space, Parks, and Trails Element notes that panoramic view corridors towards the mountains and views of the City from the mountains dominate the City's visual landscape character. Motorists travelling north and west along the Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue are afforded with partial views of the San Gabriel Mountains. Although buildout of the SB 330 Compliance Alternative would partially block views of the San Gabriel Mountains foothills, distant views of the San Gabriel Mountains would largely remain. Further, Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue are not identified as scenic routes by the Fontana General Plan. As a result, the SB 330 Compliance Alternative would have similar less than significant impacts to scenic resources as the Proposed Project. Both the Proposed Project and the SB 330 Compliance Alternative would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Proposed Project and the SB 330 Compliance Alternative.

The SB 330 Compliance Alternative would involve greater impacts to the existing visual character and quality of the area, as it would facilitate more intensive development than existing conditions or existing zoning (i.e., development of up to 5.1 to 12 du/acre versus 5 du/acre) and would increase the potential for additional sources of light or glare. This alternative would have greater visual character and light and glare impacts in comparison the Proposed Project in this regard. However, because the SB 330 Compliance Alternative would allow additional residential development within a residential area, new development would be generally compatible with the surrounding area and impacts to visual character/quality and light and glare would remain less than significant.

### **Air Quality**

The future development of up to 87 units under this alternative would result in greater short-term air quality emissions associated with construction activities, including demolition, grading, building, worker trips, and truck hauling from one portion of the Project site, where they are currently permitted, to another portion of the Project site designated in the SB 330 Compliance Alternative. As a result, air quality emissions associated with residential development under the SB 330 Compliance Alternative would be essentially the same as under the No Project Alternative, and greater than the Proposed Project's less than significant impacts, given increased level of construction activities.

As discussed in Impact 4.2-2 of the EIR, operations of the Proposed Project would result in NOX emissions that would exceed SCAQMD operational thresholds, mostly due to a substantial increase in mobile emissions from average daily trips. Implementation of the SB 330 Compliance Alternative would not avoid the significant and unavoidable impacts associated with operational NOX emissions. As the SB 330 Compliance Alternative would



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offset the Proposed Project's lost dwelling unit potential of 65 units, it can be concluded that this alternative would be consistent with the projections included in 2016 AQMP. As a result, the SB 330 Compliance Alternative would have significant air quality impacts, similar to the Proposed Project.

### Biological Resources

According to the General Plan, sensitive natural open space areas are limited to the foothills of the San Gabriel Mountains and Jurupa Hills. The SB 330 Compliance Alternative site is heavily disturbed and is located within an urbanized area of the City. Thus, although the SB 330 Compliance Alternative would result in a shift of potential ground disturbance from one portion of the Project site to another portion of the Project site designated in the SB 330 Compliance Alternative, and beyond the Proposed Project, the selected site is not anticipated to result in potentially significant impacts to special status plant, wildlife species, and sensitive vegetation communities.

Based on the SB 330 Compliance Alternative site's location within an urbanized area of the City and its disturbed condition, the SB 330 Compliance Alternative is not anticipated to adversely affect riparian habitat, sensitive natural communities, or State or Federally protected wetlands. Like the Proposed Project, buildout of the SB 330 Compliance Alternative would require removal of trees with the potential to provide suitable habitat for nesting birds. Impacts to nesting birds would be reduced to less than significant levels through compliance with **Mitigation Measure BIO-4**. As a result, the SB 330 Compliance Alternative would have similar less than significant impacts to biological resources as the Proposed Project.

### Cultural Resources

The SB 330 Compliance Alternative would not eliminate the Project's significant and unavoidable impacts to historic resources, as the historic stone house at 4055 Lytle Creek Road would still be demolished with implementation of the Proposed Project. None of the existing residential dwellings or ancillary structures on the SB 330 Compliance Alternative site are identified as historic resources. Thus, impacts to historic resources would be similar to the Proposed Project.

Although buildout of the SB 330 Compliance Alternative would result in additional ground disturbance beyond the Proposed Project, impacts to archaeological resources and human remains would be similar to the Proposed Project and would be reduced to less than significant levels with implementation of **Mitigation Measures CR-2 and CR-3**.

### Energy

Compared to the Proposed Project, energy consumption associated with the SB 330 Compliance Alternative would proportionally increase given that this alternative would allow for the development of up to 87 units in addition to the industrial development on the Logistics Site. Nevertheless, similar to the Proposed Project, construction activities associated with the SB 330 Compliance Alternative would be subject to compliance with **Mitigation Measure AQ-4** as well as the latest regulations for engine emissions standards set forth by EPA, CARB, and/or the SCAQMD. As such, the proportional increase in construction-related



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energy consumption under this alternative would not result in significant wasteful, inefficient, or unnecessary consumption of energy resources. Construction-related energy impacts would be similarly less than significant in this regard.

Fuel consumption associated with vehicle trips generated by the SB 330 Compliance Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Building energy demand would be less than significant following incorporation of Title 24 standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage.

Furthermore, the SB 330 Compliance Alternative's electricity provider, Southern California Edison, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Impacts related to operational energy consumption would be similar to the Proposed Project in this regard.

Similar to the Project, development in accordance with the SB 330 Compliance Alternative would be required to comply with Title 24 and CALGreen efficiency standards, which would ensure future residential development incorporates energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, as well as green building standards. Adherence to the Title 24 energy and CALGreen requirements would ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to pursue sustainability and resilience. Therefore, impacts regarding consistency with renewable energy or energy efficiency plans would be similar to the Project.

### Geology and Soils

Future development occurring as part of the SB 330 Compliance Alternative would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Like the Proposed Project, development accommodated by this alternative would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (**Mitigation Measure GEO-1**). Thus, the SB 330 Compliance Alternative would similarly result in less than significant impacts concerning geology and soils in this regard.

### Greenhouse Gas Emissions

Implementation of the SB 330 Compliance Alternative would shift the generation of residential GHG emissions from one portion of the Project site to the site of the SB 330 Compliance Alternative. Although there is no applicable adopted or accepted numerical threshold of significance for residential GHG emissions (i.e., SB 330 Compliance Alternative), this alternative would be consistent with all applicable 2017 Scoping Plan goals and would generally further the State's goals relative to greenhouse gases. Thus, the SB 330 Compliance Alternative would result in similar mitigated less than significant impacts concerning GHG emissions with implementation of **Mitigation Measures GHG-1** and **AQ-4**.



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### Hazards and Hazardous Materials

The SB 330 Compliance Alternative would allow for the development of additional residential units on a site currently zoned for residential uses. Like the Proposed Project, or any residential development currently zoning for on the site, construction of this alternative could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, transmission fluid, etc.). These activities would be short-term, and the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. Impacts would be similar to the Proposed Project following compliance with established laws and regulations governing the transport, use, or disposal of hazardous materials.

Hazardous materials are not typically associated with residential uses. Thus, impacts concerning the routine transport, use, or disposal of hazardous materials during operations would be less than significant. With implementation of **Mitigation Measure TR-1**, implementation of the SB 330 Compliance Alternative would not impair implementation of an adopted emergency response plan or emergency evacuation plan. Like the Proposed Project, the SB 330 Compliance Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5, or airport-related hazards, since these hazards do not affect the Project Area; refer to Section 4.7 of the EIR. Pursuant to General Plan EIR MM-HAZ-5, a Phase I Environmental Site Assessment would be required for future development needing a grading permit. The Phase I Environmental Site Assessment would investigate the potential for site contamination and identify Specific Recognized Environmental Conditions (e.g., asbestos containing materials, lead-based paints, and polychlorinated biphenyls) that may require remedial activities prior to land acquisition or construction. As a result, the SB 330 Compliance Alternative would result in similar less than significant impacts to hazards and hazardous materials.

### Hydrology and Water Quality

Although buildout of the SB 330 Compliance Alternative would result in additional ground disturbance beyond the Proposed Project, impacts concerning hydrology and water quality would be reduced to less than significant levels following compliance with NPDES and the San Bernardino County Municipal Code requirements. Similar to the Proposed Project, the SB 330 Compliance Alternative would not interfere with groundwater recharge activities associated with the Chino Basin since the site is not currently used for groundwater extraction or groundwater recharge purposes.

According to the Flood Insurance Rate Map (FIRM) No. 06071C8654H, Panel 8654, the northeastern portion of the SB 330 Compliance Alternative site is located within a special flood hazard area subject to inundation by the one percent annual chance flood. As a result, the SB 330 Compliance Alternative would involve greater flood hazard impacts than the Proposed Project, but these would remain less than significant.



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### Land Use and Relevant Planning

In addition to the entitlements proposed under the Proposed Project, the SB 330 Compliance Alternative would require a General Plan Amendment to re-designate and a zone change to rezone an approximately 12.5-acre site comprised of 28 contiguous parcels. Implementation of the SB 330 Compliance Alternative would offset the Proposed Project's "lost" dwelling unit potential of 65 units on the Logistics Center site, shifting them to another portion of the Project site, and thus would comply with SB 330's requirements. Implementation of the SB 330 Compliance Alternative would not involve substantial land use and planning impacts compared to what is currently allowed under the site's existing General Plan and zoning (i.e., single-family residential to medium-density residential). As a result, the SB 330 Compliance Alternative would involve similar less than significant impacts to land use and planning.

### Noise

This analysis is primarily based upon the *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020; refer to Appendix H of the EIR. The purpose of the Acoustical Memo is to evaluate the noise impacts resulting from the construction and operation of additional units on the SB 330 Compliance Alternative site.

According to the Acoustical Memo, the nearest sensitive receptors to the SB 330 Compliance Alternative site are residential uses located approximately 40 feet to the north and west. At this distance, construction noise levels could range between approximately 79 A-weighted decibels (dBA) and 92 dBA; refer to Table 2, Maximum Noise Levels Generated by Construction Equipment, of the Acoustical Memo. Although sensitive receptors may be exposed to increased noise levels during project construction, the City of Fontana's Municipal Code Section 18-63(b)(7) permits construction activities between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. In addition, construction equipment would be used throughout the project site and would not be concentrated at the point closest to the sensitive receptors. As such, construction noise impacts would be less than significant.

Similarly, long-term operational noise impacts from additional traffic on adjacent roadways and mechanical equipment (i.e., from heating, ventilation, and air conditioning [HVAC] units) would be less than significant. Groundborne vibration during construction of the SB 330 Compliance Alternative would be less than significant and the alternative would not expose people residing or working in the project area to excessive noise levels. As a result, the SB 330 Compliance Alternative would result in similar less than significant impacts to noise.

### Public Services and Recreation

The SB 330 Compliance Alternative would allow for the development of additional units on a site currently developed with existing residences. As a result, implementation of the SB 330 Compliance Alternative would shift and proportionally increase demand for public services compared to existing conditions. The SB 330 Compliance Alternative would result



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in greater impacts to public services and recreation compared to the Proposed Project, but impacts would nevertheless remain less than significant.

### Transportation

This alternative would allow for the potential development of up residential units on the SB 330 Compliance Alternative site, a shift of those units from the Proposed Project site. As a result, implementation of the SB 330 Compliance Alternative would proportionally increase short-term and long-term transportation impacts compared to existing conditions. Like the Proposed Project, implementation of the SB 330 Compliance Alternative is not anticipated to result in temporary construction-related impacts with implementation of a Construction Traffic Management Plan, to be established prior to issuance of any construction or demolition permits (**Mitigation Measure TR-1**). The SB 330 Compliance Alternative was selected for analysis in order to offset the Proposed Project's dwelling unit potential at the Logistics Center site. Thus, this alternative would have similar operational impacts to transportation as the Proposed Project, since, at most, it would increase the total Project site (including both the Logistics Center and the upzoning parcels) total zoning capacity by 22 units. As such it is not anticipated to result in any additional significant unavoidable impacts beyond those identified in Section 4.13, Transportation. Implementation of the SB 330 Compliance Alternative would not avoid the Project's significant and unavoidable traffic and circulation impacts to intersections, freeway mainlines, and freeway ramp/merge divides under Existing With Project, Opening Year (2020), and Horizon Year (2040) Conditions given the proposed logistics facility would still be developed under this alternative. This alternative would have similar impacts to the Proposed Project regarding transportation, the significant unavoidable impacts identified above would not be eliminated under this alternative.

### Tribal Cultural Resources

Like the Proposed Project, **Mitigation Measures CR-2 and CR-3** would be required to ensure archeological monitoring for all ground disturbing activities below two feet and require preparation of a Treatment and Disposition Plan (TDP) for inadvertent discoveries of cultural and tribal cultural resources. As a result, the SB 330 Compliance Alternative would involve similar impacts to tribal cultural resources during ground disturbing activities as the Proposed Project.

### Utilities and Service Systems

This alternative would allow for the development of up to 87 units on the SB 330 Compliance Alternative site. As a result, implementation of the SB 330 Compliance Alternative would proportionally increase demand for utilities and service systems, including water, wastewater, storm drains, solid waste, and dry utilities beyond existing conditions. The SB 330 Compliance Alternative would have a greater impact on utilities and service systems compared to the Proposed Project in this regard, but impacts would nonetheless be less than significant.

### Wildfire

According to the California Department of Forestry and Fire Protection's *Fontana Very Fire Hazard Severity Zones in LRA Map*, the SB 330 Compliance Alternative site is not



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designated as a very high fire hazard severity zone. As a result, the SB 330 Compliance Alternative would not involve greater wildfire hazard impacts than identified for the Proposed Project.

Objectives: The SB 330 Compliance Alternative would offset the Proposed Project's lost dwelling unit potential of 65 units and thus, would demonstrate compliance with SB 330 requirements. As discussed below, the SB 330 Compliance Alternative would achieve all of the project objectives.

<u>Objective</u>	<u>Discussion</u>
<u>Objective 1:</u> Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	Similar to the Proposed Project, the SB 330 Compliance Alternative would annex the Project Area into the City and develop a logistics facility adjacent to I-15 and generate additional jobs in the area.
<u>Objective 2:</u> Improve area circulation via the realignment of Lytle Creek Road.	Lytle Creek Road would still be realigned under the SB 330 Compliance Alternative. Thus, this alternative would achieve this objective.
<u>Objective 3:</u> Facilitate goods movement for the benefit of local and regional economic growth.	The proposed logistics facility would be developed under the SB 330 Compliance Alternative and thus, would facilitate goods movement that benefit local and regional economic growth.
<u>Objective 4:</u> Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The SB 330 Compliance Alternative would generate more jobs and allow more housing development than under the Proposed Project given that this alternative would rezone the SB 330 Compliance Alternative site to allow development of 87 additional residences in the City. Thus, this alternative would better achieve Objective 4 than the Proposed Project.
<u>Objective 5:</u> Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	Under the SB 330 Compliance Alternative, the City would still develop a logistics facility that capitalizes on nearby transportation corridors and truck routes and would be developed in proximity to commercial/industrial uses.
<u>Objective 6:</u> Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	As stated, a logistics facility would still be developed under this alternative that is economically viable and provides long term fiscal benefits to the City.

Findings: The City Council adopts the SB 330 Compliance Alternative in favor of the Project because the SB 330 Compliance Alternative would meet all of the Project's objectives



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and is consistent with the local housing capacity preservation mandate of SB 330. The Commission concurs with this finding.

### C. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. Based on the alternative's analysis contained within the EIR, the Reduced Project Alternative is identified as the Environmentally Superior Alternative. The Commission concurs with this finding.

Although the Reduced Project Alternative would avoid the Project's significant and unavoidable impacts cultural resources, this alternative would achieve the Project objectives to a lesser extent for Objective 3 (Facilitate goods movement for the benefit of local and regional economic growth), Objective 4 (Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs), Objective 5 (Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.) and Objective 6 (Development of a logistics facility that is economically viable and provides long-term fiscal benefits to the City). As a result, although this alternative would achieve all of the Project Objectives, it would provide a reduced level of benefit due to the reduced size of the facility. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-37 through 8.0-38.)

However, as with the Proposed Project, the Reduced Project Alternative would require an additional land use action to comply with SB 330 and move any "lost" residential development capacity on the Reduced Project Alternative site to other parcels within the City. Presumably, the same site that is identified in the SB 330 Alternative could also be up-zoned in conjunction with the Reduced Project Alternative to provide for any lost units.

### **SECTION 10: ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of the Project Alternative against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the Project Alternative outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of the Project Alternative to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the Commission concurs that the City Council has weighed the benefits of the Project Alternative against its unavoidable adverse impacts after mitigation, the Commission concurs with the finding that the City Council nonetheless finds that the unavoidable adverse impacts that will result from the Project Alternative are acceptable and outweighed by specific social, economic and other benefits of the Project Alternative.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the Project Alternative. Thus, even if a court were to conclude that not every reason is supported by substantial



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evidence, the Commission concurs that the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The Commission concurs with the City Council findings that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the Project Alternative, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. Capitalize on nearby transportation corridors and truck routes to stimulate employment.
2. Improve area circulation via the realignment of Lytle Creek Road.
3. Facilitate goods movement for the benefit of local and regional economic growth.
4. Increase temporary and permanent employee opportunities and improve local balance of housing and jobs
5. Develop a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses
6. Develop a logistics facility that is economically viable and provides long term fiscal benefits to the City.

The Commission concurs with the City Council declaration that the foregoing benefits provided to the public through the approval and implementation of the Project Alternative outweigh the identified significant adverse environmental impacts of the proposed Project Alternative that cannot be mitigated. The Commission concurs with the City Council finding that each of the Project Alternative benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

### **SECTION 11: ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM**

Pursuant to Public Resources Code section 21081.6, the Commission supports the City Council's adoption of the Mitigation Monitoring and Reporting Program attached to this Resolution as **Exhibit "A."** Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby determined to be the responsibility of the City, not the Commission.

### **SECTION 12: CONSIDERATION OF THE EIR**

The Commission finds that it has been presented with the EIR, which it has reviewed and considered as a Responsible Agency. The Commission further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and the Commission's Local CEQA Guidelines and that the EIR reflected the independent judgment and analysis of the City Council and the Commission.

The Commission declares that no evidence of new significant impacts as defined by the State CEQA Guidelines Section 15088.5 have been received by the Commission which



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would require preparation of a second-tier environmental document by the Commission in accordance with State CEQA Guidelines Sections 15162 and 15163.

**SECTION 13: CUSTODIAN OF RECORD**

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 1170 W. Third Street Unit 150 San Bernardino, CA. The custodian for these records is Mr. Samuel Martinez, LAFCO Executive Officer. This information is provided in compliance with Public Resources Code Section 21081.6.

**SECTION 14: NOTICE OF DETERMINATION**

Notices of Determination shall be filed with the County of San Bernardino within 5 (five) working days of final Project approval.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF SAN BERNARDINO )

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 20, 2021.

**DATED:**

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**SAMUEL MARTINEZ**  
Executive Officer



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** JANUARY 12, 2021   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Senior Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #5B: LAFCO 3242 – Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)

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**INITIATED BY:**

Resolution of the City Council of the City of Fontana

**RECOMMENDATION:**

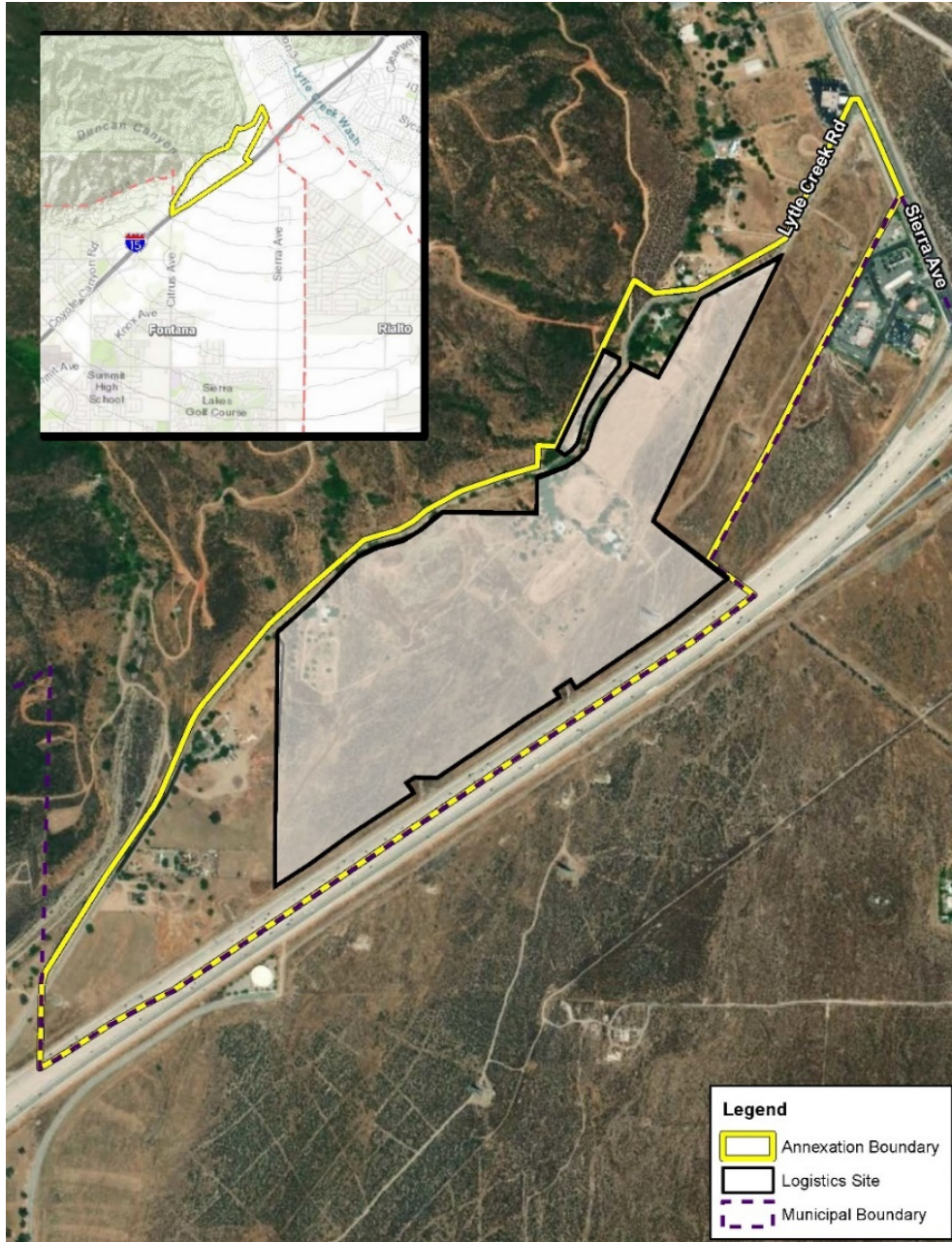
LAFCO staff recommends that the Commission approve LAFCO 3242 by taking the following actions:

1. Determine that the proposed sphere of influence amendments, submitted under the provisions of Government Code Section 56428, does not require a service review;
2. Approve the sphere of influence expansion for the City of Fontana;
3. Approve the sphere of influence expansion for the Fontana Fire Protection District and the concurrent sphere of influence reduction for the San Bernardino County Fire Protection District;
4. Approve the sphere of influence expansion for the West Valley Water District;
5. Affirm the descriptions of the functions and services for the Fontana Fire Protection District, West Valley Water District, and San Bernardino County Fire Protection District, as identified in the *LAFCO Policy and Procedure Manual*; and,
6. Adopt LAFCO Resolution No. 3324 reflecting the Commission's determinations for LAFCO 3242.



**BACKGROUND:**

The City of Fontana (City) initiated an application to annex a proposed development of a 1,171,788 sq. ft. high-cube warehouse facility. In order to provide for a logical boundary, the City not only proposes the inclusion of the project site itself but is also proposing to include all the properties generally south of Lytle Creek Road from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue totaling approximately 152 acres.

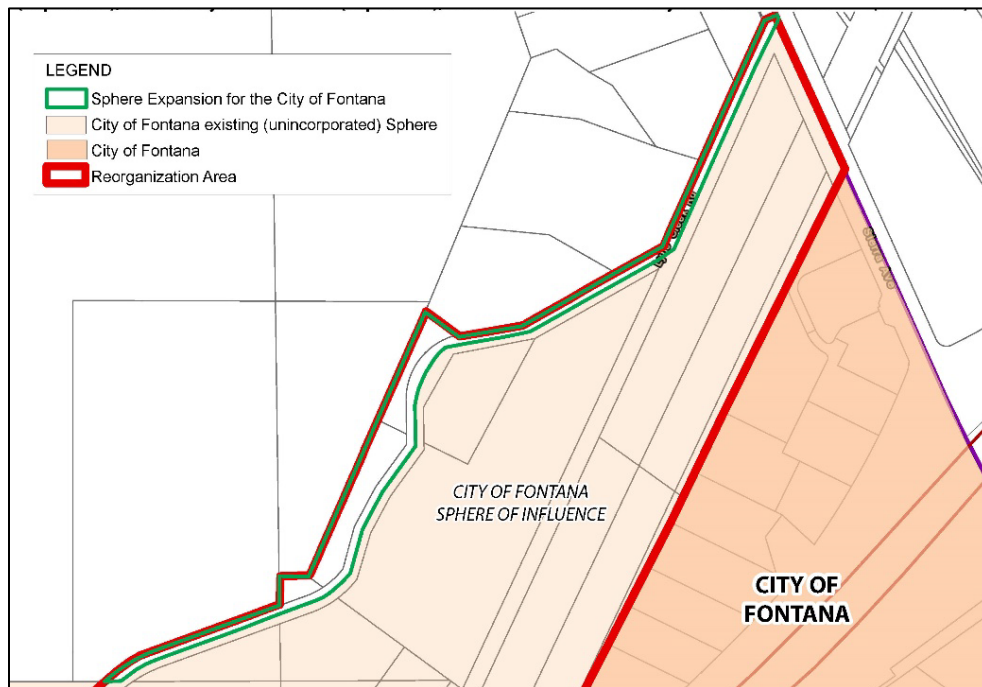




The annexation to the City will also include concurrent annexations to local agencies serving the community such as the Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District.

#### Sphere of Influence Expansion for the City of Fontana

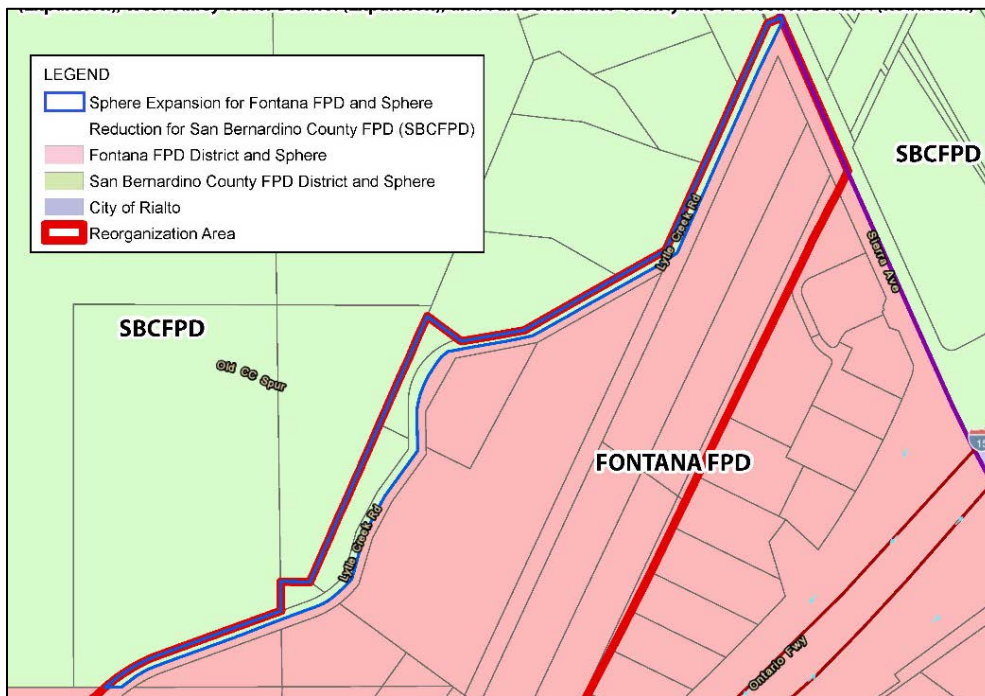
LAFCO 3242 is a proposal to expand the City's sphere of influence by approximately 5 acres to include all of the area within the proposed reorganization (LAFCO 3243) that is currently outside of the City's sphere of influence.



#### Sphere of Influence Expansion for Fontana Fire Protection District and Reduction for San Bernardino County Fire Protection District

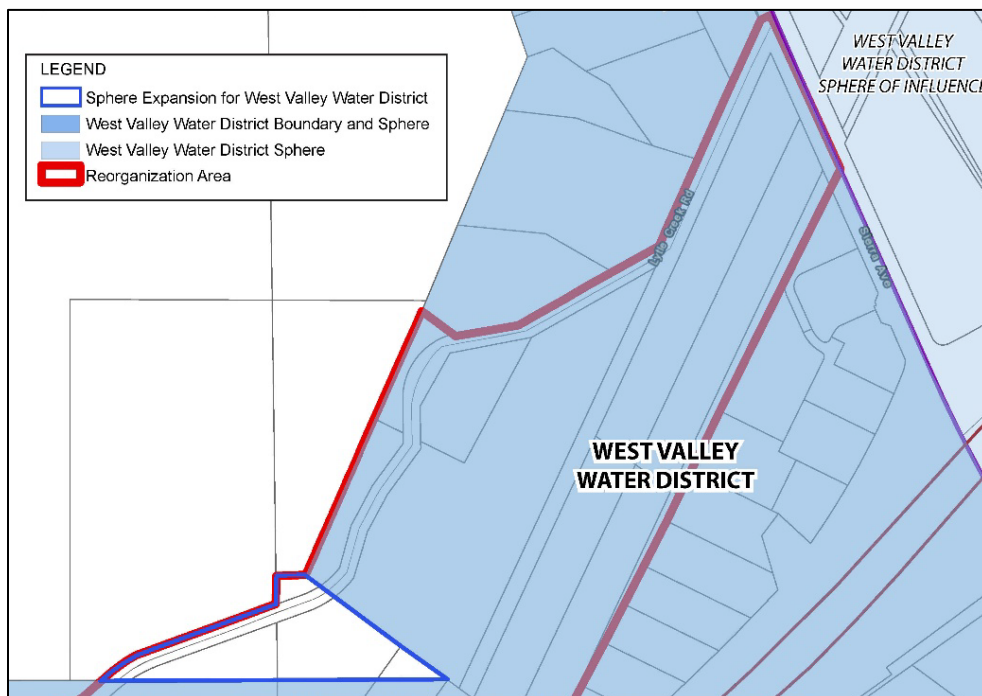
LAFCO 3242 also proposes to expand the Fontana Fire Protection District's sphere of influence—same area as the City's proposed sphere expansion—and concurrently remove the same area from the San Bernardino County Fire Protection District's sphere of influence since both fire district's boundaries and sphere of influence correspond with one another within the area. In essence, it is a sphere swap.





## Sphere of Influence Expansion for West Valley Water District

LAFCO 3242 also proposes to expand the West Valley Water District's sphere of influence by approximately 5 acres to include all of the area within the proposed reorganization that is currently outside of the water district's sphere of influence.





The rationale for amending the Fontana Fire Protection District and the West Valley Water District's spheres of influence is to have consistent spheres among all community-based service providers. A "sphere of influence" is defined as a planning boundary that designates an agency's probable future boundary and service area. Therefore, LAFCO 3242 is intended to expand the spheres (and ultimately the actual boundaries) of the City, the West Valley Water District, and Fontana Fire Protection District.

LAFCO staff believes the proposed sphere of influence amendments are reasonable sphere of influence expansions for the City, the Fontana Fire Protection District and the West Valley Water District given that these agencies are obligated to serve the entire reorganization area through the City's reorganization proposal (LAFCO 3243). The sphere of influence reduction for San Bernardino County Fire Protection District is also necessary to allow for the detachment of said area from its boundary as a function of the overall reorganization (LAFCO 3243).

#### **SERVICE REVIEW DETERMINATION:**

It is the staff's positions that a sphere of influence "amendment" does not require that a service review be conducted pursuant to Government Code Section 56430 as this section reads in part, "In order to prepare and to update spheres of influence in accordance with 56425, the commission shall conduct a service review..." LAFCO 3242 includes sphere of influence amendments pursuant to Section 56428, not updates pursuant to Section 56430.

In addition, the Commission's policy requiring a service review for an amendment to a retail water district's sphere of influence, in this case the West Valley Water District, does not apply here:

- 1) The area being considered for sphere of influence amendment is within the sphere of influence of San Bernardino Valley Municipal Water District, which is the wholesale water provider for the region; and,
- 2) No objection has been received from any agency that provides water service whose sphere of influence is within or adjacent to the subject area.

Therefore, staff is recommending that the Commission determine that LAFCO 3242 does not require a service review.

#### **SPHERE OF INFLUENCE FACTORS OF CONSIDERATION:**

Staff's responses to the "factors of consideration" required by State law for sphere of influence amendment proposals, as outlined in Government Code Section 56425, are as follows:



**1. The present and planned land uses in the area, including agricultural and open space lands**

The existing uses within the sphere of influence amendment areas include a mix of vacant land and road right-of-way.

The City has assigned said areas a mix of Light Industrial (I-L) and Residential Estate (R-E) land use designations. The City is also in the process of realigning Lytle Creek Road as part of the overall Project development.

Currently, the service needs within the areas are minimal due to their vacant nature. Upon development of the Project, which is a proposed high-cube warehouse facility, the areas will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access to Lytle Creek Road.

**2. The present and probable need for public facilities and services in the area**

There will be no change to the public facilities and/or utility services within the areas proposed for sphere of influence expansions/reduction. The sphere amendments simply designate the areas within the agencies that will serve the Project, but will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access Lytle Creek Road.

**3. The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide**

The City of Fontana provides a full range of municipal services such as law enforcement, solid waste services, wastewater collection, and street sweeping. The Fontana Fire Protection District, a subsidiary district of the City, is responsible for fire protection and emergency medical services and has chosen to contract those services out to San Bernardino County Fire Protection District. West Valley Water District provides retail water service, and is also authorized sewer collection but currently does not provide such service within its service area.

The sphere amendments simply place the areas within the agencies that will serve the Project, but will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access to Lytle Creek Road.

**4. The existence of any social or economic communities of interest**

The City of Fontana and its sphere of influence, which is considered the Fontana community, is served by a number of agencies including the Fontana Fire Protection District (a subsidiary district of the City), and the West Valley Water District. The



sphere amendments (and ultimately the boundaries) will align all service providers that will serve the Project within the City of Fontana.

**5. The Present and Probable Need for Public Facilities and Services of any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence for a City/Special District that Provides Public Facilities or Services Related to Sewers, Water, or Fire Protection**

The disadvantaged unincorporated community within the City of Fontana's sphere of influence is located within its unincorporated western sphere area and its unincorporated sphere area within the Bloomington community. The City and the County of San Bernardino currently have a Memorandum of Understanding for the City to provide sewer service within the western sphere of influence area. The western sphere area and the sphere area in Bloomington currently receives water service from Fontana Water Company, a private water service provider for the community. However, both sphere areas are already within the Fontana Fire Protection District's service area for fire protection and emergency medical services.

**Functions and Services for Special Districts:**

Government Code Section 56425(i) requires that during a sphere of influence amendment or update for a Special District, the Commission is required to review and identify the range of services to be provided, as well as the nature and location of these services. At present the Commission's Policy and Procedure Manual identifies the authorized functions and services to be provided by the special districts under its purview. That listing identifies the following functions and services for:

**1. Fontana Fire Protection District:**

<b><u>FUNCTION</u></b>	<b><u>SERVICES</u></b>
Fire Protection	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, emergency response, and disaster preparedness planning

**2. West Valley Water District:**

<b><u>FUNCTION</u></b>	<b><u>SERVICES</u></b>
Water	Domestic, irrigation, spreading
Sewer	Collection



### 3. San Bernardino County Fire Protection District:

<b><u>FUNCTION</u></b>	<b><u>SERVICES</u></b>
Fire	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, ambulance transportation, emergency response, and disaster preparedness planning

LAFCO staff recommends that the Commission affirm the service descriptions for the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino County Fire Protection District as identified in the *LAFCO Policy and Procedure Manual, Section VI, Chapter 3: Listing of Special Districts within San Bernardino LAFCO Purview - Authorized Functions and Services*.

#### **ADDITIONAL DETERMINATIONS:**

1. As required by State Law, notice of the Commission's consideration of this issue has been advertised as required by State law through publication in *The Sun*, a newspaper of general circulation in the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies wishing mailed notice.
2. LAFCO staff has also provided individual notices in conjunction with noticing the proposed reorganization proposal, LAFCO 3243, to landowners and registered voters within the entire reorganization area including all the sphere amendment areas (totaling 39) and to landowners and registered voters surrounding the entire reorganization area (totaling 108) in accordance with state law and adopted Commission policies. To date, no written comments in support or opposition have been received regarding the consideration of this proposal.
3. As a CEQA responsible agency, the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates, has reviewed the City's environmental documents for the sphere amendment proposal (LAFCO 3242) and has indicated that the City's environmental assessment for the I-15 Logistics Project (SCH No. 2018011008) is adequate for the Commission's use as CEQA responsible agency. Copies of the City's Complete Final EIR and all associated documents were previously provided to Commission members and are also included (as Web links) in Attachment 2 of Item 5A. Discussion and recommendations related to environmental assessment for LAFCO 3242 are outlined in the Item 5A staff report for the January 20, 2021 LAFCO meeting.
4. The maps and legal descriptions for these sphere of influence amendments, were certified by the County Surveyor's office.



**CONCLUSION:**

LAFCO 3242 represents reasonable sphere of influence amendments for the City of Fontana (expansion), Fontana Fire Protection District (expansion), West Valley Water District (expansion) and the San Bernardino County Fire Protection District (reduction). This proposal has been submitted in order to move forward with the reorganization proposal that the City submitted (LAFCO 3243). For all these reasons, and those identified within this report, staff recommends approval of LAFCO 3242. The actions recommended for the Commission are outlined on pages one and two of this report.

Attachments:

1. [Vicinity Maps and Maps of Proposed Sphere of Influence Amendments](#)
2. [City of Fontana Application for Sphere of Influence Amendment Including the Plan for Service for the Reorganization Proposal \(LAFCO 3243\)](#)
3. [Draft LAFCO Resolution No. 3324](#)







**Vicinity Maps and Maps of  
Proposed Sphere of Influence  
Amendments**

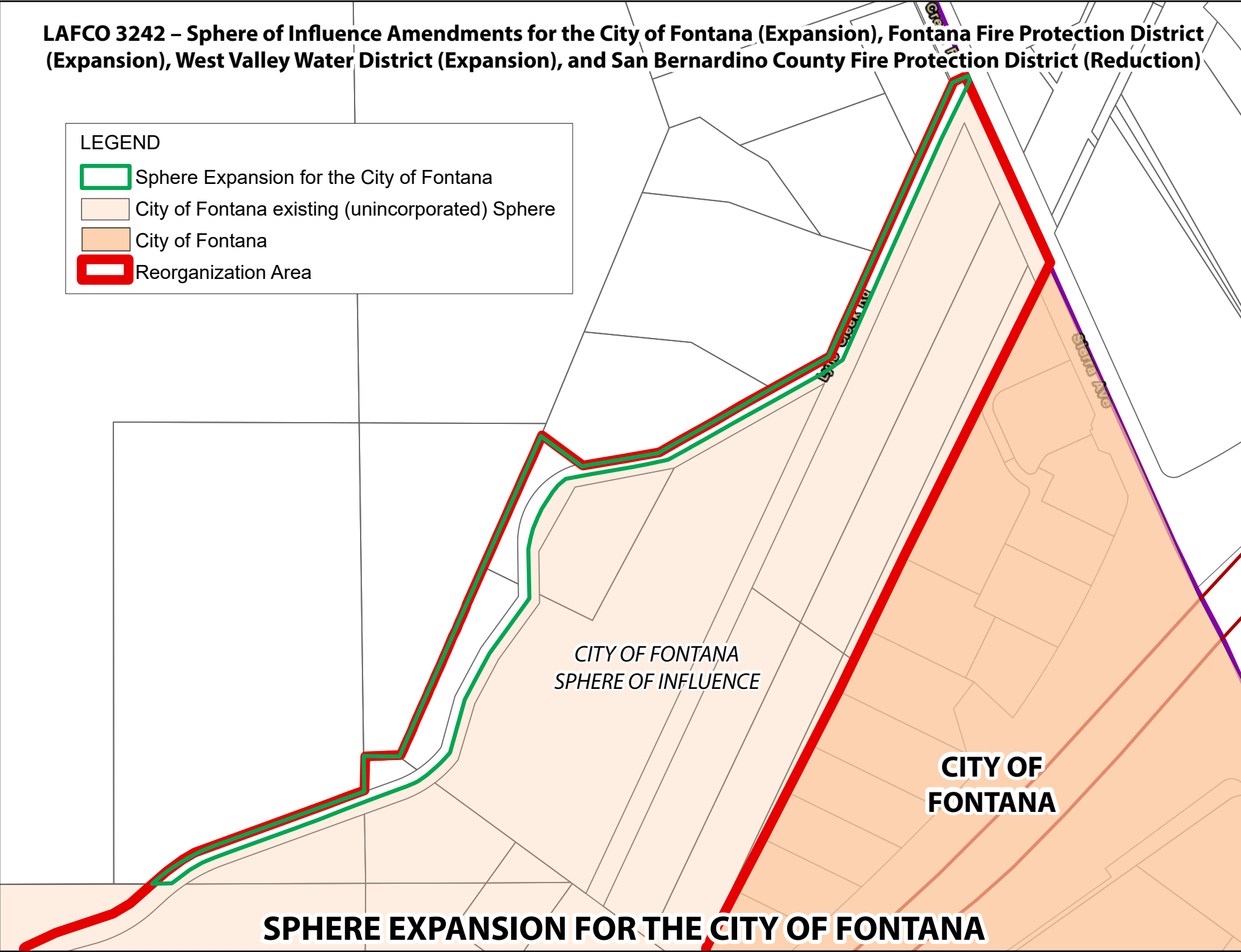
**Attachment 1**



**LAFCO 3242 – Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)**

**LEGEND**






-  Sphere Expansion for the City of Fontana
-  City of Fontana existing (unincorporated) Sphere
-  City of Fontana
-  Reorganization Area





**LAFCO 3242 – Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)**

**LEGEND**

-  Sphere Expansion for Fontana FPD and Sphere Reduction for San Bernardino County FPD (SBCFPD)
-  Fontana FPD District and Sphere
-  San Bernardino County FPD District and Sphere
-  City of Rialto
-  Reorganization Area

**SBCFPD**

*Old CC Spur*

*Lytle Creek Rd*

*Lytle Creek Rd*

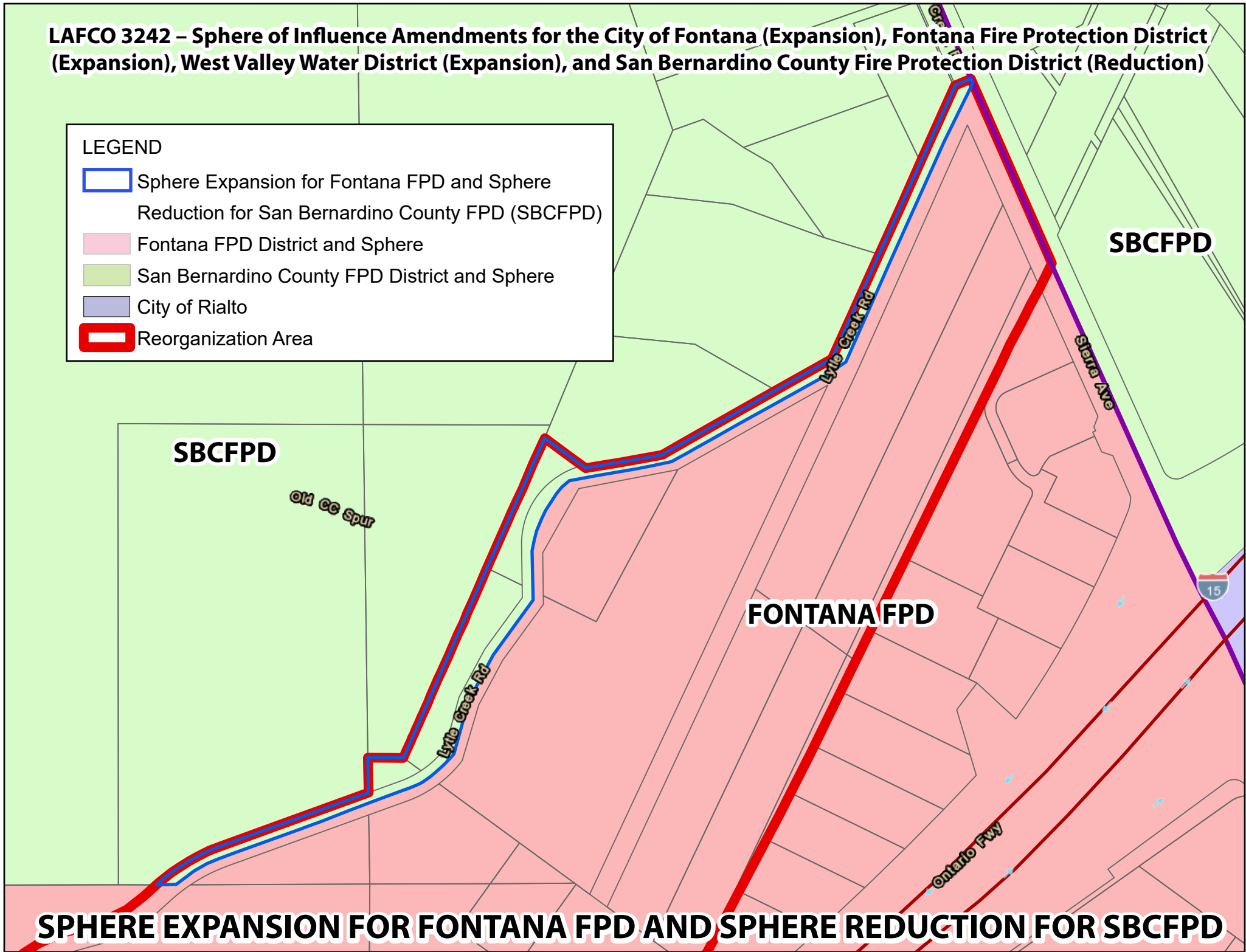
*Sierra Ave*

**FONTANA FPD**

*Ontario Fwy*

15

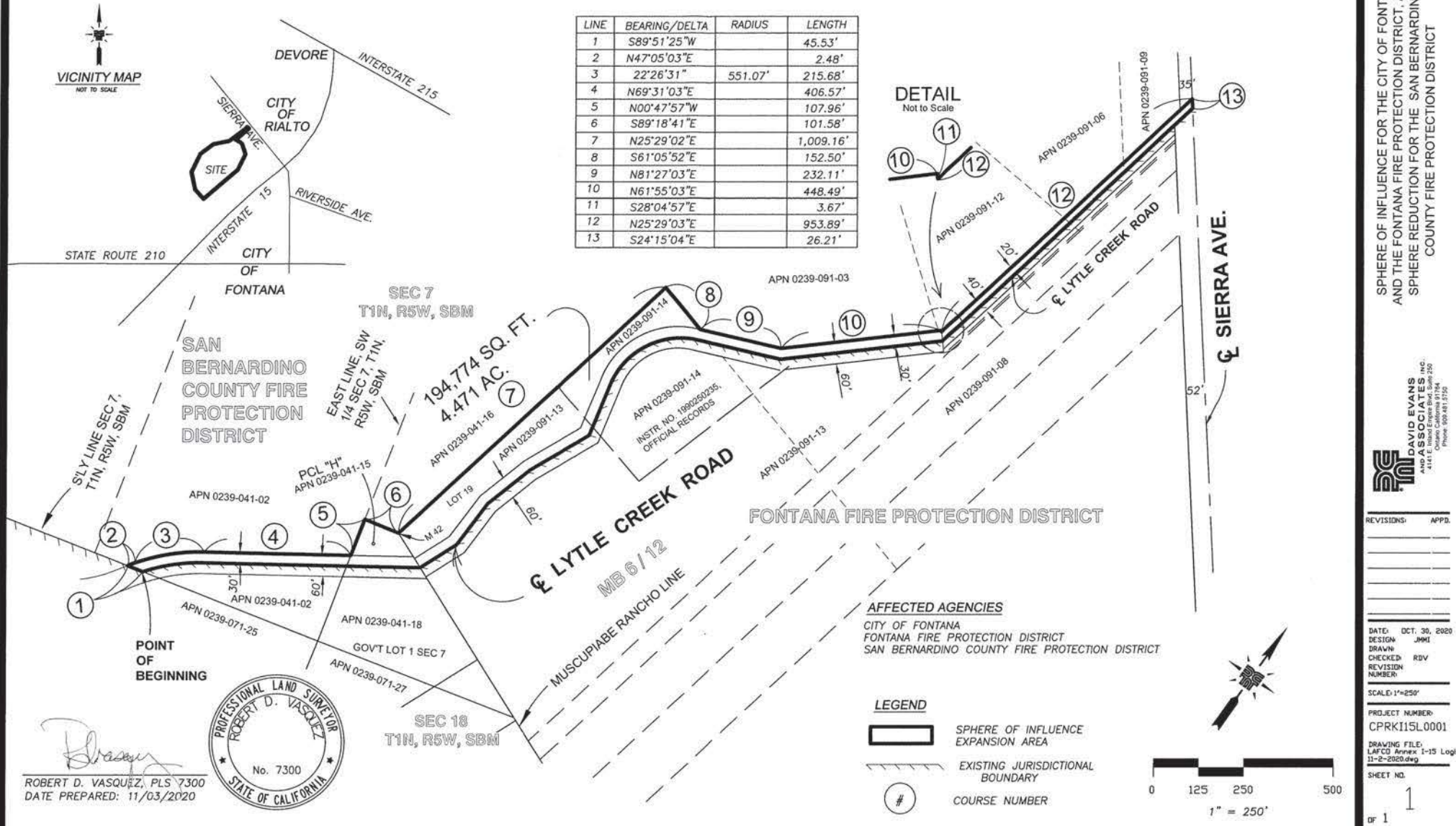
**SPHERE EXPANSION FOR FONTANA FPD AND SPHERE REDUCTION FOR SBCFPD**





# EXHIBIT B





LAFCO 3242 - Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)

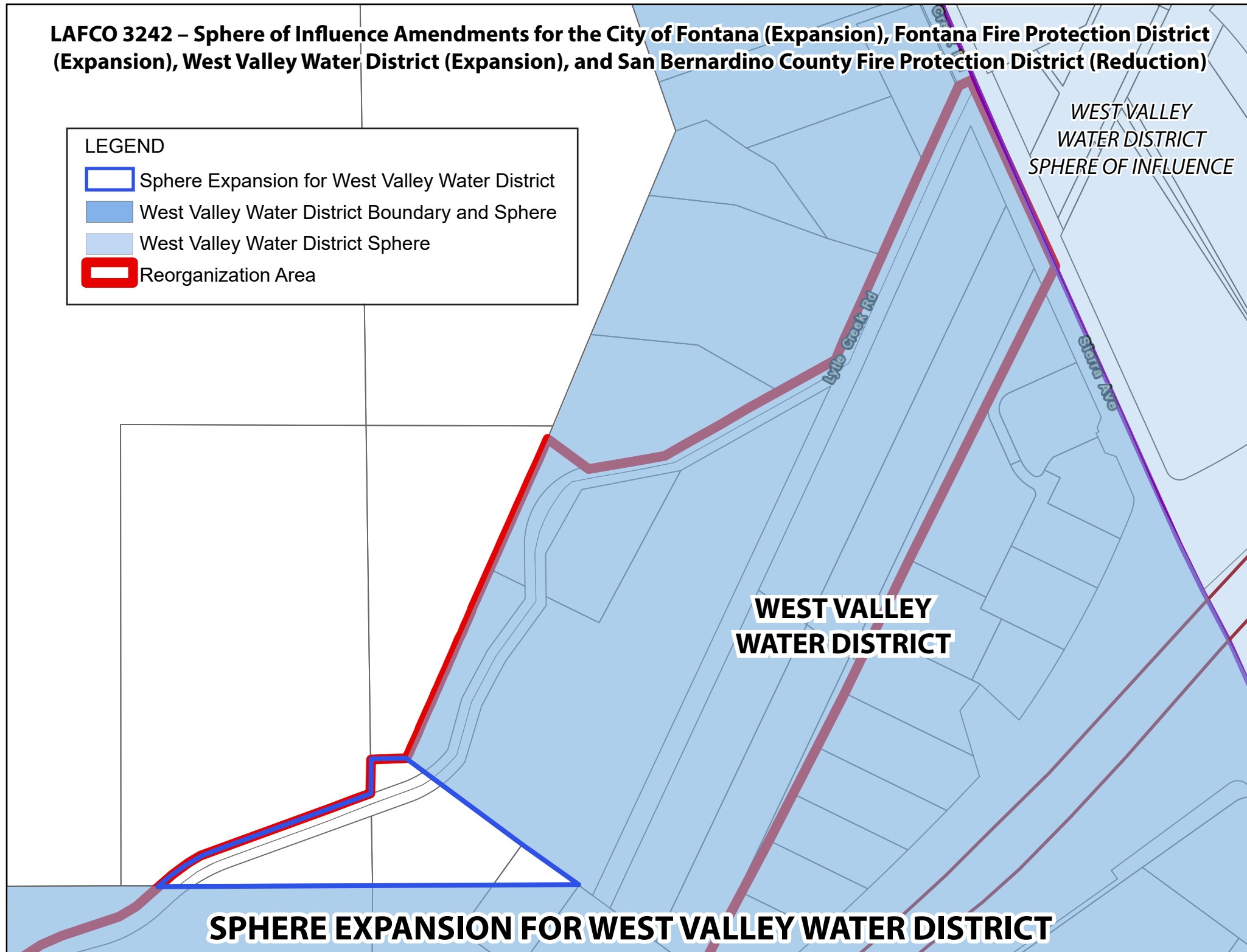




**LAFCO 3242 – Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)**

**LEGEND**

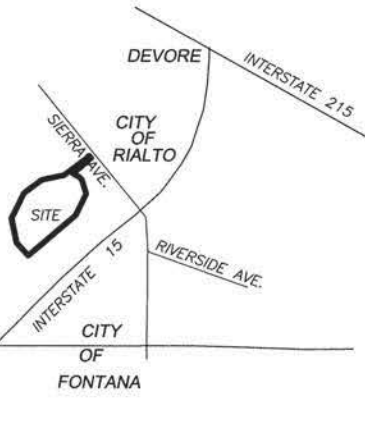
-  Sphere Expansion for West Valley Water District
-  West Valley Water District Boundary and Sphere
-  West Valley Water District Sphere
-  Reorganization Area





# EXHIBIT B

LAFCO 3242 - Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)

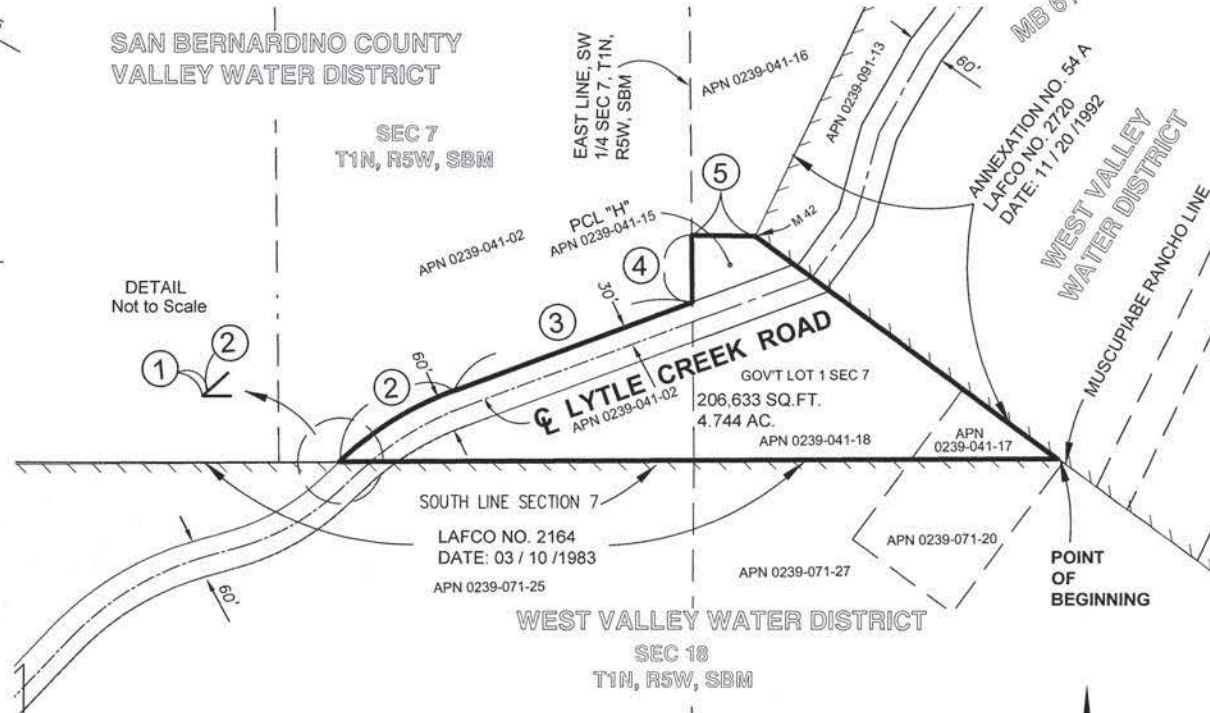


LINE	BEARING/DELTA	RADIUS	LENGTH
1	N47°05'03"E		2.48'
2	22°26'31"	551.07'	215.68'
3	N69°31'03"E		406.57'
4	N00°47'57"W		107.96'
5	S89°18'41"E		101.58'

SAN BERNARDINO COUNTY  
VALLEY WATER DISTRICT

SEC 7  
T1N, R5W, SBM

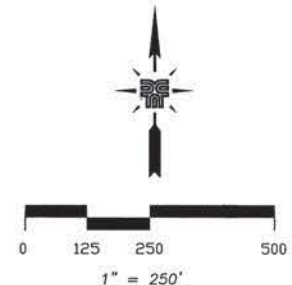
DETAIL  
Not to Scale



**AFFECTED AGENCIES**  
WEST VALLEY WATER DISTRICT

## LEGEND

- SPHERE OF INFLUENCE EXPANSION AREA
- EXISTING DISTRICT BOUNDARY
- COURSE NUMBER



ROBERT D. VASQUEZ, PLS-7300  
DATE PREPARED: 11/03/2020

SPHERE OF INFLUENCE EXPANSION  
FOR THE WEST VALLEY WATER DISTRICT

DAVID EVANS  
AND ASSOCIATES, INC.  
4141 E. Island Empire Blvd., Suite 250  
Chico, California 95926  
Phone: (916) 441-2752

REVISIONS: APPD.

DATE: OCT. 30, 2020  
DESIGN: JMM  
DRAWN:  
CHECKED: REV  
REVISION NUMBER:

SCALE: 1"=250'

PROJECT NUMBER:  
CPRK115L0001

DRAWING FILE:  
LAFCD Annex 1-15 Logs  
11-2-2020.dwg

SHEET NO.

1  
OF 1



**City of Fontana Application for  
Sphere of Influence Amendment  
Including the Plan for Service for  
the Reorganization Proposal  
(LAFCO 3243)**

**Attachment 2**



## SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: \_\_\_\_\_  
I-15 Logistics Center Sphere of Influence Amendment and Reorganization

2. NAME OF APPLICANT: City of Fontana  
APPLICANT TYPE: ☐ Landowner ☒ Local Agency  
☐ Registered Voter ☐ Other \_\_\_\_\_

**MAILING ADDRESS:**

8353 Sierra Avenue, Fontana, CA 92335

PHONE: ( 909 ) 350-6678

FAX: (        ) \_\_\_\_\_

E-MAIL ADDRESS: djohnson@fontana.org

3. GENERAL LOCATION OF PROPOSAL:

The proposed I-15 Logistics Project (the Project or Proposed Project) Reorganization Area is located in unincorporated San Bernardino County just northwest of Interstate 15 (I 15), south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City of Fontana's Sphere of Influence

4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES ☐ NO ☒ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested.

Currently, the proposed project site is located in unincorporated San Bernardino County, which provides many services to the Reorganization Area including fire and paramedic services, general government, development services, sheriff patrol, public library, regional parks and recreation, street lighting, transportation, flood control and drainage, and health and welfare. The proposed reorganization also includes detachment of the Reorganization Area from the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and its Zone FP-5, and County Service Area 70.

After annexation, the City of Fontana is anticipated to provide services including general government, community development, police protection, local parks and recreation, community services, and public works. The project requires a Sphere of Influence amendment for the City, West Valley Water District (WVWD), and Fontana Fire Protection District (FPD) (expansion) and SBCFPD (reduction). The reorganization also includes the annexation of 4.83 acres, including 3 parcels and portions of road right-of-way, into WVWD and San Bernardino Valley Municipal Water District, and 5 acres to the Fontana FPD.

The proposed Reorganization Area includes the I-15 Logistics Project, which includes the development and operation of a 1,171,788-square foot logistics facility on approximately 66.57 acres (Logistics Site), the realignment of a segment of Lytle Creek Road (from the western project boundary eastward to a new intersection with Sierra Avenue), as well as related project components and entitlements. The logistics facility building would include two office spaces that would total approximately 30,000 square feet. It is anticipated that the logistics facility would be in operation 24 hours per day and would employ approximately 500-1,000 full-time employees. The logistics facility would include on-site and off-site utility connections for water, sewer, storm drain facilities, electricity, and cable television.



**LAND USE AND DEVELOPMENT POTENTIAL**

1. **Total land area of subject territory (defined in acres):**  
152 acres ("Reorganization Area"), inclusive of the 66.57-acre Logistics Site
2. **Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)**  
The annexation area currently includes eight existing single-family residential units
3. **Approximate current population within area:**  
The 2018 population of the City of Fontana is estimated at 213,739
4. **Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):**  
The City of Fontana City Council has approved Resolution No. 2020-75 to amend the General Land Use Map to assign a General Plan Designation of Light Industrial (M-1) to APN: 0239-041-15 and portions of APN: 0239-091-13 and Residential Estate to portions of APN: 0239-091-14 and change the General Plan land use designation on approximately 76 acres from Residential Estate (R-E) and Public Facilities (P-PF) to Light Industrial (I-L). In addition, the City Council has also approved Resolution No. 2020-76 to amend the General Plan Circulation Element alignment and designation of Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector Highway.  
**San Bernardino County General Plan designation(s) and uses permitted by this designation(s):**  
N/A
5. **Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:**  
There are no expressed land use concerns as identified in the above state General Plan designations. The City of Fontana General Plan shall adequately serve any allowed land use requirements and no additional amendments to the General Plan Circulation Element are anticipated. In addition, As an individual industrial development, the Project is limited in its ability to ensure travel safety and reliability for people and goods in the SCAG region. However, at a local level, the realigned Lytle Creek Road would be redesignated from a Secondary Highway to a Collector and improved with wider travel lanes and sidewalks. In addition, no truck traffic would be allowed along the western end of Lytle Creek Road that connects to the Monarch Hills Residential Development Project area. This would ensure travel safety and reduce potential truck-vehicular access conflicts.
6. **Indicate the existing use of the subject territory.**  
Developed areas within the Reorganization Area generally consist of paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with the existing eight residential properties, as well as a small commercial development at the north end of the Reorganization Area.

**What is the proposed land use?**

The Proposed I-15 Logistics Project includes the development and operation of a 1,171,788-square-foot logistics facility on approximately 66.57 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Reorganization Area), inclusive of the 66.57-acre Logistics Site; and the related project components and entitlements

7. **Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☒ If YES, please explain.**



8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item: N/A

- |  |  |
|--|--|
| <input type="checkbox"/> Agricultural Land Uses  | <input type="checkbox"/> Agricultural Preserve Designation       |
| <input type="checkbox"/> Williamson Act Contract   | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ |  |

9. Provide a narrative response to the following factor of consideration as identified in §56668(p):  
*The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The approved General Plan Amendments and Annexation to the City of Fontana promotes environmental justice to the extent that it allows the Landowner to legally develop the parcel for commercial and industrial land uses, which will provide job opportunities for all races, cultures, and income brackets. No changes to the environmental justice profiles as identified in Section 56668 are anticipated.

### ENVIRONMENTAL INFORMATION

1. Provide general description of topography. Generally flat

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>5</u>	%	Agricultural	<u>0</u>	%
Commercial	<u>5</u>	%	Vacant	<u>90</u>	%
Industrial	<u>0</u>	%	Other	<u>0</u>	%

3. Describe the surrounding land uses:

NORTH	<u>Residential, commercial and undeveloped land</u>
EAST	<u>Undeveloped land</u>
SOUTH	<u>Undeveloped land</u>
WEST	<u>Undeveloped land</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

The Project would include on- and off-site utility connections and street improvements: water, sewer, storm drain facilities, and street frontage improvements on Lytle Creek Road. Water improvements would tie in to existing 12-inch lines adjacent to the site. Sewer would be provided by installing a privately maintained lift station, which will tie into the sewer system that runs down Sierra Avenue to the manhole near Segovia Lane. Storm drain improvements would include the installation of underground collection pipes and a 3-acre retention basin. Additionally, the project would include the construction of a new Lytle Creek Road to Sierra Avenue extension from the property's northern boundary and continuing northeast for approximately 0.42 mile. The proposed road realignment will be consistent with the General Plan Circulation Element.



5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒  
NO ☐ Adjacent sites? YES ☒ NO ☐ Unincorporated ☐ Incorporated ☒

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6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☐  
NO ☒ If YES, please identify.

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7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ☒ If YES, please explain.

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### NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME CapRock Aquisitions, LLC c/o Patrick Daniels

TELEPHONE NO. 817-713-8826

ADDRESS:

1300 Dove Street, Suite 200, Newport Beach, CA 92660

NAME EPD Solutions, Inc. c/o Lauren Lockwood

TELEPHONE NO. 949-794-1189

ADDRESS:

2 Park Plaza, Suite 1120, Irvine, CA 92612

NAME DiTanyon Johnson, City of Fontana

TELEPHONE NO. 909-350-6678

ADDRESS:

8353 Sierra Avenue, Fontana, CA 92335

### CERTIFICATION

As a part of this application, the City/Town of Fontana, or the \_\_\_\_\_  
District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest -  
landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold  
harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,



and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE

11/18/20



SIGNATURE

Chuck Hays/City of Fontana

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Deputy City Manager

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

☒

ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT

☒

SPHERE OF INFLUENCE CHANGE SUPPLEMENT

☐

CITY INCORPORATION SUPPLEMENT

☐

FORMATION OF A SPECIAL DISTRICT SUPPLEMENT

☐

ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT



## SUPPLEMENT SPHERE OF INFLUENCE AMENDMENT

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific sphere of influence amendment application to allow the Commission, staff and others to adequately assess the application. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please provide an identification of the agencies involved in the proposed sphere of influence change(s):

**SPHERE EXPANSION**

- City of Fontana
- West Valley Water District
- Fontana Fire Protection District

**SPHERE REDUCTION**

- San Bernardino County Fire Protection District

2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

The present and planned land uses in the area, including agricultural and open-space lands.

See attached.

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The present and probable need for public facilities and services in the area.

See attached.

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The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide.

See attached.

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The existence of any social or economic communities of interest in the area.

See attached.

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The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence.

See attached.

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3. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425)

See attached.

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4. If the sphere of influence amendment includes a special district sphere of influence change, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))

See attached.

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5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430): See attached.

- a. Growth and population projections for the affected area.



- b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.
- d. Financial ability of agencies to provide services.
- e. Status of, and opportunities for, shared facilities.
- f. Accountability for community service needs, including governmental structure and operational efficiencies.

If additional sheet are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

### **CERTIFICATION**

As a part of this application, the City/Town of Fontana, or the \_\_\_\_\_ District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs, imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 11/18/20



SIGNATURE

Chuck Hays/City of Fontana

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Deputy City Manager

Title and Affiliation (if applicable)



**SUPPLEMENT SPHERE OF INFLUENCE AMENDMENT**

*2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)*

*The present and planned land uses in the area, including agricultural and open-space lands.*

The 152-acre Project site (Annexation Area or Project Area) is generally bounded by Lytle Creek Road to the northwest, California Department of Transportation (Caltrans) right-of-way to the southeast associated with Interstate 15 (I-15), and private, mostly vacant lands to the northeast and south. The Logistics Site is generally covered by low-growing annual grasses, scrub-type plants, and mature trees for the most part located adjacent to the existing residences and structures. Recent uses include storage of woodpiles, assorted vehicles, and watercraft, as well as livestock farming. Most the site consists of undeveloped land associated with past agrarian activities. Signs of previous disturbance from grading and weed abatement activity are common throughout the site; no indications of current farming or other land uses are evident.

The Proposed Project includes the development and operation of a 1,171,788-square foot logistics facility on approximately 66.57-acre (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Annexation Area or Project Area), and the related Project components and entitlements.

*The present and probable need for public facilities and services in the area.*

See attached Plan for Service.

*The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide.*

See attached Plan for Service.

*The existence of any social or economic communities of interest in the area.*

None are existing.

*The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence.*

See attached Plan for Service.

*3. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425).*



*3. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425).*

The proposed sphere of influence amendment will be achieved as required by Government Code Section 56425 through approval of the Plan for Service and Fiscal Analysis by the West Valley Water District and the City of Fontana. The proposed sphere of influence has also been discussed and approved by the City of Fontana.

*4. If the sphere of influence amendment includes a special district sphere of influence change, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))*

See attached Plan for Service.

*5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430):*

- a. Growth and population projections for the affected area.*
- b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.*
- c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.*
- d. Financial ability of agencies to provide services.*
- e. Status of, and opportunities for, shared facilities.*
- f. Accountability for community service needs, including governmental structure and operational efficiencies.*

*If additional sheet are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.*

See attached Plan for Service.





# I-15 LOGISTICS CENTER ANNEXATION

Plan for Service  
City of Fontana  
West Valley Water District

**Prepared for:**

LAFCO for San Bernardino County  
1170 West 3rd Street, Unit 150  
San Bernardino, CA 92415-0490

**Prepared by:**


EPD Solutions, Inc.  
2 Park Plaza, Suite 1120  
Irvine, CA 92614



## Certification

I hereby certify that this document presents the data and information required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

City of Fontana

  
\_\_\_\_\_  
Chuck Hays  
Deputy City Manager

Date 11/18/20



### Certification

I hereby certify that this document presents the data and information related to water services required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

West Valley Water District



Clarence C. Mansell, Jr.  
General Manager

Date 02/10/2020



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**List of Exhibits**

- Exhibit 1 Project Vicinity Map
- Exhibit 2 Sphere of Influence and Annexation Area
- Exhibit 3 Project Parcels
- Exhibit 4 West Valley Water District Existing and Proposed Service Area
- Exhibit 5 San Bernardino Valley Municipal Water District Existing and Proposed Service Area

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- Table 4-1 Current and Anticipated Service Providers in the I-15 Logistics Reorganization

**Appendices**

- Appendix A Assessor's Parcel Numbers Within Annexation



# 1 EXECUTIVE SUMMARY

This report provides an assessment of public service delivery capabilities of the City of Fontana, the West Valley Water District, and other agencies or special districts affected by the proposed expansion of a portion of the City of Fontana's Sphere of Influence (SOI) and the proposed annexation of 152 acres ("Reorganization Area"), inclusive of the 76-acre Logistics Site; and the related project components and entitlements to the City of Fontana. The City of Fontana is surrounded by the cities of Rialto, Rancho Cucamonga, and Jurupa Valley.

This report is being submitted to the County of San Bernardino Local Agency Formation Commission (LAFCO) as a "Plan for Service" required by California Government Code Section 56653. Currently, the proposed project site is located in unincorporated San Bernardino County, which provides many services to the Reorganization Area including fire and paramedic services, general government, development services, sheriff patrol, public library, regional parks and recreation, street lighting, transportation, flood control and drainage, and health and welfare. The proposed reorganization also includes detachment of the Reorganization Area from the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70.

After annexation, the City of Fontana is anticipated to provide services including general government, community development, police protection, local parks and recreation, community services, and public works. The reorganization also includes the annexation of 4.83 acres, including 3 parcels and portions of road right-of-way, into West Valley Water District and San Bernardino Valley Municipal Water District.

The proposed Reorganization Area includes the I-15 Logistics Project, which includes the development and operation of a 1,175,720-square foot logistics facility on approximately 76 acres (Logistics Site), the realignment of a segment of Lytle Creek Road (from the western project boundary eastward to a new intersection with Sierra Avenue), as well as related project components and entitlements. The logistics facility building would include two office spaces that would total approximately 30,000 square feet. It is anticipated that the logistics facility would be in operation 24 hours per day and would employ approximately 500-1,000 full-time employees. The logistics facility would include on-site and off-site utility connections for water, sewer, storm drain facilities, electricity, and cable television.

## 2 INTRODUCTION

The I-15 Logistics Project Reorganization Area is located in unincorporated San Bernardino County, northwest of Interstate 15 (I-15), south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City of Fontana's Sphere of Influence (SOI), as shown in Exhibit 2. More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from Interstate 210 (I-210) via the Citrus or Sierra Avenue interchanges.

### 2.1 PURPOSE OF THE STUDY



The Local Agency Formation Commission (LAFCO) for the County of San Bernardino requires a jurisdiction to submit a Plan for Service when the jurisdiction is affected by a proposed change in boundaries, formation, or organization. The proposed project intends to annex into the City of Fontana, West Valley Water District (WVWD), and San Bernardino Valley Municipal Water District (SBVMWD), which requires the City to show that the necessary infrastructure improvements and services can be provided to the proposed development. The Plan for Service must include the following components:

- a. A description of the level and range of each service to be provided to the affected territory.*
- b. An indication of when those services can feasibly be extended to the affected territory.*
- c. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.*
- d. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.*
- e. An indication of whether the affected territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.*
- f. If retail water service is to be provided through this change of organization, provide a description of the timely availability of water for projected needs within the area based upon the factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).*

## 2.2 OVERVIEW OF THE CITY OF FONTANA

The City of Fontana is located within San Bernardino County and occupies approximately 43 square miles. The 2018 city population is estimated at 213,739. The City of Fontana has over 40 parks, tot lots, sports facilities, and other recreational facilities, including the Lewis Library and Technology Center, two charter schools, and K-12 public schools. Major employers in the city include Kaiser Permanente, the Fontana Unified School District, the City of Fontana, Target, Manheim Auctions, Better Beverages, American Security Products, Coronado Stone Products, Firth Rixson, and Reddaway. The city has become a major hub for industrial focused truck and trailer facilities with easy access to I-15, I-10, and State Route (SR) 210.



### 3 PROJECT DESCRIPTION

This chapter presents the detailed land uses for the I-15 Logistics project and Reorganization Area. Information includes project density, population, assessed valuation and taxable sales. The total I-15 Logistics Reorganization Area includes the annexation of 152 acres ("Reorganization Area") inclusive of the 76-acre Logistics Site.

#### 3.1 PROJECT DEVELOPMENT

The Proposed Project includes the development and operation of a 1,175,720-square-foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Reorganization Area), inclusive of the 76-acre Logistics Site; and the related project components and entitlements, as discussed herein.

#### 3.2 REORGANIZATION AREA

The I-15 Logistics project proposes the annexation of 152 acres of land currently under the jurisdiction of the County of San Bernardino. The proposed Reorganization Area is in the northern portion of the City of Fontana's Sphere of Influence (SOI). More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from SR-210 via the Citrus or Sierra Avenue interchanges.

As shown in Exhibit 3, the Reorganization Area is proposed to include 21 parcels—inclusive of the Logistics Site, as well as portions of the road right-of-way for Lytle Creek Road, Sierra Avenue, and I-15. The parcels within the Reorganization Area have been pre-zoned and pre-designated, consistent with City of Fontana General Plan land use designations and zoning with the exception of the 2.14 acres of land not currently in the City's SOI. A list of Assessor's Parcel Numbers (APNs) in the Reorganization Area is provided in Appendix A.

The 152-acre Reorganization Area predominantly consists of vacant parcels of undeveloped land with surface elevations ranging from approximately 1,850 to 2,079 feet above mean sea level, generally sloping to the southwest. The Reorganization Area has been exposed to a variety of disturbances, including clearing/disking activities, off-road vehicle use, and illegal dumping.

Developed areas within the Reorganization Area generally consist of paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with the existing eight residential properties, as well as a small commercial development at the north end of the Reorganization Area.

There is an existing water tank located in the southern portion of the Reorganization Area, approximately 0.3 mile from the southern boundary of the I-15 Logistics project site. In addition, existing transmission towers are located along the entirety of the Reorganization Area's eastern boundary, including the I-15 Logistics project site.<sup>1</sup>

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<sup>1</sup> P. 3.0-11 & P. 3.0-12. "Draft Environmental Impact Report, I-15 Logistics," City of Fontana, August 2019.



## 4 EXISTING AND PROPOSED SERVICES

This chapter describes the existing and anticipated future service providers for the proposed I-15 Logistics Reorganization Area. The level and range of the services for the Reorganization Area are described, if they are known. The following services are detailed in this chapter:

- General Government
- Fire and Paramedic
- County Sheriff and Public Safety
- Library
- Parks and Recreation
- Water
- Sewer
- Transportation
- Flood Control and Drainage
- Utilities
- Schools
- Solid Waste Management
- Health and Welfare

Table 4-1 presents current and anticipated service providers for the I-15 Logistics project and Reorganization Area. In many cases, such as general government, community development, economic development, and sheriff/police, among others, responsibilities shift from San Bernardino County to the City of Fontana.

The Fontana Fire Protection District (FFPD) provides fire service to the City of Fontana including emergency services and fire prevention services. The current service area for the Fire Protection District is contiguous with the current City of Fontana's Sphere of Influence (SOI) and would need to be expanded to include the entire Reorganization Area. Therefore, an expansion of the Fire Protection District SOI, as well as annexation into the FFPD will be required. The area being annexed into the FFPD will be detached from the SBCFPD, its Valley Service Zone, and its Zone FP-5.

The West Valley Water District (WVWD) provides retail water service to Fontana and portions of unincorporated San Bernardino County. WVWD's existing service area and its SOI area do not fully cover the I-15 Logistics project and Reorganization Area. Therefore, an expansion of WVWD's service area and SOI is proposed so that the district can provide water service to the entire reorganization area.

The San Bernardino Valley Municipal Water District (SBVMWD) is a wholesale water provider and State Water Contractor, and it provides water to Fontana and to West Valley. The SBVMWD's existing service area does not fully encompass the I-15 Logistics project and Reorganization Area. Therefore, annexation into the SBVMWD's service area is proposed so that the water district can provide wholesale water service to the entire reorganization area.

According to the Fontana Public Works Department, the annexation area is not currently connected to the City's sewer system. Therefore, sewer would be provided to annexation area through installation of a privately maintained life station as part of the I-15 Logistics project. This privately maintained lift station would tie into the sewer system along Sierra Avenue to the manhole near



Segovia Lane. Other services, like utilities, remain unchanged before and after annexation. These changes are detailed in subsequent sections of this chapter.

**Table 4-1**  
**Current and Anticipated Service Providers in the I-15 Logistics Reorganization**

Service Type	Current Service Provider	Anticipated Service Provider
<b>General Government - Administrative Services:</b>		
Finance Division	County of San Bernardino	City of Fontana
Human Resources Division	County of San Bernardino	City of Fontana
Business Registration	County of San Bernardino	City of Fontana
<b>Community Development:</b>		
Planning	County of San Bernardino	City of Fontana
Building & Safety	County of San Bernardino	City of Fontana
Code Compliance	County of San Bernardino	City of Fontana
<b>Economic Development</b>	County of San Bernardino	City of Fontana
<b>Fire and Paramedic</b>	Fontana Fire Protection District San Bernardino County Fire Protection District (Valley Service Zone) (portion)	Fontana Fire Protection District
<b>Sheriff/Police</b>	San Bernardino County Sheriff's Department	Fontana Police Department
<b>Library</b>	San Bernardino County Library District	San Bernardino County Library District
<b>Parks and Recreation</b>	County of San Bernardino (regional parks)	City of Fontana
<b>Water</b>	Retail: West Valley Water District Wholesale: San Bernardino Valley Municipal Water District	Retail: West Valley Water District Wholesale: San Bernardino Valley Municipal Water District
<b>Sewer</b>	Private Septic Systems	City of Fontana
<b>Transportation:</b>		
Freeways and Interchanges	Caltrans	Caltrans
Arterials and Collectors	San Bernardino County	City of Fontana
Local Roads	San Bernardino County	City of Fontana
Transit	Omnitrans	Omnitrans
<b>Flood Control and Drainage:</b>		
Local Facilities	San Bernardino County Flood Control District	City of Fontana
Regional Facilities	San Bernardino County Flood Control District	San Bernardino County Flood Control District
<b>Utilities:</b>		
Cable/Internet	Frontier Communications	Frontier Communications
Telephone	Frontier Communications	Frontier Communications
Power	Southern California Edison	Southern California Edison
Natural Gas	Southern California Gas Company	Southern California Gas Company
<b>Schools</b>	Fontana Unified School District	Fontana Unified School District
<b>Solid Waste Management</b>	San Bernardino County Solid Waste Management Division (contract with Burrtec)	City of Fontana (contract with Burrtec)
<b>Health and Welfare</b>	San Bernardino County Department of Public Health	San Bernardino County Department of Public Health



## 4.1 GENERAL GOVERNMENT

### Before Annexation

The Reorganization Area is currently under the jurisdiction of San Bernardino County. General government services include the County Supervisor's office, Clerk of the Board of Supervisors, County Administrative Offices, and County Counsel. The Board of Supervisors is the governing body of the County government and Board-governed special districts.

Duties of the Clerk of the County Board of Supervisors include handling appeals made by members of committees, commissions and boards to the Board of Supervisors. The Clerk also records documents. The Clerk serves the entire County, including the Reorganization Area.

County administrative offices establish and administer policy, manage various County departments, and coordinate the County budget. The County Counsel's office oversees all legal aspects of County government, including providing legal representation in court, prosecutions on behalf of the County, providing legal advice and interpretation, and handling all necessary legal processes. The Counsel serves the entire County.

The County's general government services include all Administrative services, Community Development services, and Economic Development services to the Reorganization Area.

### After Annexation

Upon annexation, the Reorganization Area would become part of the City of Fontana. General government services include the City Council, City Manager, City Clerk, City Administrative Offices, including Public Services Administration, as well as the City Attorney. The City Council consists of five council members with the mayor as presiding officer. No new council representation will be required upon annexation.

The City Manager is responsible for the administrative affairs of the Town, including managing services and implementing programs and activities as directed by the City Council. Other managerial responsibilities include monitoring and advising the Council of all state and federal legislation that concern the City. The City Manager and staff serve the entire City, as well as the Reorganization Area. No additional personnel are expected to be required in the City Manager's office as a result of the annexation.

The City Clerk maintains the City's official records. The Clerk performs duties required by the California Political Reform Act, which created the California Fair Political Practices Commission (FPPC). The Clerk and staff serve the entire City and will serve the Reorganization Area. No additional personnel are expected to be required in the Clerk's office to serve the Reorganization Area.

The City's general government services include providing all Administrative services, Community Development services, and Economic Development services to the Reorganization Area.



## 4.2 FIRE AND PARAMEDIC

### Before Annexation

Currently, the Reorganization Area is mostly within the Fontana Fire Protection District (FFPD), a subsidiary district of the City, that contracts with the San Bernardino County Fire Protection District for its services. The FFPD is the service provider for fire prevention, fire protection and emergency medical services (EMS). The FFPD operates six fire stations, with Fire Station 79 located approximately 1.3 miles southwest of the project site at 5075 Coyote Canyon Road in Fontana, and Fire Station 78 located approximately 4.7 miles south of the project site at 7110 Citrus Avenue in Fontana.<sup>2</sup> According to the City's General Plan Public Facilities, Services, and Infrastructure Element, the average response time within the city is approximately four to five minutes. In addition to fire response, the FFPD also investigates and mitigates all types of hazardous materials spills, exposures, and releases, as well as provides emergency medical aid.

Approximately 5 acres of the Reorganization Area is served by the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70, which is a special tax zone for funding fire protection and Emergency Medical Services. SBCFPD covers 19,278 square miles and serves more than 60 communities/cities within four Regional Service Zones (Mountain, North Desert, South Desert and Valley).<sup>3</sup>

### After Annexation

The FFPD will provide fire prevention, fire protection and EMS for the entire Reorganization Area. The 5 acres currently served by SBCFPD will be annexed to FFPD. In conjunction with the annexation, a Sphere of Influence expansion will occur to include Assessor's Parcel Number (APN) 0239-041-15 and portions of APNs 0239-091-13 and -14, and the westerly right-of-way of Lytle Creek Road encompassing approximately 2.14 acres into the Fire Protection District's SOL.

## 4.3 SHERIFF/POLICE

### Before Annexation

Police protection for the Reorganization Area is currently provided by the San Bernardino County Sheriff's Department (SBCSD). SBCSD serves 2.1 million residents in an area of over 20,000 square miles with 8 county and 14 contract patrol stations. SBCSD has approximately 3,900 employees. The Reorganization Area is served by the Fontana Patrol Station at 17780 Arrow Boulevard, approximately seven miles to the south.<sup>4</sup>

### After Annexation

Upon annexation, the Fontana Police Department will provide the public safety services for the I-15 Logistics Center and the rest of the Reorganization Area. The FPD operates out of its headquarters at 17005 Upland Avenue, approximately seven miles south of the project site. Its staff includes 188 sworn officers.

<sup>2</sup> FFPD (Fontana Fire Protection District). 2019. Department website. Accessed October 2019. <https://www.fontana.org/634/Fire-Protection-District>.

<sup>3</sup> SBCFPD (San Bernardino County Fire Protection District). 2019. Department Website. Accessed October 2019.

<http://sbclafco.org/FiscalIndicators/BOS/SBCFPD.aspx>.

<sup>4</sup> SBCSD (San Bernardino County Sheriff's Department). 2020. Department website. Accessed October 2020. <https://wp.sbcounty.gov/sheriff/about-us/>



The I-15 Logistics project will not involve the construction of new houses and will not induce substantial population growth to the area. Thus, no additional police officers or police facilities are expected to be required to serve the I-15 Logistics project and Reorganization Area. In addition, the I-15 Logistics project and future development would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services.

#### 4.4 LIBRARY

##### **Before Annexation**

Currently, the Reorganization Area is served by the Summit Branch Library, which is part of the San Bernardino County Library System (SBCL). The San Bernardino County Library System has 32 branch libraries.<sup>5</sup> The Summit Branch is located at 15551 Summit Avenue in Fontana and is a driving distance of 3.7 miles from the Reorganization Area.

##### **After Annexation**

Upon annexation, the Reorganization Area would continue to be served by the Summit Branch of the SBCL. Currently, the County collects taxes for the library system through a County Library special district assessment. The Special District includes the unincorporated County and 17 cities, including Fontana. The annexation will result in no net change in the total tax revenues to the Special District.

The I-15 Logistics project will not involve the construction of new houses and will not induce substantial population growth to the area. Thus, no additional library facilities are expected to be required to serve the I-15 Logistics project and Reorganization Area.

#### 4.5 PARKS AND RECREATION

##### **Before Annexation**

The San Bernardino County Regional Parks Department provides regional park services to all residents within the County, including unincorporated areas. The County Regional Parks system includes the following parks: Glen Helen, Yucaipa, Lake Gregory, Cucamonga, Guasti, and Prado. The closest regional park is Glen Helen Regional Park, with a driving distance of approximately 3.5 miles, which has various recreation areas with amenities for fishing, boating, and picnicking. The County does not provide local park services, and, currently, there are no local parks within the Reorganization Area.

##### **After Annexation**

The Fontana General Plan Conservation, Open Space, Parks, and Trails Element states that there are over 40 parks, tot lots, sports facilities, and other recreational facilities in the City.<sup>6</sup>

The nearest city park is Coyote Canyon Park, approximately 1.5 miles southwest of the project site. Amenities available at this 15.5-acre park include baseball and softball fields, picnic shelters and tables with barbecue areas, a playground, a snack bar, and trails.

<sup>5</sup> SBCL (San Bernardino County Library System). 2019. Department website. Accessed October 2019. <http://www.sbclib.org/Information.aspx>.

<sup>6</sup> City of Fontana. 2019. City Website, Facilities & Parks. Accessed October 2019. <https://www.fontana.org/156/Facilities-Parks>.



## 4.6 WATER

### Before Annexation

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. These properties are currently serviced by the WVWD, which provides retail water service to Fontana and portions of unincorporated San Bernardino County.

WVWD utilizes three primary sources for drinking water supply: local surface water from flows on the east side of the San Gabriel Mountains, including North Fork Lytle Creek, Middle Fork Lytle Creek, and South Fork Lytle Creek; groundwater; and imported water from the State Water Project (SWP) through the SBVMWD, through the Lytle Turnout off the San Gabriel Feeder Pipeline.<sup>7</sup>

In addition, SBVMWD is a wholesale water provider and State Water Contractor, and it provides water to the eastern San Bernardino Valley.

### After Annexation

Currently, WVWD's existing service area and its SOI area do not fully cover the Reorganization Area. Therefore, an expansion of WVWD's service area and Sphere of Influence is proposed so that the district can provide water service to this future area of the city.

A Water Supply Assessment (WSA) of the Reorganization Area was prepared for the WVWD by Water Systems Consulting, Inc. According to the WSA, it is anticipated that the new water demand created by development of the Reorganization Area would not exceed the available water supply. WVWD mainly recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, greenbelts, open space, common areas, commercial landscaping, and supply for aesthetic impoundment or other water features.

As the Reorganization Area builds out and increased demand warrants, future development in the area will be required to extend water lines and other facilities to the property frontage and will be responsible for costs associated with the extension of service. Major development projects will be required to prepare WSAs in compliance with Senate Bills 610 and/or 221.

## 4.7 SEWER

### Before Annexation

Sanitary discharges and domestic wastewater generated by the existing residences on the site are disposed of by means of septic systems. According to the Fontana Public Works Department, the site is currently not connected to the City's sewer system.

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<sup>7</sup> P. 4.15-1. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.



### **After Annexation**

Upon annexation, regional domestic wastewater treatment services will be provided under the Regional Sewer Service Contract in which seven agencies—Fontana, Cucamonga County Water District, Montclair, Upland, Chino, Chino Hills, and Ontario—currently contract with the Inland Empire Utilities Agency (IEUA).

The IEUA treats domestic wastewater for the City of Fontana. Fontana's Public Works Department operates wastewater conveyance facilities within the City boundaries. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No. 1 in Ontario. The plant currently processes approximately 32 million gallons per day (mgd) of raw sewage. Its ultimate treatment capacity is 40 mgd, leaving a surplus capacity of approximately 8 mgd.

The I-15 Logistics project is within the Fontana's Public Works Department sanitary sewer service area; however, sewer for the I-15 Logistics project would be provided by installing a privately maintained lift station, which would tie into the sewer system along Sierra Avenue to the manhole near Segovia Lane. The existing land uses within the annexation area will not be connecting to this sewer facility, but the capacity of the proposed private sewer would allow for future connections with the City's approval.

Given the amount of excess capacity in the existing treatment facilities serving the City, the I-15 Logistics project and Reorganization Area will not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the I-15 Logistics project and any future development will be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements.

## **4.8 TRANSPORTATION**

### **Before Annexation**

Current transportation services for the Reorganization Area include freeways and interchanges serviced by Caltrans; arterials and collectors serviced by the County Public Works Department; local roads also serviced by the Public Works Department of San Bernardino County; and public transit serviced by Omnitrans. The nearest bus stop is currently located at the corner of Summit Avenue and Lytle Creek Road, approximately 2.8 miles south of the Logistics Site and is served by Omnitrans Route 82.

### **After Annexation**

Caltrans and Omnitrans will continue to provide their services post annexation for arterials, collectors and public transit. Omnitrans has an extensive network of bus routes throughout the City of Fontana and the surrounding region.

Upon annexation, the City of Fontana Public Works Department will be responsible for roadway construction and maintenance. Construction and improvements will be required as development occurs in the Reorganization Area and will likely be undertaken by individual developers. The future developer(s) will be responsible for improvements of all necessary public streets, both onsite and offsite. The future developer will also be responsible for improvements of all necessary public streets, both onsite and offsite.



The City of Fontana would become responsible for the regional transportation fees, which are established by the City's Developer Impact Fee schedule. These are assessed on a per unit basis for single and multi-family residential development, and per square foot for commercial and industrial development.

#### 4.9 FLOOD CONTROL AND DRAINAGE

##### **Before Annexation**

Stormwater management for the Reorganization Area and surrounding area is provided by the San Bernardino County Flood Control District (SBCFCD). The Flood Control District implements broad management functions, such as flood control planning, construction of drainage improvements for regional flood control facilities, and watershed and watercourse protection related to those facilities. It has power of taxation, bonded indebtedness, land and water rights acquisition, and cooperative partnerships with local, state, and federal agencies in order to carry out its mandated responsibility. Decisions related to the Flood Control District are made by the San Bernardino County Board of Supervisors. The District is subdivided into several geographic zones with the proposed Reorganization Area being in District Zone 1.

##### **After Annexation**

Upon annexation, the Flood Control District would be responsible for regional stormwater management within the Reorganization Area, and the Fontana Public Works Department would be responsible for local drainage management. Both the City and the SBCFCD provide flood control facilities for Fontana. SBCFCD is responsible for the construction of dams, containment basins, channels, and storm drains to intercept and convey flood flows through and away from developed areas. The City constructs and maintains local storm drains that feed into the county's area-wide system. In addition, the City has adopted a Master Drainage Plan.

As a permittee in the Santa Ana Regional Water Quality Control Board (RWQCB) Basin Plan, the City of Fontana implements a Municipal Storm Water Management Plan, which prohibits and regulates various types of discharges, mandates inspections and public education, puts controls on new development and redevelopment, and specifies site and construction site maintenance practices. Future development within the Reorganization Area will be required to manage storm flows onsite, and to participate in regional drainage improvements included in both County and City drainage master plans.

#### 4.10 UTILITIES

##### **Before Annexation**

Utilities include cable television, internet, telephone, electric power, and natural gas. Currently, Frontier Communications is the cable television and internet service provider. Verizon maintains telephone service to the Reorganization Area. Electricity is provided by Southern California Edison, while natural gas is supplied by the Southern California Gas Company. These service providers are not anticipated to change upon annexation.

##### **After Annexation**



The I-15 Logistics project and Reorganization Area would connect to existing electric power facilities owned and operated by Southern California Edison. The Project's annual electricity consumption is estimated to be 2,945,123 kilowatt-hours.<sup>8</sup> Developers will be responsible for the cost for extension of electricity facilities in the Reorganization Area. As a publicly traded company, Southern California Edison has developed a rate structure that includes the expansion of facilities to accommodate growth. Since development in the Reorganization Area is expected to occur over time, Southern California Edison's expansion plans will be adjusted to accommodate it.

The I-15 Logistics project and Reorganization Area would not require the use of natural gas and therefore will not be connected to existing natural gas lines owned and operated by the Southern California Gas Company. However, if services become needed, the City and the Southern California Gas Company will coordinate closely to assure the adequate provision of natural gas facilities and services to new development. Southern California Gas Company's rate structure currently includes the expansion of facilities to accommodate growth.

Utilities including cable television, internet, and telephone would continue to be provided to the site by Frontier Communications. Frontier Communications will connect the I-15 Logistics project and Reorganization Area to existing telecommunication facilities, which are located in the vicinity of the project site. Upon annexation, there would be increased demand for Frontier services and facilities in the Reorganization Area, however, both companies plan for infrastructure and service extensions throughout the region based on future development. While both of these service providers will need to monitor growth trends in their service areas to ensure the orderly and efficient of services and facilities, development in the Reorganization Area will occur over time, providing them time to plan for expansion and to accommodate growth into their respective rates structures.

#### 4.11 SCHOOLS

##### **Before Annexation**

Fontana Unified School District (FUSD) provides public education services and facilities to over 41,142 students in the City of Fontana and surrounding area, as well as 45 school sites, including the Reorganization Area.<sup>9</sup> The Reorganization Area is currently undeveloped and generates no student population.

##### **After Annexation**

Based on FUSD generation rates, project implementation could generate approximately 580 students in the FUSD associated with the potential for employees and their families to move to the area.<sup>10</sup> The I-15 Logistics project would be required to contribute fees to the FUSD in accordance with SB 50.

Future development in the Reorganization Area will generate revenues to the District from Developer Impact Fees. Development Impact school fees are \$0.61 per square foot for commercial/industrial development.<sup>11</sup> FUSD plans for new school sites as the student population

<sup>8</sup> P. 4.15-11. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.

<sup>9</sup> P. 4.12-1. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.

<sup>10</sup> Based on a Blended Student Generation Factor of 0.58 and the project's estimated employment generation of up to 1,000 employees; EH&A, *Fontana Unified School District Developer Fee Justification Study*, Table 14, Blended Student Generation Factors, page 22, June 20, 2018.

<sup>11</sup> FUSD (Fontana Unified School District). 2019. Developer Fees. Accessed September 2018. <http://www.fusd.net/departments/Business/Facilities/DevFees.stm>.



increases based on tract map approvals within the City. The City will coordinate closely with FUSD to ensure the adequate provision of public education services and facilities to students in the City.

#### 4.12 SOLID WASTE MANAGEMENT

##### **Before Annexation**

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. Currently, solid waste generated at the site is disposed of in commercial dumpsters located throughout the residential and commercial areas, and an independent solid waste disposal contractor removes solid waste from these areas.

The main solid waste disposal site for the Reorganization Area is the Mid-Valley Sanitary Landfill at 2390 Alder Ave, Rialto. The landfill has a capacity of 7,500 tons of solid waste per day and has 61,219,377 cubic yards of capacity available.<sup>12</sup>

##### **After Annexation**

Upon annexation, the City of Fontana will be responsible for providing solid waste management services to future development in the Reorganization Area. Per the City's Sole Franchise Hauler Agreement, all hauling resulting from construction or demolition activities may only be contracted through Burrtec Waste Industries.

Through its contractual agreement with the City of Fontana, Burrtec collects non-hazardous solid waste and hauls it to the Mid-Valley Sanitary Landfill. The landfill is operated by San Bernardino County. As discussed above, the landfill has a capacity of 7,500 tons of solid waste per day and 61,219,377 cubic yards of capacity available.<sup>13</sup> Solid waste collection and disposal services would be provided on a fee basis to future residential, commercial, and industrial customers within the Reorganization Area.

#### 4.13 HEALTH AND WELFARE

##### **Before Annexation**

The San Bernardino County Department of Public Health currently serves the City for the general public's health and welfare services. The department provides a variety of programs and services that informs and educates the public about health issues. The County Department of Public Health additionally provides public assistance welfare and healthcare needs for all residents within San Bernardino County.

##### **After Annexation**

There are no anticipated changes in service levels or costs after the annexation of the I-15 Logistics project and Reorganization Area. Although the I-15 Logistics project would have the potential to generate limited population growth with the potential to impact other public health and welfare

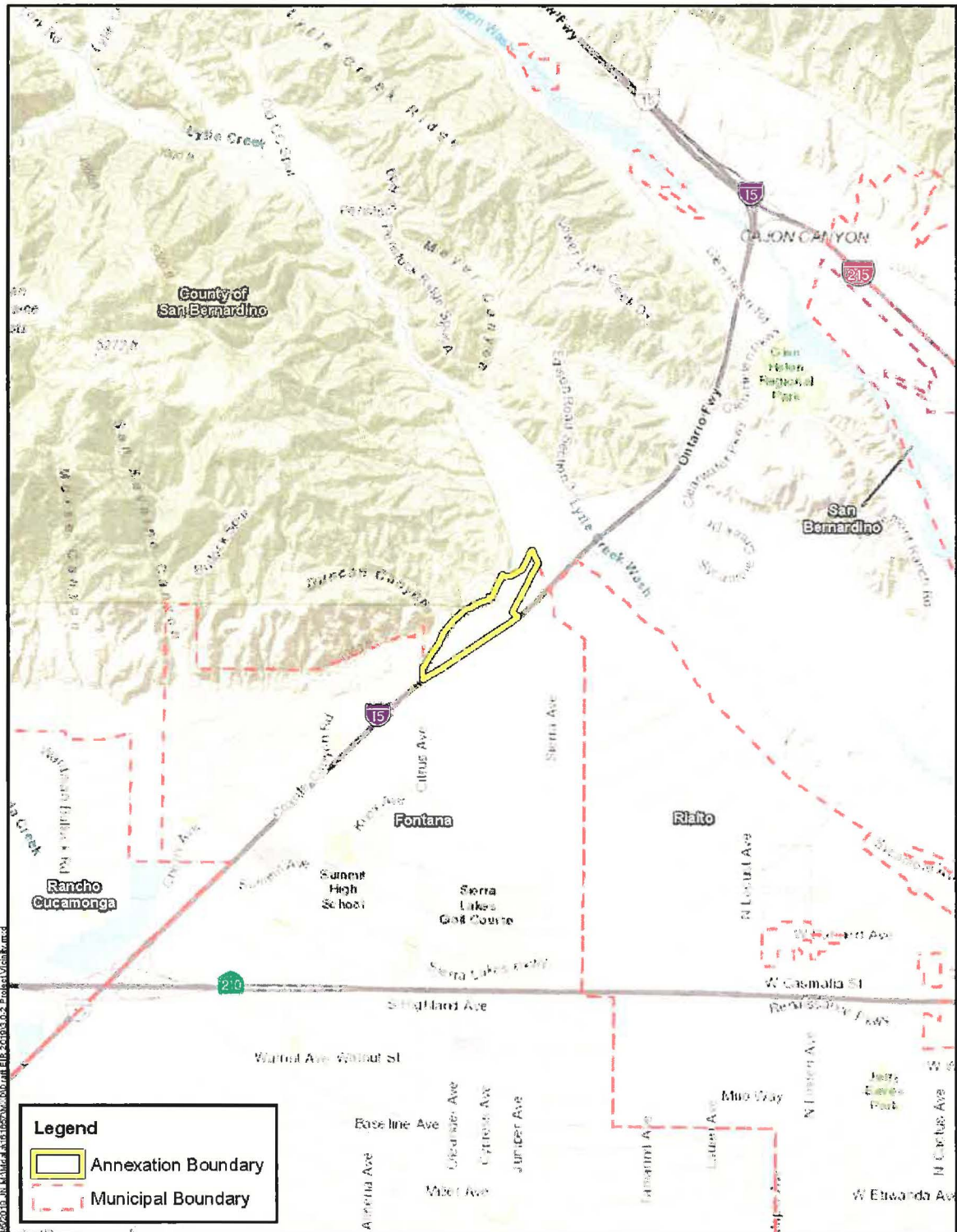
<sup>12</sup> CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.

<sup>13</sup> CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.



services, due to the number of persons anticipated to occupy the Logistics Site and the nature of uses proposed, no significant increase in demand for new or physically altered public facilities are expected. The I-15 Logistics project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to other public facilities by helping fund capital improvements and expenditures. The I-15 Logistics project and other future development would be required to adhere to standards and provisions set forth by the City.



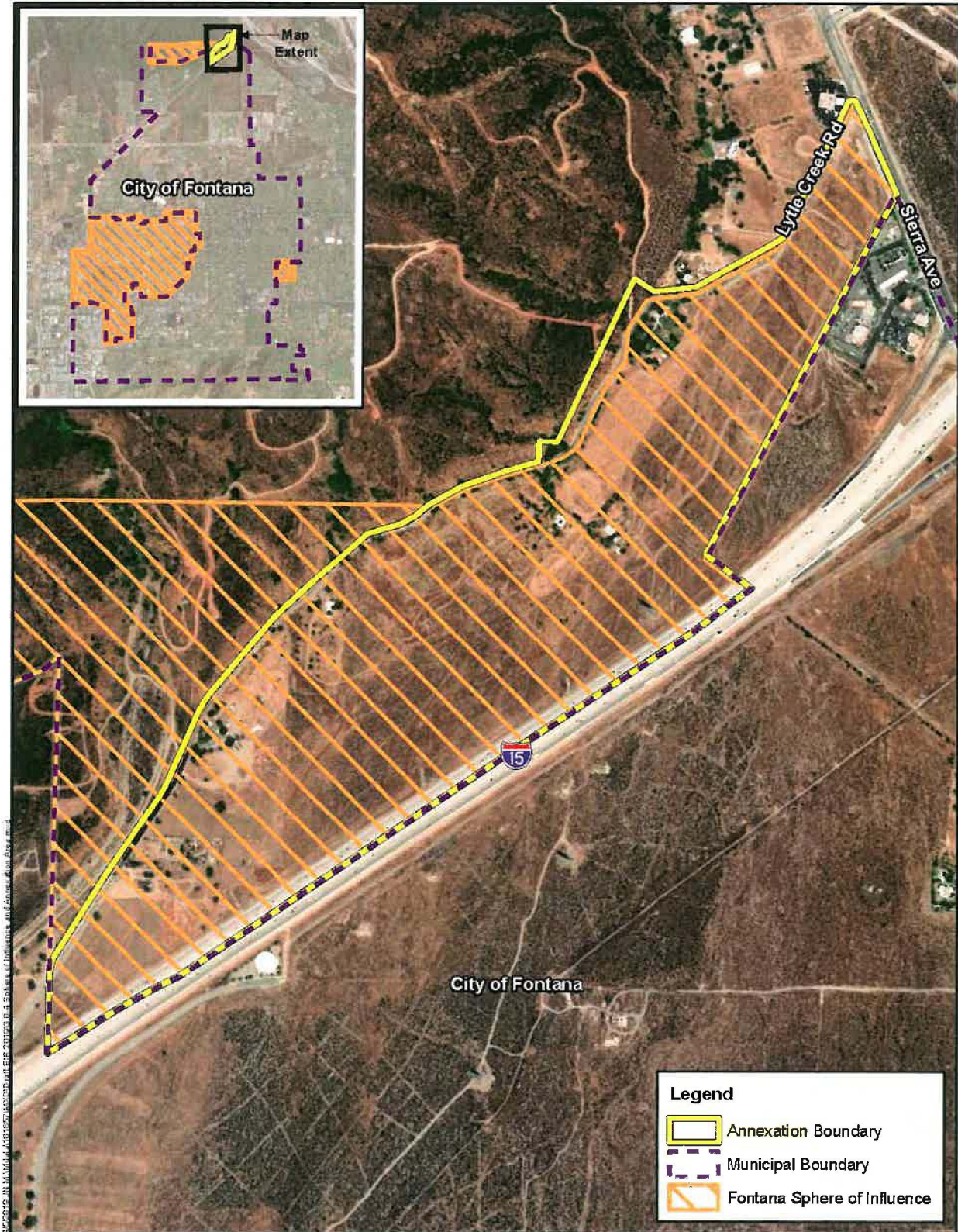


I-15 LOGISTICS  
DRAFT EIR

Project Vicinity

Exhibit 1





Michael Baker  
INTERNATIONAL



0 500 1,000  
Feet

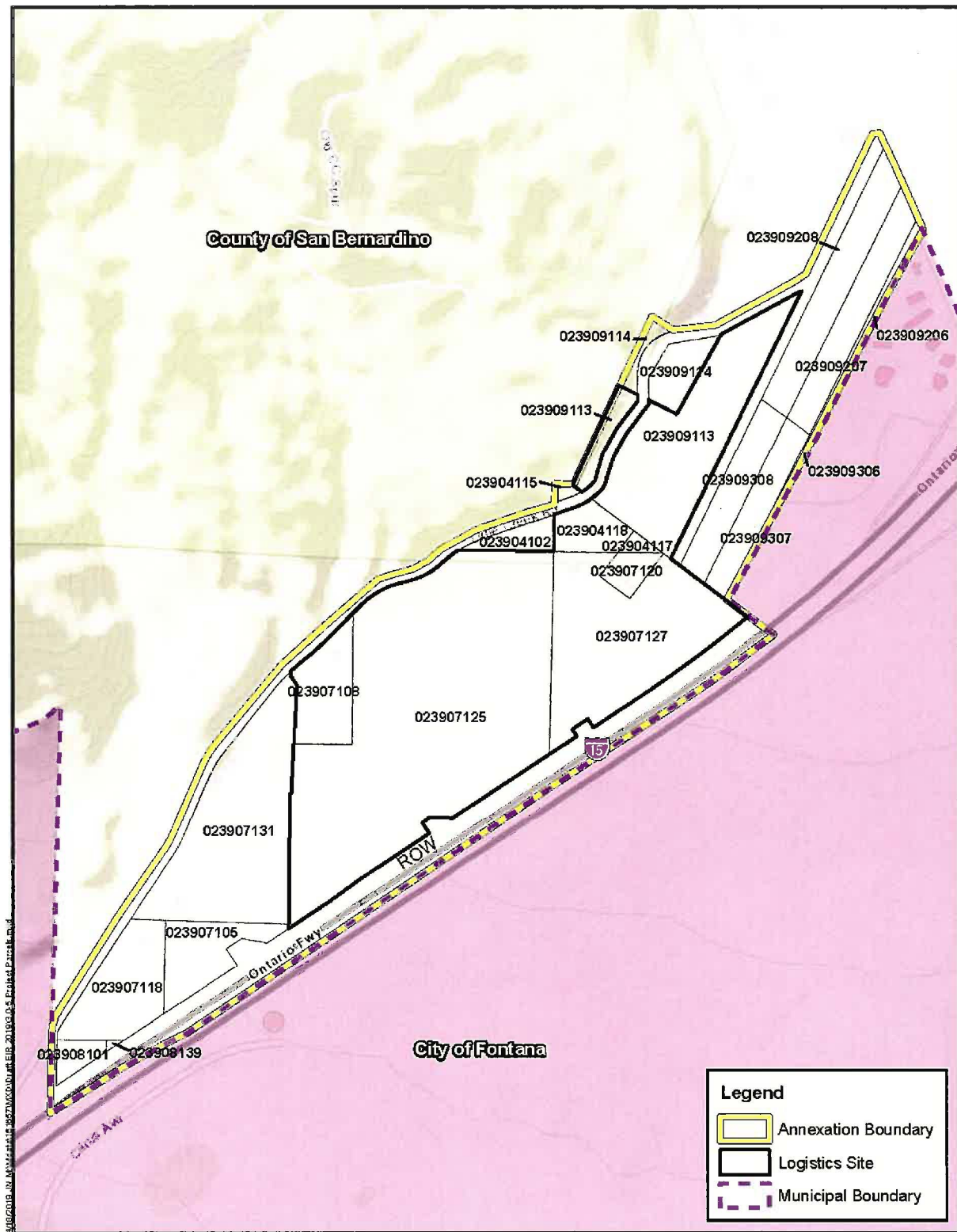
Source: San Bernardino County, Google Imagery 2010

**Sphere of Influence and Annexation Area**

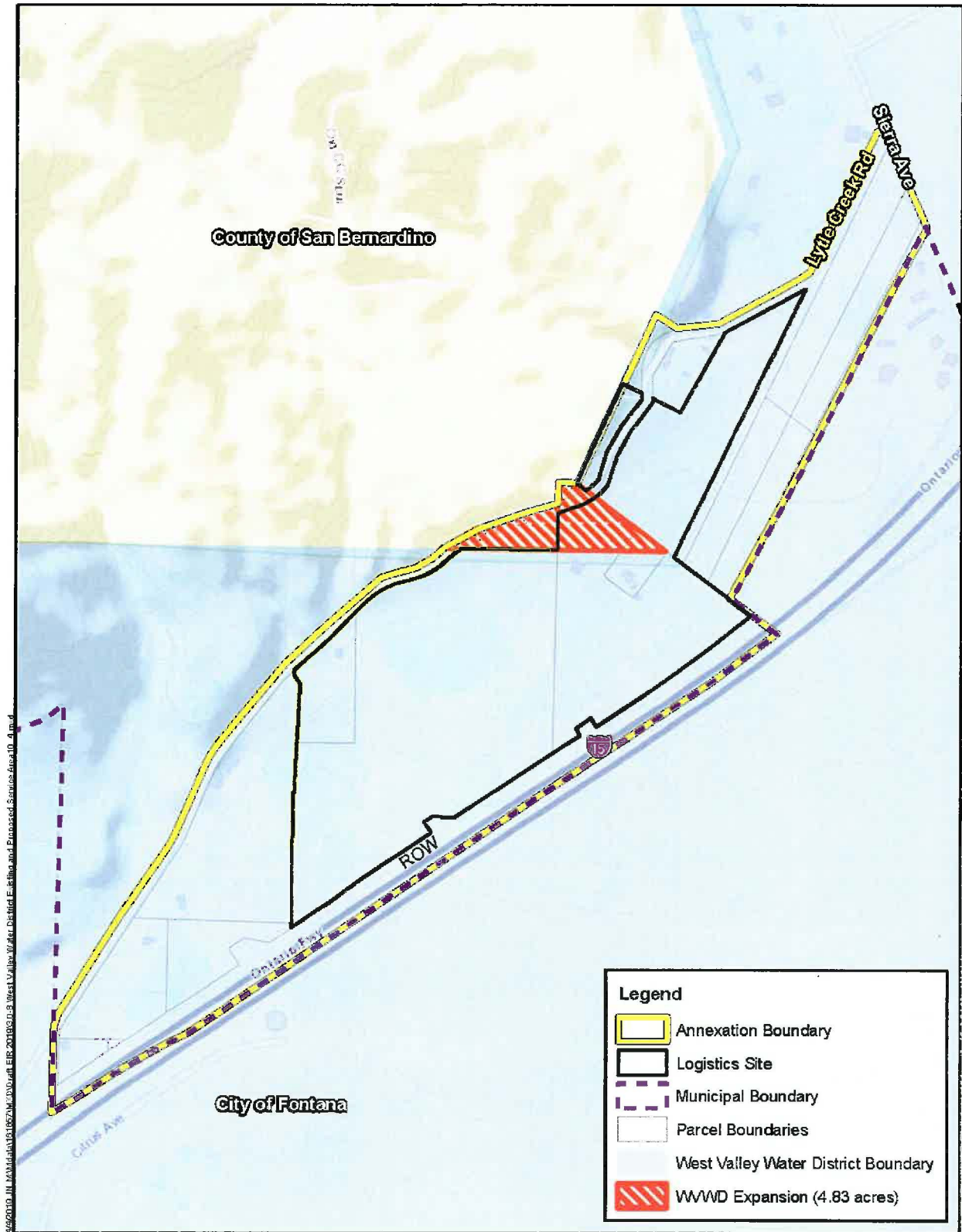
I-15 LOGISTICS  
DRAFT EIR

Exhibit 2









Michael Baker  
INTERNATIONAL



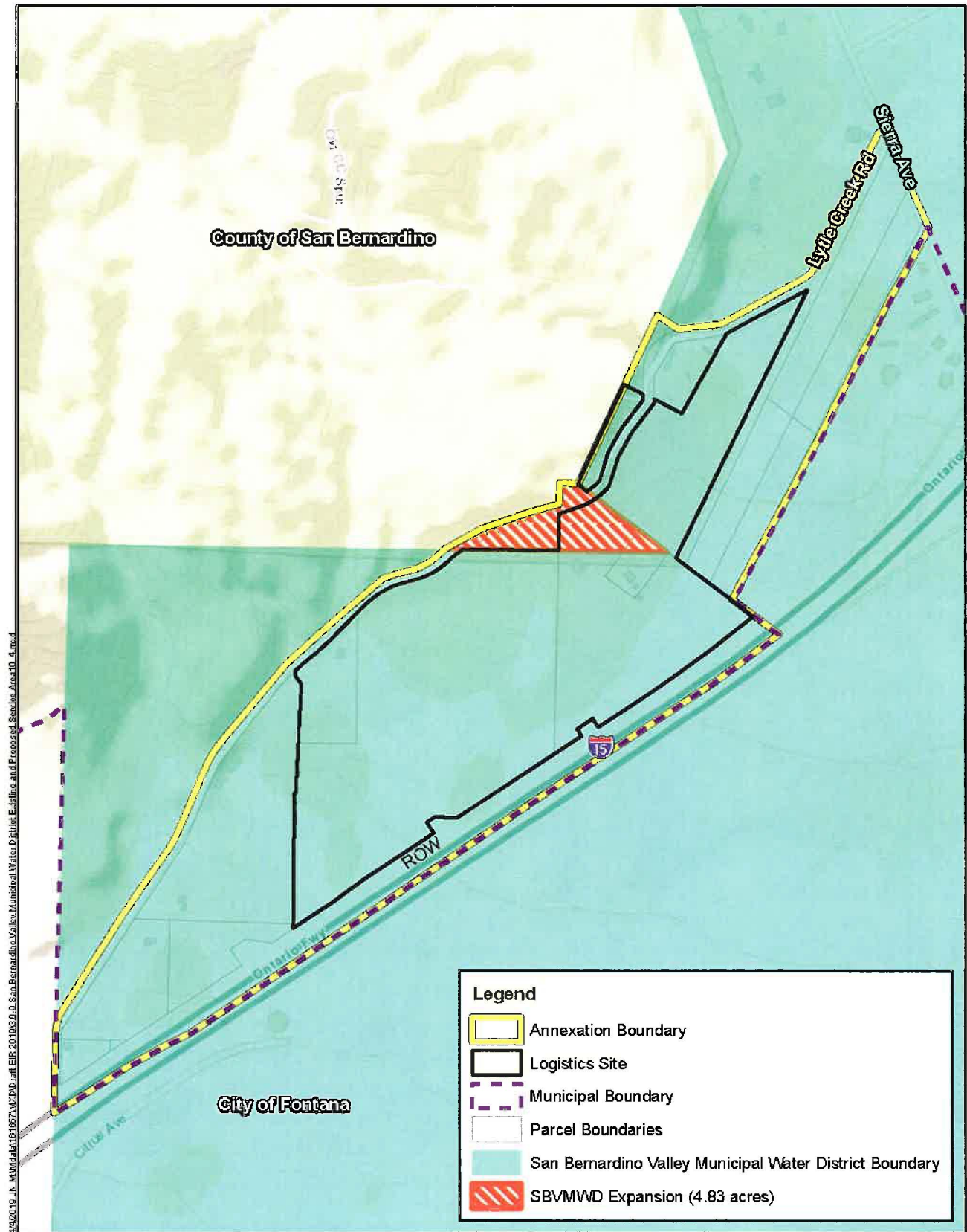
0 500 1,000  
Feet

Source: ESRI USA Topographic Base Map, San Bernardino County, West Valley Water District, ArcGIS Online

I-15 LOGISTICS  
DRAFT EIR  
West Valley Water District Existing  
Existing and Proposed Service Area

Exhibit 4





49402019\_1N\_141004A101027M1C00\_00 EIR 201803.DWG San Bernardino Valley Municipal Water District EIR and Proposed Service Area 10.4.mxd

I-15 LOGISTICS  
DRAFT EIR

San Bernardino Valley Municipal Water District  
Existing and Proposed Service Area



**Appendix A Reorganization Area Assessor's Parcel Numbers**

0239-041-02  
0239-041-15  
0239-041-17  
0239-041-18  
0239-071-05  
0239-071-08  
0239-071-18  
0239-071-20  
0239-071-25  
0239-071-27  
0239-071-31  
0239-081-01  
0239-081-39  
0239-091-13  
0239-091-14  
0239-092-06  
0239-092-07  
0239-092-08  
0239-093-06  
0239-093-07  
0239-093-08



# **Draft LAFCO Resolution No. 3324**

**Attachment 3**



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**PROPOSAL NO.: LAFCO 3242**

**HEARING DATE: January 20, 2021**

## **RESOLUTION NO. 3324**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3242 AND APPROVING THE SPHERE OF INFLUENCE AMENDMENTS FOR THE CITY OF FONTANA (EXPANSION), THE FONTANA FIRE PROTECTION DISTRICT (EXPANSION), THE WEST VALLEY WATER DISTRICT (EXPANSION), AND THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT (REDUCTION)**

On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:

**WHEREAS**, an application for the proposed sphere of influence amendments (expansions/reduction) in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for January 20, 2021 at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and opposition; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing; and,



## RESOLUTION NO. 3324

**WHEREAS**, a Complete Final Environmental Impact Report (EIR) was prepared and certified as adequate by the City of Fontana for the I-15 Logistics Project (SCH No. 2018011008). This Complete Final EIR addresses environmental impacts of the Project itself including the proposed spheres of influence amendments and the jurisdictional changes associated with said Project. (Copies of the City's Complete Final EIR and all associated documents were previously provided to Commission members). The Commission's staff and its Environmental Consultant have independently reviewed the Complete Final EIR and found them to be adequate for the sphere amendments (LAFCO 3242) decision; and,

**WHEREAS**, the Commission certified that it had reviewed and considered the City's Complete Final EIR and the environmental effects as outlined in the Complete Final EIR prior to reaching a decision as a CEQA responsible agency. The Commission acknowledged the mitigation measures and Mitigation Monitoring and Reporting Program contained in the City's Complete Final EIR and found that no additional alternatives or mitigation measures would be adopted by the Commission. The Commission found that all changes alterations, and mitigation measures are within the responsibility and jurisdiction of the City and other agencies, not the Commission. The Commission found that it is the responsibility of the City to oversee and implement these measures and the Mitigation Monitoring and Reporting Program; and,

**WHEREAS**, the Commission adopted the Findings and Statement of Overriding Considerations by resolution, LAFCO Resolution No. 3323, regarding the environmental effects of the sphere amendments, a copy of which is available for review in the LAFCO office. The Commission found that all feasible changes or alterations have been incorporated into the project; that these changes are the responsibility of the City and other agencies identified in the Findings and Statement of Overriding Considerations and the Complete Final EIR; and that specific economic, social or other considerations make infeasible adoption of the alternatives identified in the City's Complete Final EIR; and,

**WHEREAS**, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it determines to amend the spheres of influence for the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino County Fire Protection District, as more specifically described on the attached Exhibits "A", "A-1", "B", and "B-1" to this resolution:

- For the City of Fontana (expansion), the Fontana Fire Protection District (expansion) and the San Bernardino County Fire Protection District (reduction), which includes the entirety of APN 0239-041-15 and portions of APNs 0239-041-02, 0239-091-13, and 0239-091-14, including the northerly right-of-way area of Lytle Creek Road from Sierra Avenue to the portion of Lytle Creek Road within APN 0239-041-02, encompassing approximately 4.5 acres; and,
- For the West Valley Water District (expansion), which includes the entirety of APNs 0239-041-15, 0239-041-17, and 0239-041-18, and a portion of APN 0239-041-02, including the entire right-of-way area of Lytle Creek



## RESOLUTION NO. 3324

Road associated with these parcels, encompassing approximately 4.7 acres.

**WHEREAS**, the Commission determined that the proposed sphere of influence amendments, submitted under the provisions of Government Code Section 56428, does not require a service review; and,

**WHEREAS**, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy:

**1. *The present and planned land uses in the area, including agricultural and open space lands***

The existing uses within the sphere of influence amendment areas include a mix of vacant land and road right-of-way.

The City has assigned said areas a mix of Light Industrial (I-L) and Residential Estate (R-E) land use designations. The City is also in the process of realigning Lytle Creek Road as part of the overall Project development.

Currently, the service needs within the areas are minimal due to their vacant nature. Upon development of the Project, which is a proposed high-cube warehouse facility, the areas will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access to Lytle Creek Road.

**2. *The present and probable need for public facilities and services in the area***

There will be no change to the public facilities and/or utility services within the areas proposed for sphere of influence expansions/reduction. The sphere amendments simply designate the areas within the agencies that will serve the Project, but will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access Lytle Creek Road.

**3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide***

The City of Fontana provides a full range of municipal services such as law enforcement, solid waste services, wastewater collection, and street sweeping. The Fontana Fire Protection District, a subsidiary district of the City, is responsible for fire protection and emergency medical services and has chosen to contract those services out to San Bernardino County Fire Protection District. West Valley Water District provides retail water service, and is also authorized sewer collection but currently does not provide such service within its service area.



## RESOLUTION NO. 3324

The sphere amendments simply place the areas within the agencies that will serve the Project, but will remain generally vacant as ancillary to the Project's parking facility, a section of its open space/landscaped area, as well as a means to access to Lytle Creek Road.

### **4. *The existence of any social or economic communities of interest***

The City of Fontana and its sphere of influence, which is considered the Fontana community, is served by a number of agencies including the Fontana Fire Protection District (a subsidiary district of the City), and the West Valley Water District. The sphere amendments (and ultimately the boundaries) will align all service providers that will serve the Project within the City of Fontana.

### **5. *The Present and Probable Need for Public Facilities and Services of any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence for a City/Special District that Provides Public Facilities or Services Related to Sewers, Water, or Fire Protection***

The disadvantaged unincorporated community within the City of Fontana's sphere of influence is located within its unincorporated western sphere area and its unincorporated sphere area within the Bloomington community. The City and the County of San Bernardino currently have a Memorandum of Understanding for the City to provide sewer service within the western sphere of influence area. The western sphere area and the sphere area in Bloomington currently receives water service from Fontana Water Company, a private water service provider for the community. However, both sphere areas are already within the Fontana Fire Protection District's service area for fire protection and emergency medical services.

### **Additional Determinations**

- As required by State Law, notice of the Commission's consideration of this issue has been advertised as required by State law through publication in *The Sun*, a newspaper of general circulation in the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies wishing mailed notice.
- LAFCO staff has also provided individual notices in conjunction with noticing the proposed reorganization proposal, LAFCO 3243, to landowners and registered voters within the entire reorganization area including all the sphere amendment areas (totaling 39) and to landowners and registered voters surrounding the entire reorganization area (totaling 108) in accordance with state law and adopted Commission policies. To date, no written comments in support or opposition have been received regarding the consideration of this proposal.
- The map and legal description for these sphere of influence amendments, was certified by the County Surveyor's office.



## RESOLUTION NO. 3324

**WHEREAS**, pursuant to the provisions of Government Code Section 56425(i), the range of services provided by the Fontana Fire Protection District, West Valley Water District, and San Bernardino County Fire Protection District shall be limited to the following:

- **Fontana Fire Protection District:**

<u><b>FUNCTION</b></u>	<u><b>SERVICES</b></u>
Fire Protection	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, emergency response, and disaster preparedness planning

- **West Valley Water District:**

<u><b>FUNCTION</b></u>	<u><b>SERVICES</b></u>
Water	Domestic, irrigation, spreading
Sewer	Collection

- **San Bernardino County Fire Protection District:**

<u><b>FUNCTION</b></u>	<u><b>SERVICES</b></u>
Fire	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, ambulance transportation, emergency response, and disaster preparedness planning

**WHEREAS**, having reviewed and considered the determinations as outlined above, the Commission determines to expand the sphere of influence for City of Fontana, the Fontana Fire Protection District, and the West Valley Water District, and reduce the sphere of influence for the San Bernardino County Fire Protection District.

**NOW, THEREFORE, BE IT RESOLVED** by the Local Agency Formation Commission for San Bernardino County, State of California, that this Commission shall consider the territory described in Exhibits "A", "A-1", "B", and "B-1", as being within the sphere of influence for the City of Fontana, the Fontana Fire Protection District, the West Valley Water District and the San Bernardino County Fire Protection District, it being fully understood that the amendments of such spheres of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

**BE IT FURTHER RESOLVED** that the Local Agency Formation Commission for San



**RESOLUTION NO. 3324**

Bernardino County, State of California, does hereby determine that the City of Fontana, as the applicant, shall indemnify, defend, and hold harmless the Commission from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF SAN BERNARDINO )

I, Samuel Martinez, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 20, 2021.

**DATED:**

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**SAMUEL MARTINEZ**  
Executive Officer



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** JANUARY 12, 2021   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Senior Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #5C: LAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)

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**INITIATED BY:**

Resolution of the City Council of the City of Fontana

**RECOMMENDATION:**

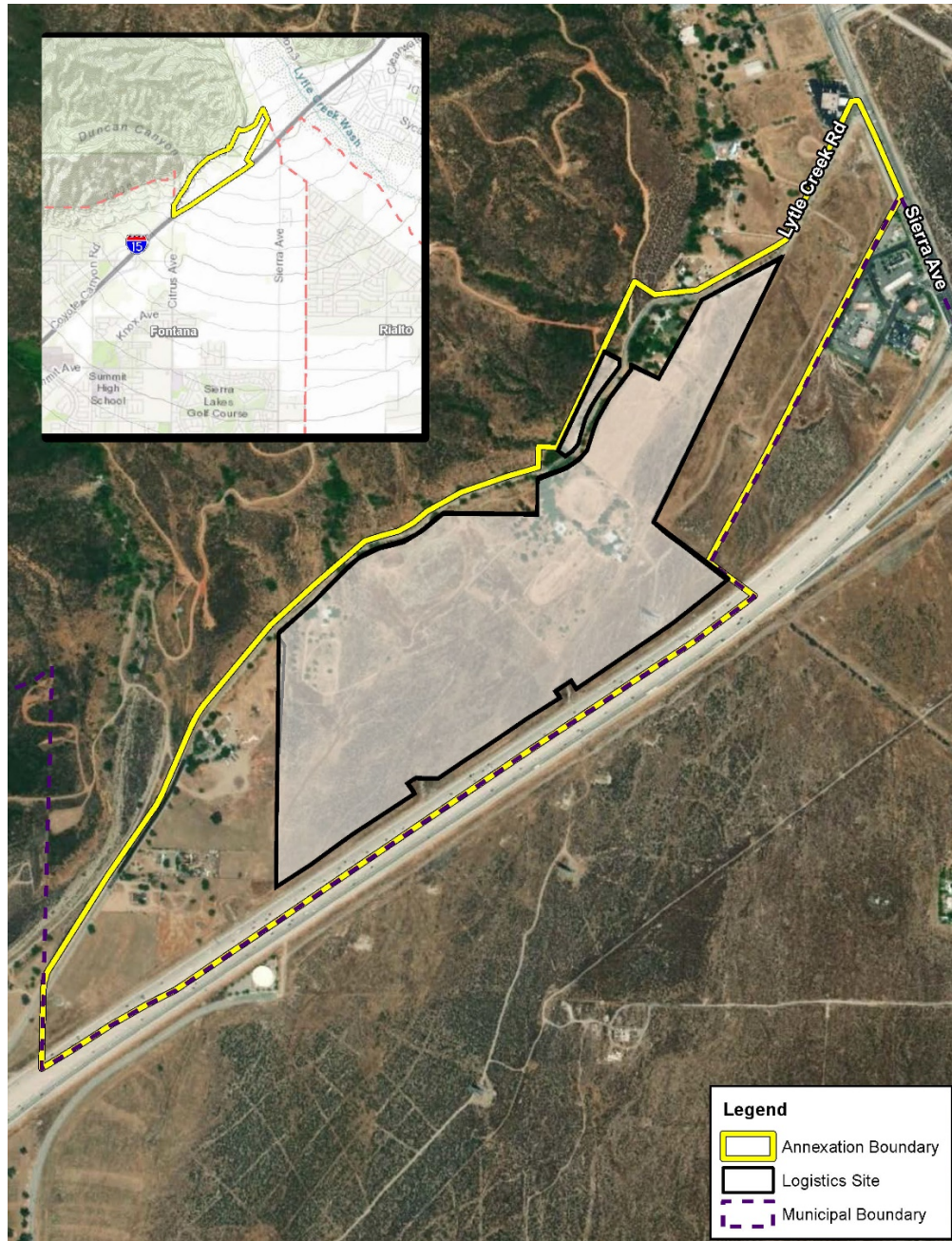
The staff recommends that the Commission approve LAFCO 3243 by taking the following actions:

1. Approve LAFCO 3243, with the standard terms and conditions that include, but are not limited to, the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments, and the identification that the transfer of utility accounts will occur within 90 days of the recording of the Certificate of Completion; and,
2. Adopt LAFCO Resolution No. 3325 setting forth the Commission’s determinations and conditions of approval concerning for LAFCO 3243.

LAFCO 3243 is a reorganization proposal initiated by the City of Fontana (hereafter the “City”) that includes annexation of approximately 152 acres to the City. The proposed reorganization also includes the annexation to the Fontana Fire Protection District (approximately 4.5 acres), the West Valley Water District and the San Bernardino Valley Water District (approximately 4.7 acres), and detachment from the San Bernardino County Fire Protection District, its Valley Service Zone and its Service Zone FP-5 (approximately 4.5 acres) and County Service Area 70 (approximately 152 acres). The entire



reorganization area is generally located northerly of the I-15 Freeway, westerly of Sierra Avenue, southerly of Lytle Creek Road and easterly of the natural extension of Citrus Avenue, within the northern portion of the City of Fontana's sphere of influence. Below is a vicinity map of the reorganization area. Location and vicinity maps are also included as Attachment #1 to this report.



The City's purpose in initiating this reorganization, as outlined in its application, is to annex a proposed development of a 1,171,788 sq. ft. high-cube warehouse facility. In order to provide for a logical boundary, the City not only proposes the inclusion of the project site



itself but is also proposing to include all the properties generally south of Lytle Creek Road from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue.

Also, to comply with the Commission's policy that requires concurrent annexation of all community-based agencies (concurrent city/district annexations), this reorganization includes the annexation to the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, to ensure that the boundaries of all local agencies that serve the community of Fontana are consistent and that the entire reorganization area is within the boundaries of said agencies.

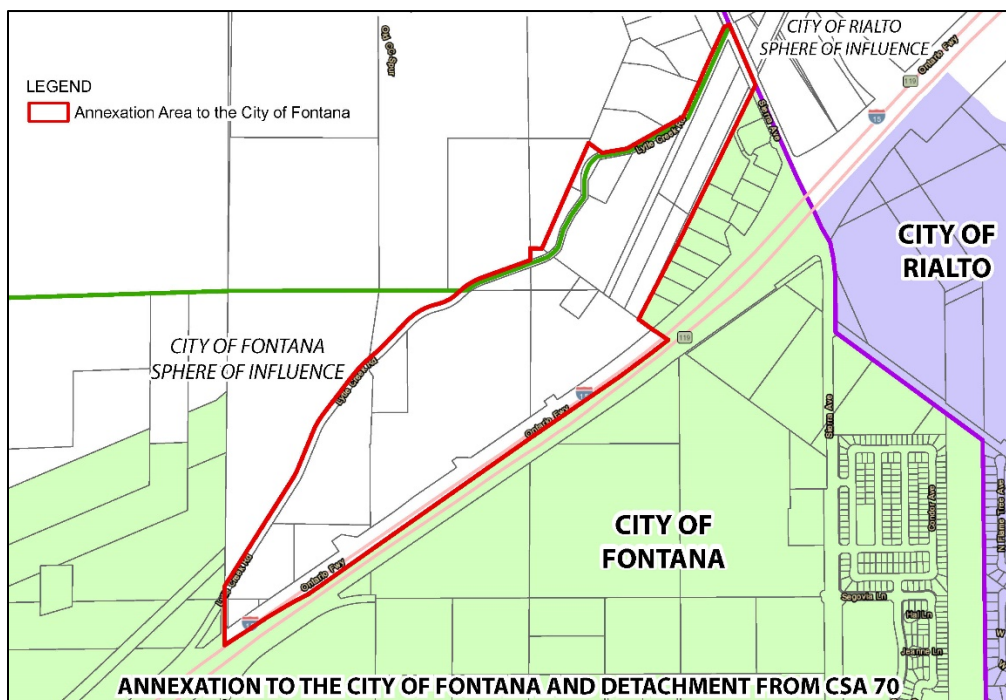
This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

### **BOUNDARIES:**

The proposed reorganization area includes several changes of organization to ensure that the reorganization provides for a clear and efficient service delivery among all affected local agencies:

- *Annexation to the City of Fontana and Detachment from County Service Area 70*

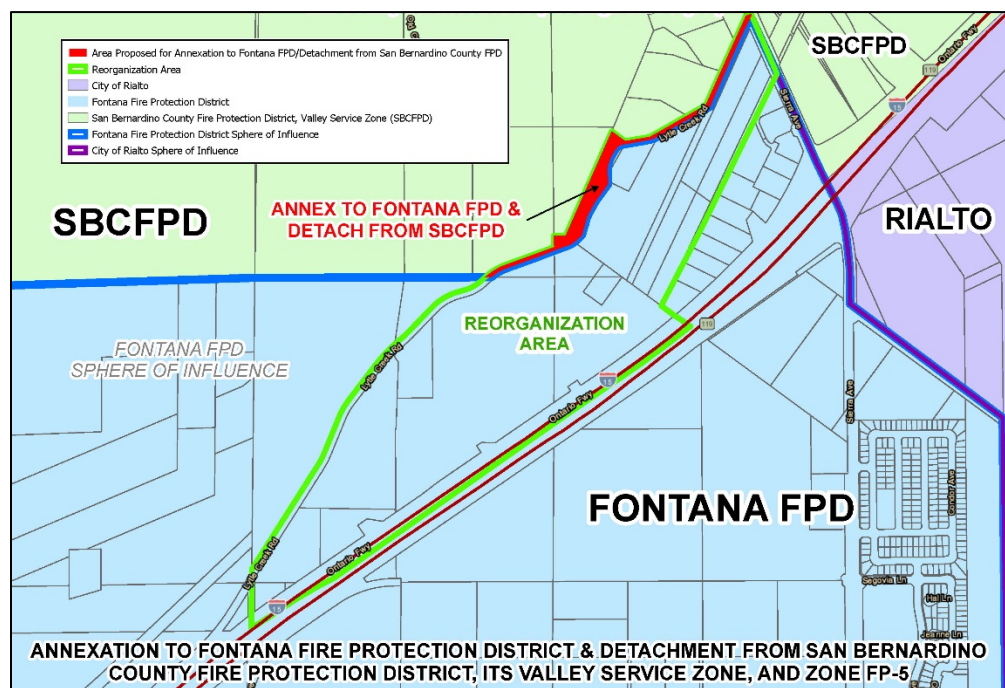
The area proposed for annexation to the City and Detachment from CSA 70 encompasses approximately 152 acres and includes the entire reorganization area.





- *Annexation to the Fontana Fire Protection District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5*

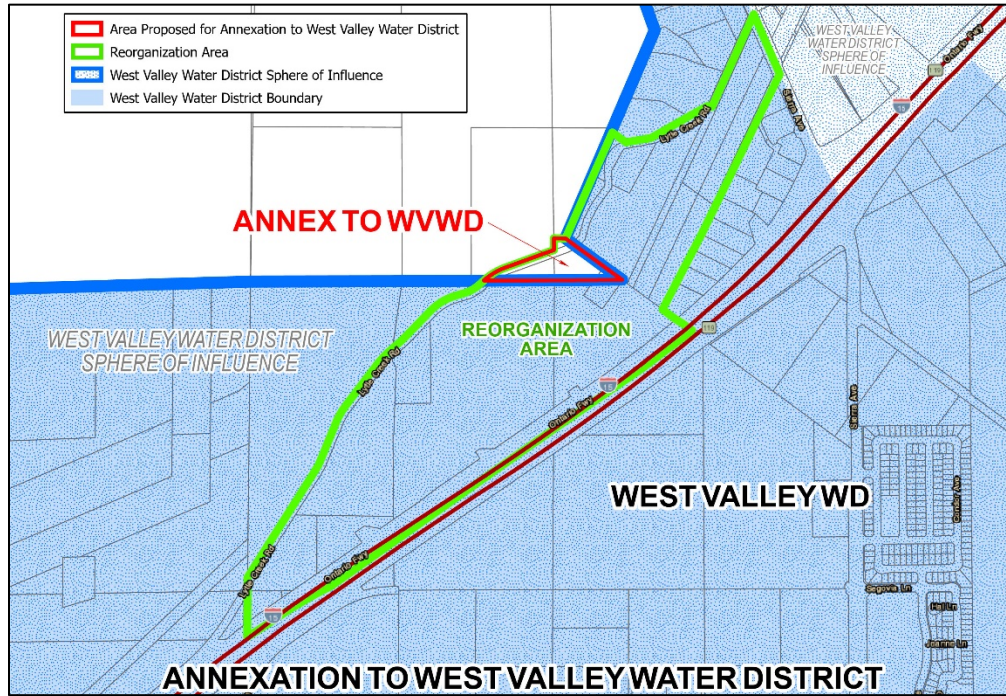
The area proposed for annexation to the Fontana Fire Protection District (hereafter “Fontana FPD”) and detachment from San Bernardino County Fire Protection District (hereafter “County Fire”), its Valley Service Zone, and its Service Zone FP-5, encompasses approximately 4.5 acres and includes the entirety of APN 0239-041-15 and portions of APNs 0239-041-02, 0239-091-13, and 0239-091-14, including the northerly right-of-way area of Lytle Creek Road from Sierra Avenue to the portion of Lytle Creek Road within APN 0239-041-02.



- *Annexation to the West Valley Water District*

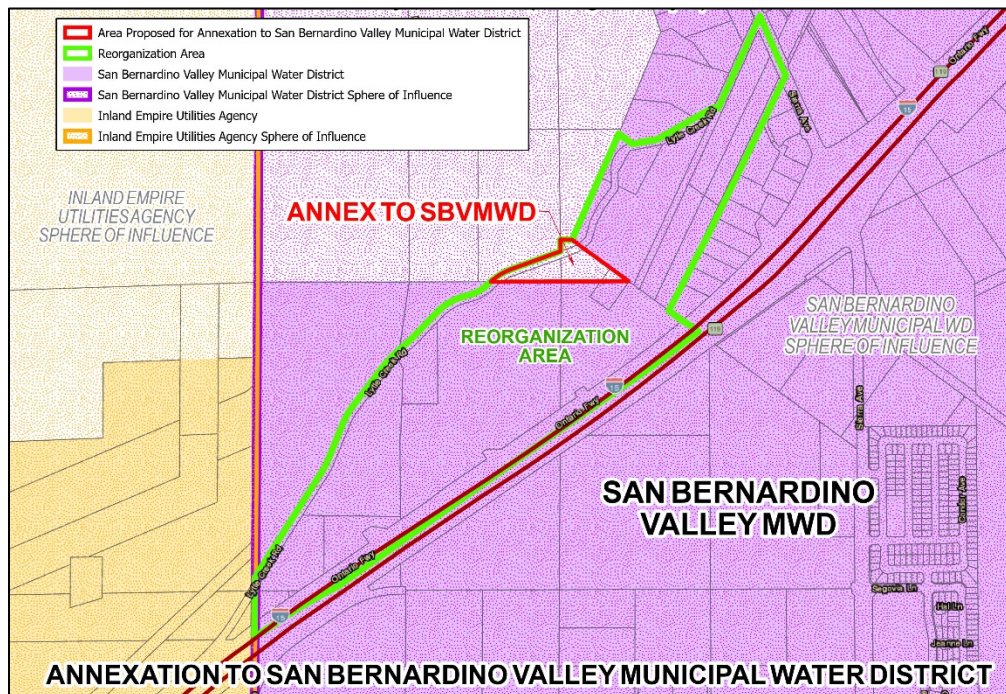
The area proposed for annexation to the West Valley Water District (hereafter the “West Valley WD”) encompasses approximately 4.7 acres and includes the entirety of APNs 0239-041-15, 0239-041-17, and 0239-041-18, and a portion of APN 0239-041-02, including the entire right-of-way area of Lytle Creek Road associated with these parcels.





- *Annexation to the San Bernardino Valley Municipal Water District*

The area proposed for annexation to the San Bernardino Valley Municipal Water District (hereafter "Valley District") is the same area that is being annexed into the West Valley WD.





It is LAFCO staff's position that this reorganization proposal provides for a logical boundary since it includes not only the Project area proposed for development but also includes all the properties generally south of Lytle Creek Road (from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue), which is an easily identifiable boundary for service delivery.

In addition, the proposed reorganization includes all the necessary changes in boundaries for all community-based local agencies to ensure that their boundaries are consistent with the City's boundary.

**LAND USE:**

The entire reorganization area is primarily undeveloped with a few single-family residences and a row of electric power transmission lines.



*County Land Use Designations:*

The County's current land use designations for the reorganization area are RC (Resource Conservation; open space, limited rural residential development), RL (Rural Living – one unit, minimum 2.5 acres), RS-1 (Single Residential, 1 unit, minimum 1 acre), and IN (Institutional; public and quasi-public uses and facilities).

*City's General Plan and Pre-Zone Designations:*

The City of Fontana, through its consideration and approval of the Project, adopted a General Plan Amendment and Pre-zone designations that assign the reorganization area



the following pre-zone and land use designations: Light Industrial (I-L), Public Utility (P-UC), Residential Estates (R-E) and General Commercial (C-G). These pre-zone designations are consistent with the City's General Plan for the reorganization area and are also consistent with surrounding land uses.

Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for a period of two (2) years following annexation. The law allows for a change in designation if the City Council makes the finding, at a public hearing, that a substantial change has occurred in circumstances that necessitate a departure from the pre-zoning outlined in the application made to the Commission.

### **SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:**

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. The service providers within the bulk of the reorganization area are: Fontana Fire Protection District (City subsidiary district providing fire protection and emergency medical services), West Valley Water District (retail water service), and San Bernardino Valley Municipal Water District (wholesale water/State Water Contractor). San Bernardino County Fire Protection District, its Valley Service Zone, and its Service Zone FP-5 and County Service Area 70 (multi-function, unincorporated countywide entity) are the only County service providers within the reorganization area affected by the change. In addition, the Inland Empire Resource Conservation District overlays the entire reorganization area as a regional entity.

### **Plan for Service:**

The City of Fontana has provided a "Plan for Service" for this proposal as required by law and Commission policy. The Plan includes a Fiscal Impact Analysis outlining its ability to provide its range of services to the area. Copies of the City's certified Plan for Service and Fiscal Impact Analysis are included as a part of Attachment #2.

- **Fire Protection/Emergency Medical Services:**

The reorganization area is primarily within the boundaries of the city's subsidiary district, the Fontana FPD, which serves the entire City and its sphere of influence. However, the area that is currently not within the City's sphere, is being annexed into the Fontana FPD (and concurrently being detached from County Fire and its service zones) as a part of this reorganization.

The Fontana FPD operates six fire stations with Fire Station 79 (5075 Coyote Canyon Road) located approximately 1.3 miles from the project site and Fire Station 78 (7110 Citrus Avenue) located 4.7 miles south of the project.

- **Law Enforcement:**

Law enforcement responsibilities will shift from the San Bernardino County Sheriff's Department and California Highway Patrol to the City of Fontana Police Department.



The City has indicated that there will be no additional police officers or facilities will be required through approval of this annexation and that it has sufficient personnel and equipment to adequately serve the area. The City's police department currently has 188 sworn officers.

- **Water Service:**

The reorganization area is primarily within the boundaries of the West Valley WD, which provides retail water service within the northerly and southeasterly portion of the City. A small section of the reorganization area, approximately 4.7 acres, is currently not within the West Valley WD's boundary. Therefore, the said area is being annexed into the West Valley WD as a part of this reorganization.

West Valley WD prepared a Water Supply Assessment (WSA) for the project. The WSA, approved in July 2018 (included as Attachment #5), concluded that West Valley WD has sufficient supplies available in normal, single, and multiple dry years to meet the projected demands of proposed Project, in addition to existing and planned future users within the West Valley WD's service area.

In addition, the reorganization area is primarily within the boundaries of San Bernardino Valley Municipal Water District (Valley District), which provides wholesale water service within the eastern San Bernardino Valley area, including the City. However, the same area not within the West Valley WD's boundary is also not within Valley District's boundary. Therefore, said same area is also being annexed into the Valley District as a part of this reorganization.

- **Sewer Service:**

The City provides for wastewater collection within its boundaries, while the treatment of wastewater is the responsibility of the Inland Empire Utilities Agency. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No.1 in Ontario, which currently processes approximately 32 million gallons per day (mgd) with a capacity of 40 mgd, leaving a surplus capacity of approximately 8 mgd.

- **Solid Waste:**

Solid waste services are currently provided within the reorganization area and within the City of Fontana by Burrtec Waste Industries. No change in service provider will occur through the annexation.

As required by Commission policy and State law, the Plan for Service shows that the extension of its services will maintain, and/or exceed, current service levels provided through the County or other detaching entities.

## **CONCLUSION:**

The City's purpose of initiating this reorganization is to annex the proposed I-15 Logistics Project, a proposed development of a 1,171,788 sq. ft. high-cube warehouse facility. In



order to provide for a logical boundary, the City is proposing to annex all the properties generally south of Lytle Creek Road from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue, which is an easily identifiable boundary for service delivery.

In addition, the proposed reorganization includes all the necessary changes in boundaries for all community-based local agencies to ensure that the boundaries of all local agencies that serve the community of Fontana are consistent and that the entire reorganization area is within the boundaries of said agencies.

Therefore, for these reasons, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3243.

### **DETERMINATIONS:**

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The County Registrar of Voters Office has determined that the reorganization area is legally inhabited containing 16 registered voters as of December 9, 2020.
2. The County Assessor's Office has determined that the total assessed value of land and improvements within the reorganization area is \$1,436,078 (land--\$1,175,329; improvements--\$260,749) as of September 17, 2020.
3. Through approval of the companion proposal, LAFCO 3242, the entire reorganization area is within the spheres of influence of the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District.
4. Legal advertisement of the Commission's consideration has been provided through publication in *The Sun*, a newspaper of general circulation within the reorganization area. As required by State law, individual notice was provided to affected and interested agencies, County departments, and those individual and agencies having requested such notice.
5. In accordance with State law and adopted Commission policies, LAFCO staff has provided individual notice to:
  - landowners (23) and registered voters (16) within the reorganization area (totaling 39 notices)
  - landowners (87) and registered voters (21) surrounding the reorganization area (totaling 108 notices).

To date, no written comments in support or opposition have been received. Comments from registered voters, landowners, and other individuals and any



affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.

6. The City of Fontana pre-zoned the reorganization area as follows: Light Industrial (I-L), Public Utility (P-UC), Residential Estates (R-E) and General Commercial (C-G). These pre-zone designations are consistent with the City's General Plan and surrounding land uses within the City and in the County. Pursuant to the provisions of Government Code Section 56375(e), these pre-zone designations shall remain in effect for two years following annexation unless specific actions are taken by the City Council.
7. The Southern California Associated Governments (SCAG) recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3243 is adjacent to the I-15 Freeway, which is part of the RTP-SCS's regional express lane network that will be adding two express lanes in each direction for completion by 2040.
8. The City of Fontana approved and adopted its 2017 Local Hazard Mitigation Plan on August 14, 2018 that show the reorganization area is adjacent to both high and very high Fire Hazard Severity Zones.
9. As a CEQA responsible agency, the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates, has reviewed the City's environmental documents for the reorganization proposal (LAFCO 3243) and has indicated that the City's environmental assessment for the I-15 Logistics Project (SCH No. 2018011008) is adequate for the Commission's use as CEQA responsible agency. Copies of the City's Complete Final EIR and all associated documents were previously provided to Commission members and are also included (as Web links) in Attachment 2 of Item 5A. Discussion and recommendations related to environmental assessment for LAFCO 3243 are outlined in the Item 5A staff report for the January 20, 2021 LAFCO meeting.
10. The areas in question are presently served by the following public agencies:  
  
County of San Bernardino  
Inland Empire Resource Conservation District  
Fontana Fire Protection District (city subsidiary district)  
West Valley Water District  
San Bernardino Valley Municipal Water District  
San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5  
County Service Area 70 (multi-function unincorporated area Countywide)

The area will be detached from County Service Area 70 and its sphere of influence reduced as a function of the reorganization. A portion of the reorganization area will also be detached from San Bernardino County Fire Protection District and its associated service zones.



11. A plan was prepared for the extension of services to the reorganization area, as required by law. The Plan for Service and the Fiscal Impact Analysis, as certified by the City, indicates that the City can maintain and/or improve the level and range of services currently available in the area. A copy of this plan is included as a part of Attachment #2 to this report.

The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies and directives and State law that indicate the preference for areas proposed for urban intensity development to be included within a City so that the full range of municipal services can be planned, funded, extended, and maintained.
13. The reorganization area can benefit from the availability and extension of municipal-level services from the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District, as evidenced by its Plan for Service certified by the City.
14. This proposal may or may not have an effect on the City of Fontana's ability to achieve its fair share of the regional housing needs since the only project at this time is a proposed warehouse facility; however, there are areas within the reorganization area that are designated for low density residential development but no anticipated development at this time.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Community Analyst for the City of Fontana and the reorganization areas (2020 data):

Demographic and Income Comparison	City of Fontana (%)	Reorganization Area (%)
Race and Ethnicity		
• African American Alone	10.0 %	12.5 %
• American Indian Alone	1.0 %	0 %
• Asian Alone	6.6 %	6.2 %
• Pacific Islander Alone	0.3 %	0 %
• Hispanic Origin (Any Race)	66.8 %	35.3 %
Median Household Income	\$76,225	\$117,097

Through future development of the warehouse facility, the reorganization area will benefit from the extension of services and facilities from the City including the other agencies that serve the community and, at the same time, the approval of the



reorganization proposal will not result in the unfair treatment of any person based on race, culture or income.

16. The County of San Bernardino and the City of Fontana have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The maps and legal descriptions, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

Attachments:

1. [Vicinity Maps and Reorganization Area Maps](#)
2. [City of Fontana Application, Plan for Service, and Fiscal Impact Analysis](#)
3. [Letter Response from the West Valley Water District](#)
4. [Letter Response from the San Bernardino Valley Municipal Water District](#)
5. [West Valley Water District Water Supply Assessment \(July 2018\)](#)
6. [Draft Resolution No. 3325](#)




# **Vicinity Maps and Reorganization Area Maps**

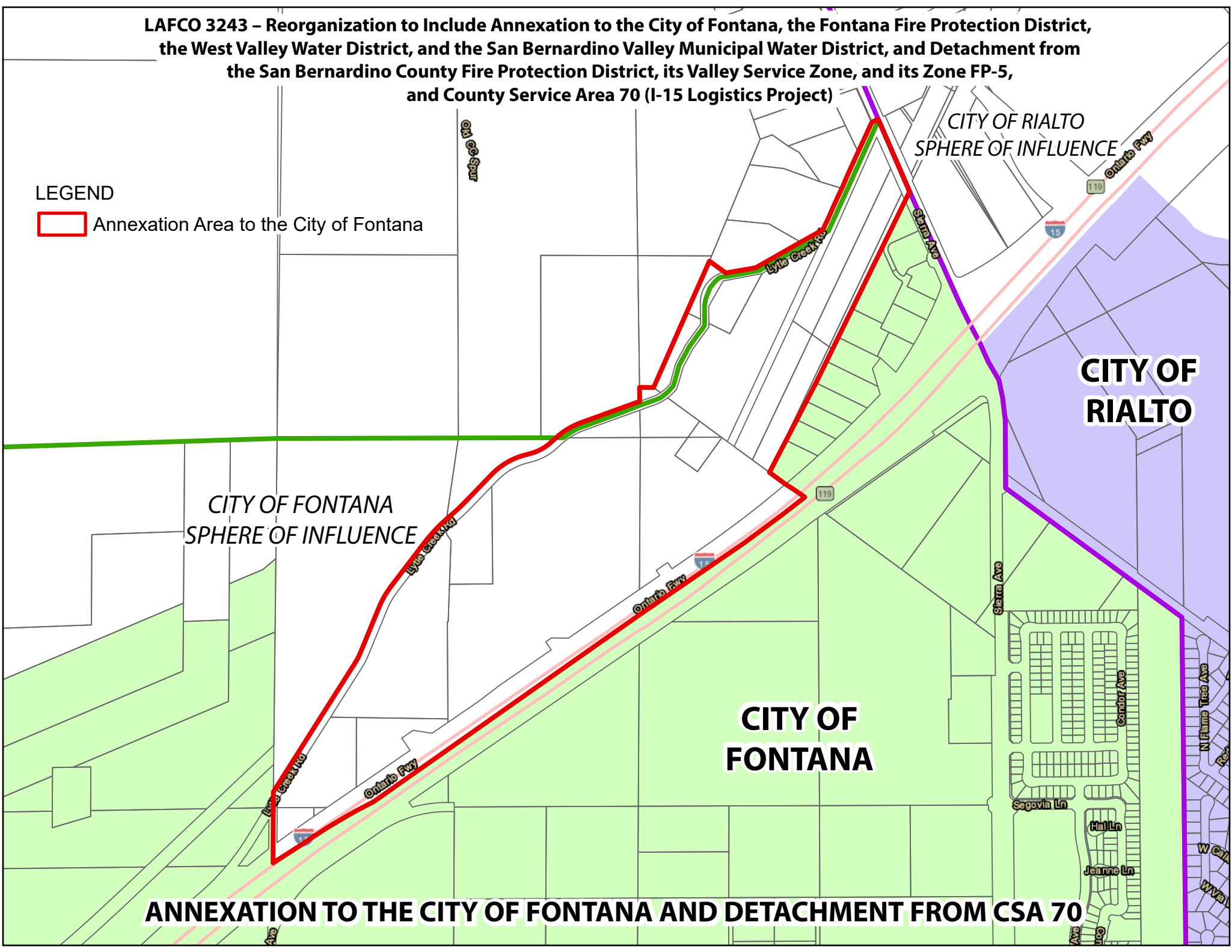
**Attachment 1**



**LAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)**

**LEGEND**

 Annexation Area to the City of Fontana

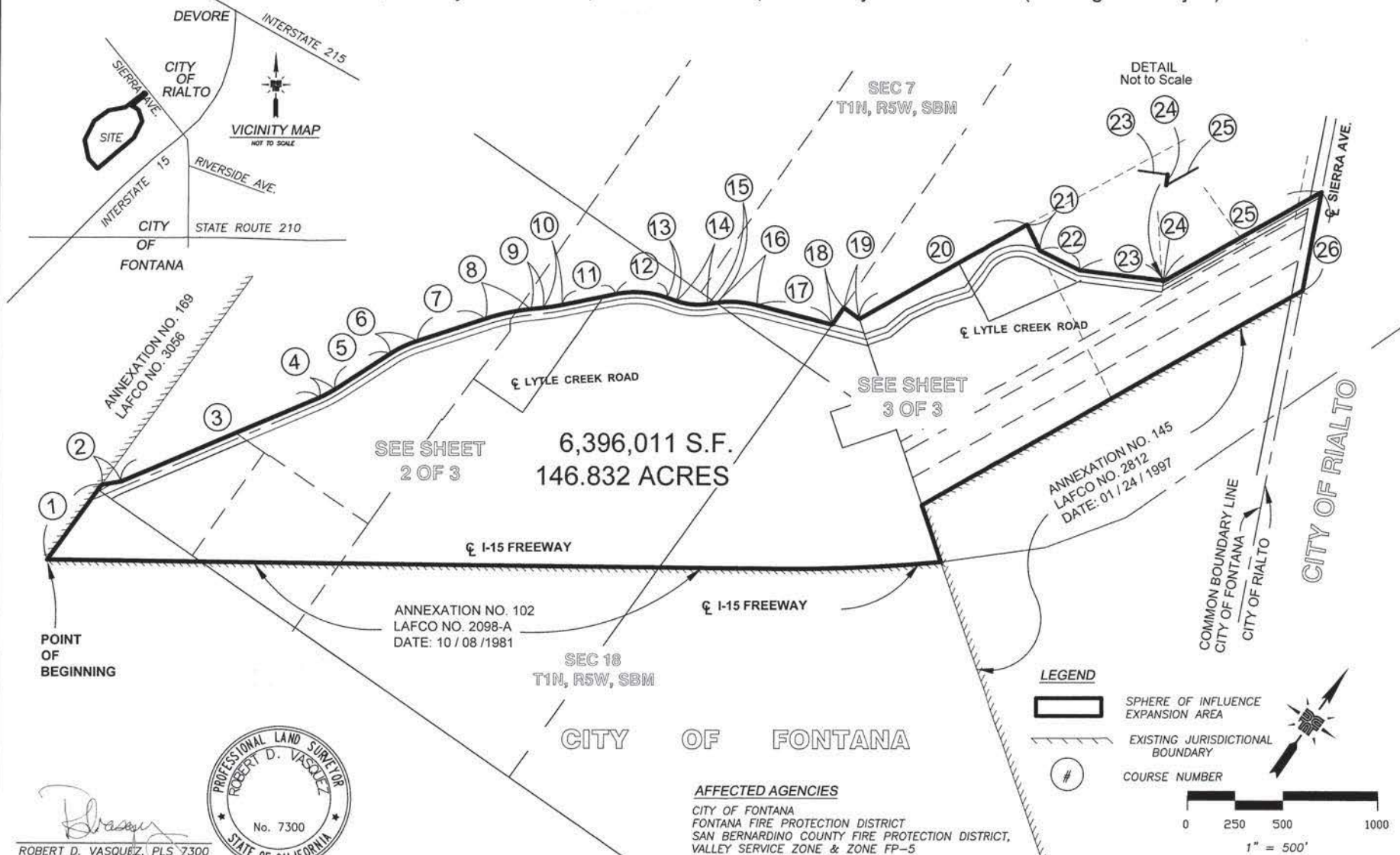


**ANNEXATION TO THE CITY OF FONTANA AND DETACHMENT FROM CSA 70**



# EXHIBIT B

LAFCO 3243 - Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)



ANNEXATION TO THE CITY OF FONTANA

DAVID EVANS AND ASSOCIATES INC.  
4141 E. Island Empire Blvd. Suite 250  
Orange, California 92668  
Phone: (714) 911-1700

REVISIONS: APPD.

DATE: OCT. 30, 2020  
DESIGN: JHM  
DRAWN: RDV  
CHECKED: RDV  
REVISION NUMBER

SCALE: 1"=250'

PROJECT NUMBER: CPRK115L0001

DRAWING FILE: LAFCO Annex 1-15 Logis 11-2-2020.dwg

SHEET NO. 1

DF 3



ROBERT D. VASQUEZ, PLS 7300  
DATE PREPARED: 11/03/2020

## AFFECTED AGENCIES

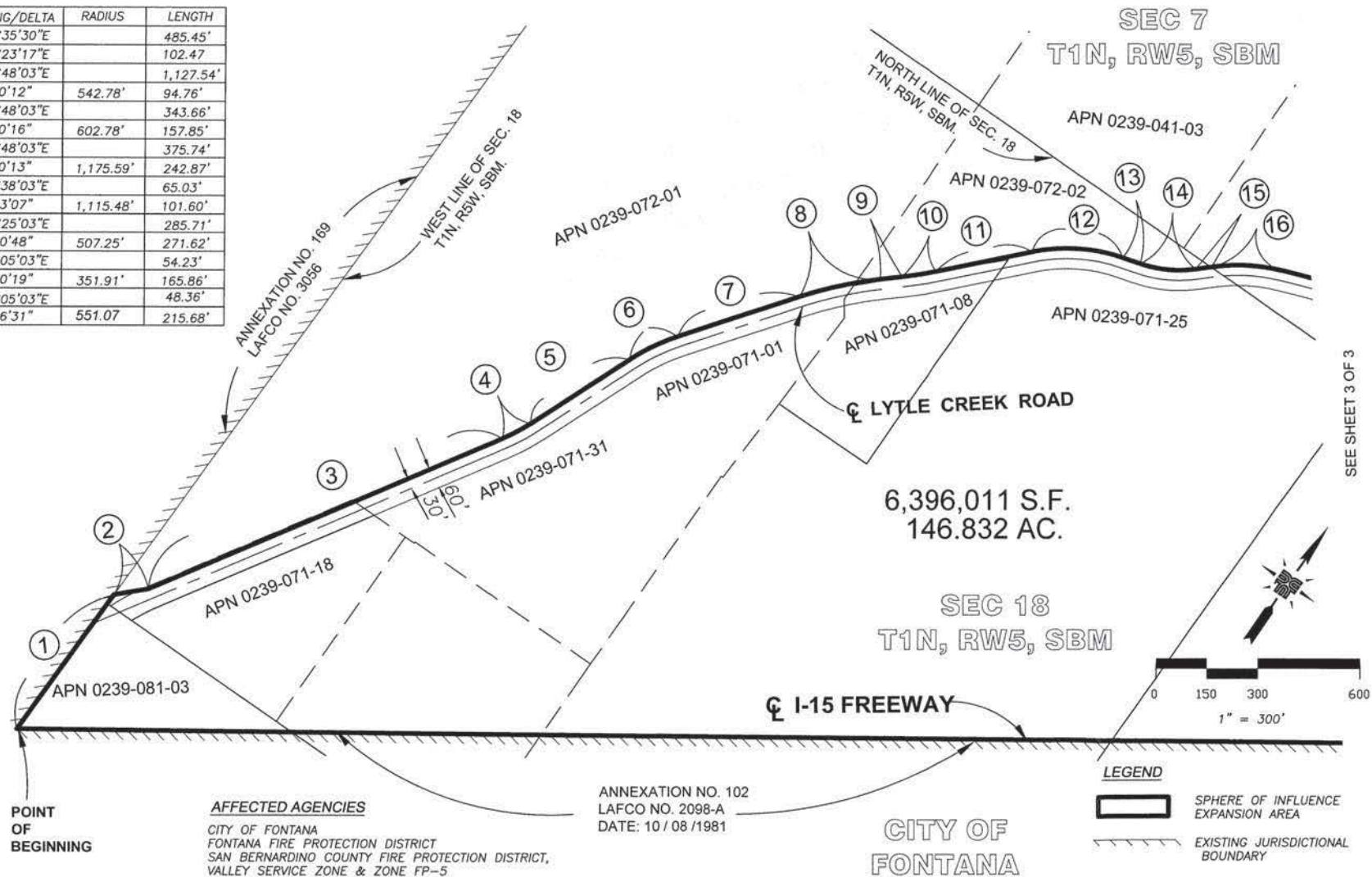
CITY OF FONTANA  
FONTANA FIRE PROTECTION DISTRICT  
SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT,  
VALLEY SERVICE ZONE & ZONE FP-5



# EXHIBIT B

LAFCO 3243 - Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)

LINE	BEARING/DELTA	RADIUS	LENGTH
1	N00°35'30"E		485.45'
2	N45°23'17"E		102.47'
3	N31°48'03"E		1,127.54'
4	10°00'12"	542.78'	94.76'
5	N21°48'03"E		343.66'
6	15°00'16"	602.78'	157.85'
7	N36°48'03"E		375.74'
8	11°50'13"	1,175.59'	242.87'
9	N48°38'03"E		65.03'
10	05°13'07"	1,115.48'	101.60'
11	N43°25'03"E		285.71'
12	30°40'48"	507.25'	271.62'
13	N74°05'03"E		54.23'
14	27°00'19"	351.91'	165.86'
15	N47°05'03"E		48.36'
16	22°26'31"	551.07'	215.68'



ANNEXATION TO THE CITY OF FONTANA

DAVID EVANS  
 AND ASSOCIATES INC.  
 4141 E. Main Street, Suite 250  
 Fontana, CA 92335  
 Phone: (909) 817-1700

REVISIONS: APPD.

DATE: OCT. 30, 2020  
 DESIGN: JMM  
 DRAWN: RBV  
 CHECKED: RBV  
 REVISION NUMBER:

SCALE: 1"=300'

PROJECT NUMBER:

CPRK115L0001

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SHEET NO.

2

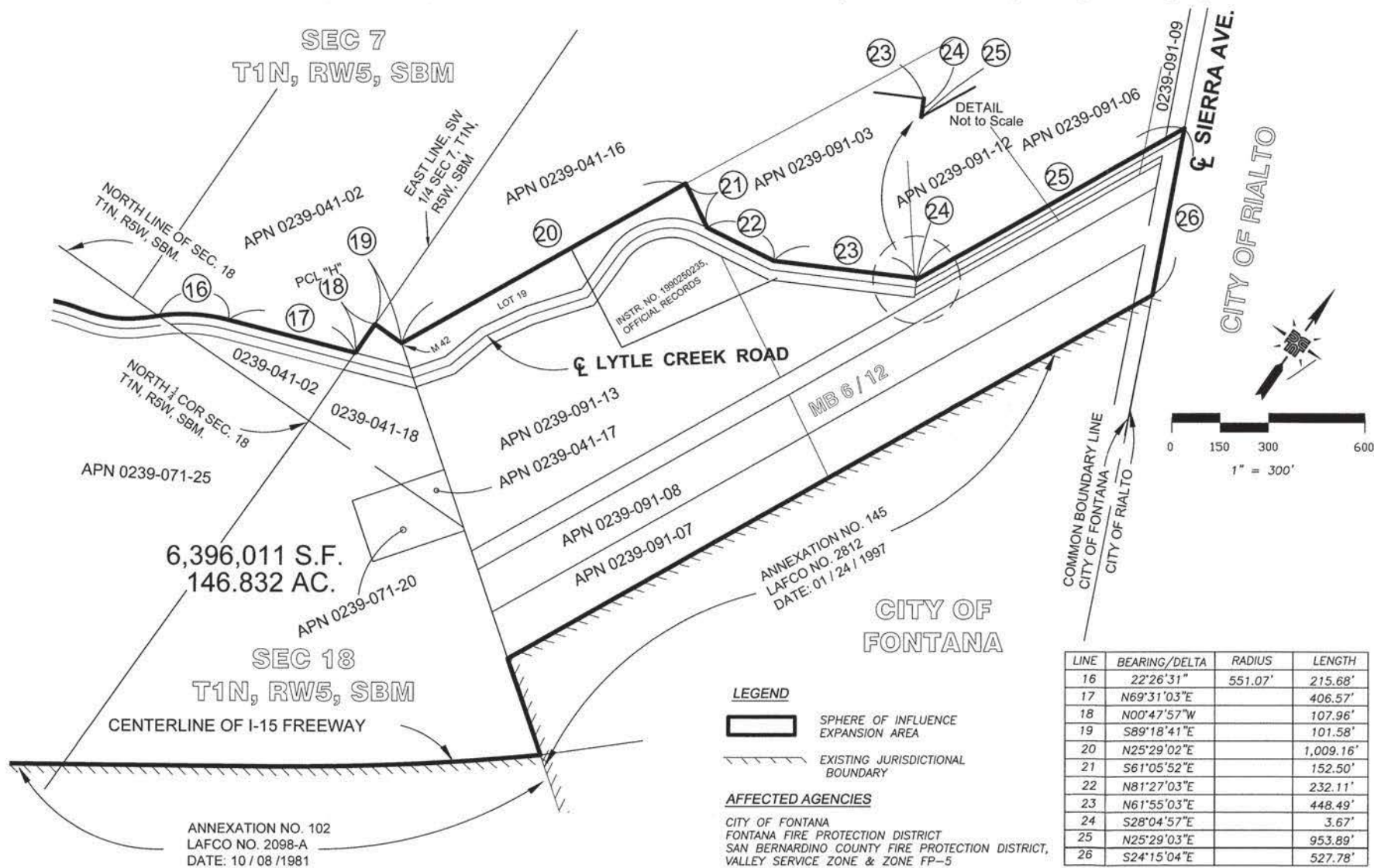
DF 3



# EXHIBIT B

LAFCO 3243 - Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)

SEE SHEET 2 OF 3



LINE	BEARING/DELTA	RADIUS	LENGTH
16	22°26'31"	551.07'	215.68'
17	N69°31'03"E		406.57'
18	N00°47'57"W		107.96'
19	S89°18'41"E		101.58'
20	N25°29'02"E		1,009.16'
21	S61°05'52"E		152.50'
22	N81°27'03"E		232.11'
23	N61°55'03"E		448.49'
24	S28°04'57"E		3.67'
25	N25°29'03"E		953.89'
26	S24°15'04"E		527.78'

ANNEXATION TO THE CITY OF FONTANA

DAVID EVANS  
AND ASSOCIATES INC.  
1414 E. Main Street, Suite 250  
Fontana, CA 92331  
Phone: (909) 875-1750

REVISIONS: APPD.

DATE: OCT. 30, 2020  
DESIGN: JMM  
DRAWN: RBV  
CHECKED: RBV  
REVISION NUMBER:  
SCALE: 1"=300'  
PROJECT NUMBER:  
CPRK115L0001  
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11-2-2020.dwg  
SHEET NO.

OF 3



**SBLAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)**

- Area Proposed for Annexation to Fontana FPD/Detachment from San Bernardino County FPD
- Reorganization Area
- City of Rialto
- Fontana Fire Protection District
- San Bernardino County Fire Protection District, Valley Service Zone (SBCFPD)
- Fontana Fire Protection District Sphere of Influence
- City of Rialto Sphere of Influence

**SBCFPD**

**ANNEX TO FONTANA FPD &  
DETACH FROM SBCFPD**

**SBCFPD**

**RIALTO**

**REORGANIZATION  
AREA**

**FONTANA FPD  
SPHERE OF INFLUENCE**

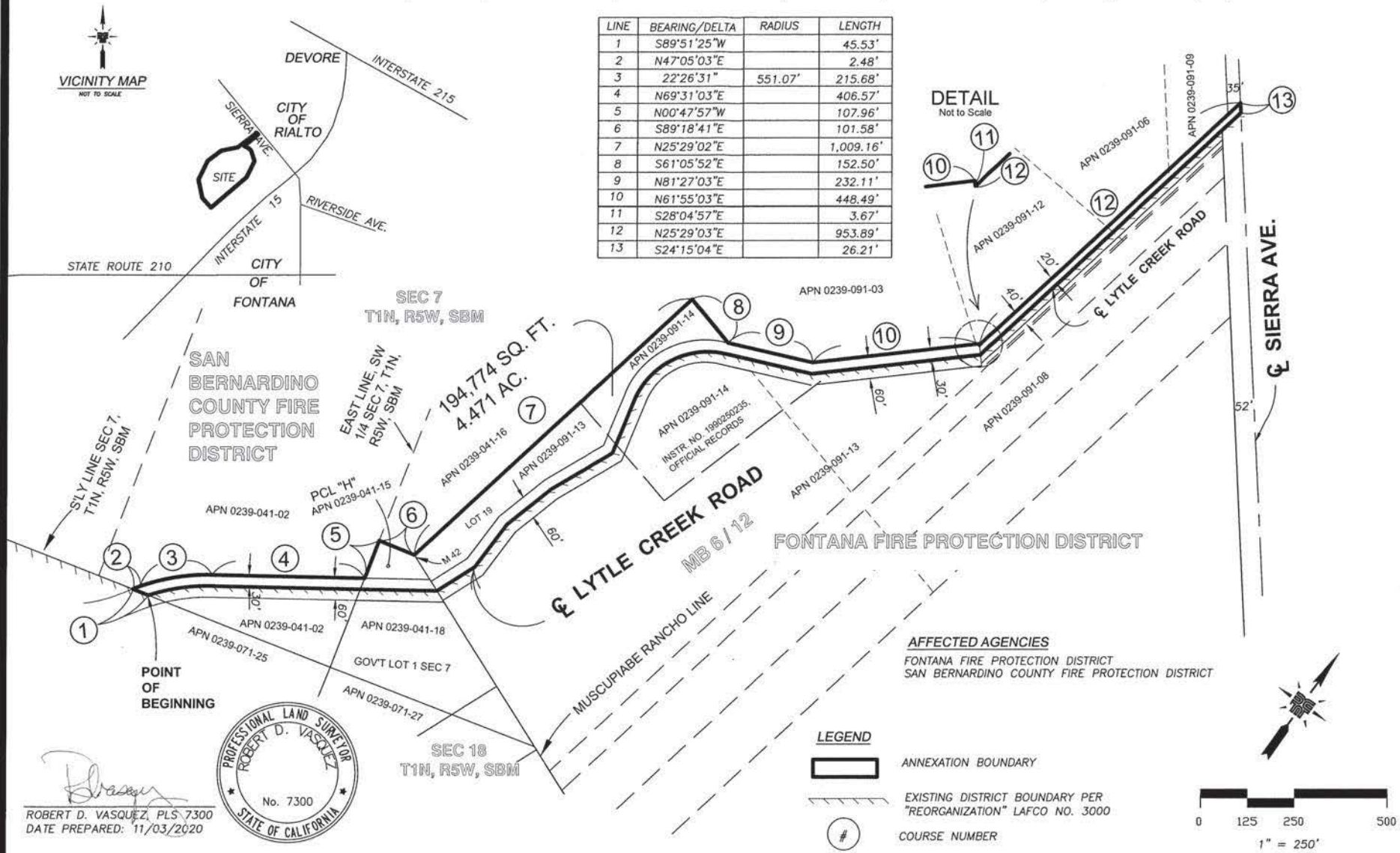
**FONTANA FPD**

**ANNEXATION TO FONTANA FIRE PROTECTION DISTRICT & DETACHMENT FROM SAN BERNARDINO  
COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE, AND ZONE FP-5**



# EXHIBIT B

LAFCO 3243 - Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)



ANNEXATION TO THE FONTANA FIRE PROTECTION DISTRICT, AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE AND ITS ZONE FP-5

DAVID EVANS  
APN 0239-091-03  
APN 0239-091-06  
APN 0239-091-12  
APN 0239-091-14  
APN 0239-091-16  
APN 0239-091-18  
APN 0239-091-20  
APN 0239-091-22  
APN 0239-091-24  
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APN 0239-091-96  
APN 0239-091-98  
APN 0239-091-100

REVISIONS: APPD.

DATE: OCT. 30, 2020  
DESIGN: JMM  
DRAWN: RDV  
CHECKED: RDV  
REVISION NUMBER:

SCALE: 1" = 250'

PROJECT NUMBER: CPRK115L0001





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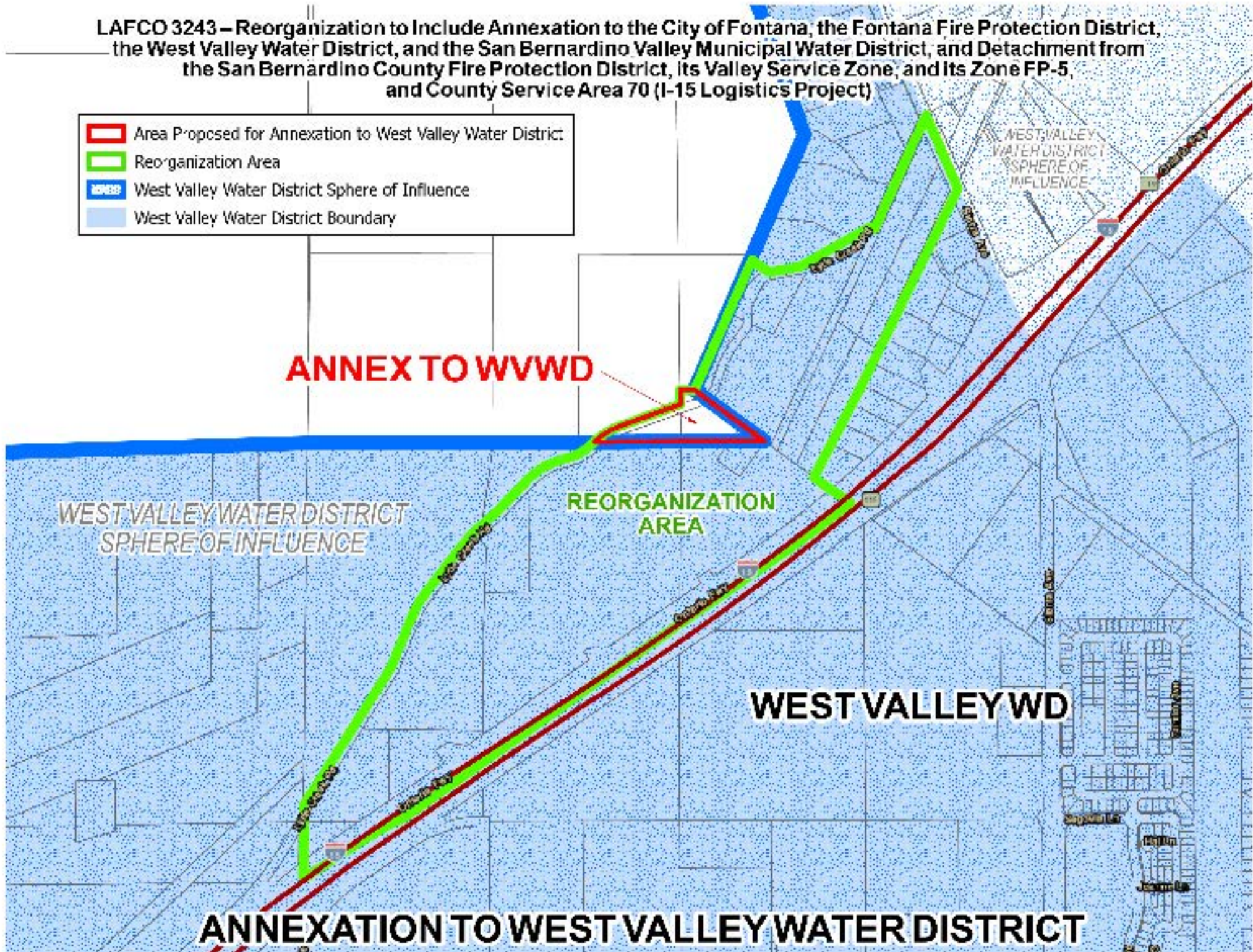
SHEET NO. 1

OF 1



**LAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)**

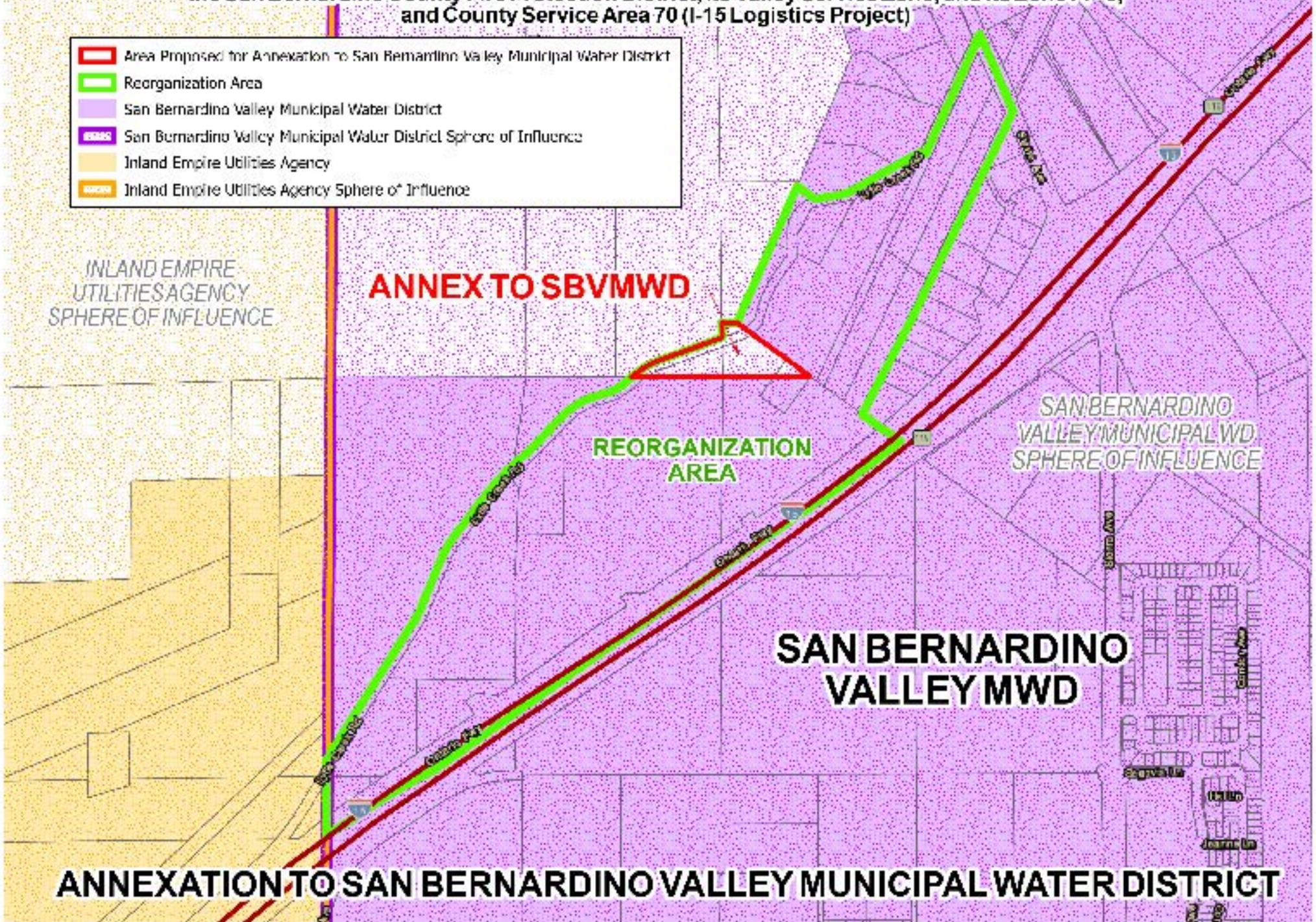
-  Area Proposed for Annexation to West Valley Water District
-  Reorganization Area
-  West Valley Water District Sphere of Influence
-  West Valley Water District Boundary





**LAFCO 3243 – Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)**

- Area Proposed for Annexation to San Bernardino Valley Municipal Water District
- Reorganization Area
- San Bernardino Valley Municipal Water District
- San Bernardino Valley Municipal Water District Sphere of Influence
- Inland Empire Utilities Agency
- Inland Empire Utilities Agency Sphere of Influence



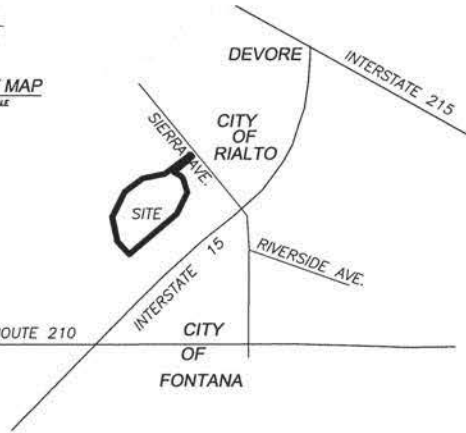


# EXHIBIT B

LAFCO 3243 - Reorganization to Include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and the San Bernardino Valley Municipal Water District and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (I-15 Logistics Project)



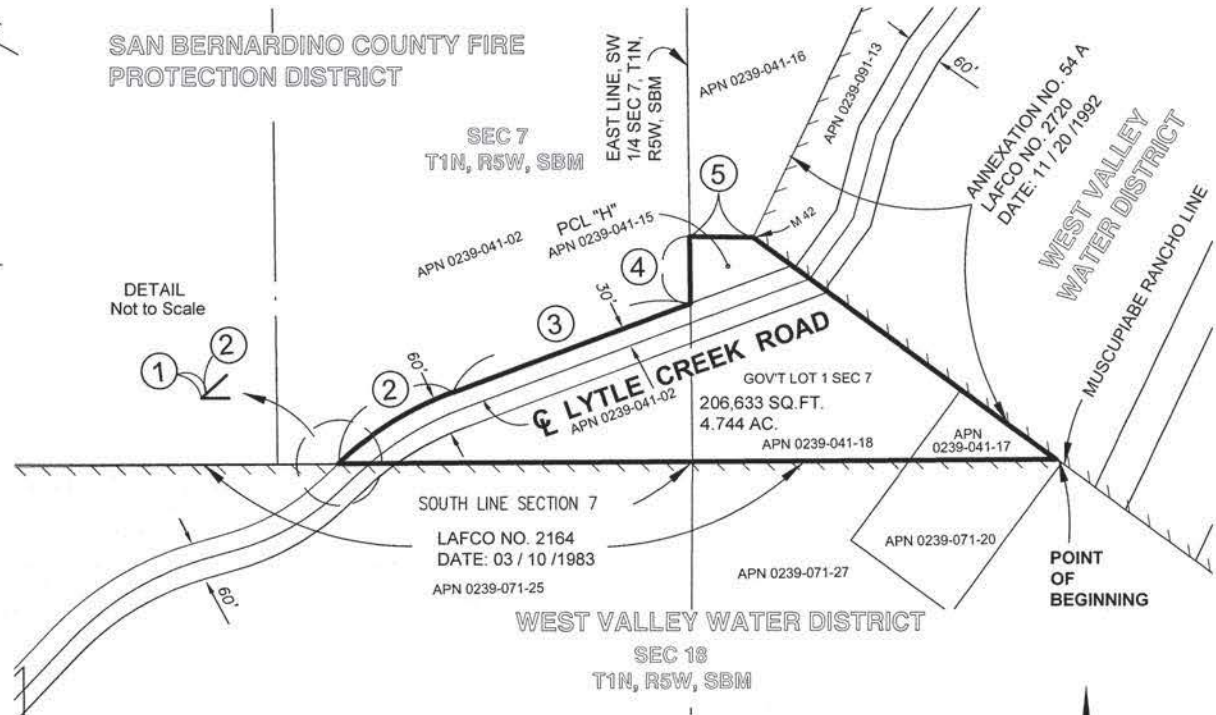
VICINITY MAP  
NOT TO SCALE



LINE	BEARING/DELTA	RADIUS	LENGTH
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2	22°26'31"	551.07'	215.68'
3	N69°31'03"E		406.57'
4	N00°47'57"W		107.96'
5	S89°18'41"E		101.58'

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

DETAIL  
Not to Scale

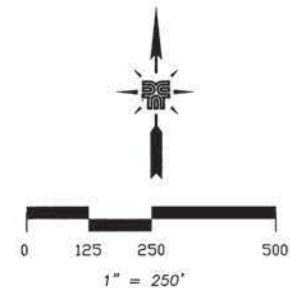


WEST VALLEY WATER DISTRICT  
SEC 18  
T1N, R5W, SBM

**AFFECTED AGENCIES**  
WEST VALLEY WATER DISTRICT  
SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT

## LEGEND

- ANNEXATION BOUNDARY
- EXISTING DISTRICT BOUNDARY
- COURSE NUMBER



ROBERT D. VASQUEZ, PLS 7300  
DATE PREPARED: 11/03/2020

ANNEXATION TO THE WEST VALLEY WATER DISTRICT AND TO THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT



REVISIONS: APPD.

DATE: OCT. 30, 2020  
DESIGN: JMM  
DRAWN: RDV  
CHECKED: RDV  
REVISION NUMBER:

SCALE: 1"=250'

PROJECT NUMBER:  
CPRK115L0001

DRAWING FILE:  
LAFCO Annex 1-15 Logis  
11-2-2020.dwg

SHEET NO.

1  
of 1



# **City of Fontana Application, Plan for Service, and Fiscal Impact Analysis**

**Attachment 2**



## SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: \_\_\_\_\_  
I-15 Logistics Center Sphere of Influence Amendment and Reorganization

2. NAME OF APPLICANT: City of Fontana  
APPLICANT TYPE: ☐ Landowner ☒ Local Agency  
☐ Registered Voter ☐ Other \_\_\_\_\_

**MAILING ADDRESS:**

8353 Sierra Avenue, Fontana, CA 92335

PHONE: ( 909 ) 350-6678

FAX: (        ) \_\_\_\_\_

E-MAIL ADDRESS: djohnson@fontana.org

3. GENERAL LOCATION OF PROPOSAL:

The proposed I-15 Logistics Project (the Project or Proposed Project) Reorganization Area is located in unincorporated San Bernardino County just northwest of Interstate 15 (I 15), south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City of Fontana's Sphere of Influence

4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES ☐ NO ☒ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested.

Currently, the proposed project site is located in unincorporated San Bernardino County, which provides many services to the Reorganization Area including fire and paramedic services, general government, development services, sheriff patrol, public library, regional parks and recreation, street lighting, transportation, flood control and drainage, and health and welfare. The proposed reorganization also includes detachment of the Reorganization Area from the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and its Zone FP-5, and County Service Area 70.

After annexation, the City of Fontana is anticipated to provide services including general government, community development, police protection, local parks and recreation, community services, and public works. The project requires a Sphere of Influence amendment for the City, West Valley Water District (WVWD), and Fontana Fire Protection District (FPD) (expansion) and SBCFPD (reduction). The reorganization also includes the annexation of 4.83 acres, including 3 parcels and portions of road right-of-way, into WVWD and San Bernardino Valley Municipal Water District, and 5 acres to the Fontana FPD.

The proposed Reorganization Area includes the I-15 Logistics Project, which includes the development and operation of a 1,171,788-square foot logistics facility on approximately 66.57 acres (Logistics Site), the realignment of a segment of Lytle Creek Road (from the western project boundary eastward to a new intersection with Sierra Avenue), as well as related project components and entitlements. The logistics facility building would include two office spaces that would total approximately 30,000 square feet. It is anticipated that the logistics facility would be in operation 24 hours per day and would employ approximately 500-1,000 full-time employees. The logistics facility would include on-site and off-site utility connections for water, sewer, storm drain facilities, electricity, and cable television.



**LAND USE AND DEVELOPMENT POTENTIAL**

1. **Total land area of subject territory (defined in acres):**  
152 acres ("Reorganization Area"), inclusive of the 66.57-acre Logistics Site
2. **Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)**  
The annexation area currently includes eight existing single-family residential units
3. **Approximate current population within area:**  
The 2018 population of the City of Fontana is estimated at 213,739
4. **Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):**  
The City of Fontana City Council has approved Resolution No. 2020-75 to amend the General Land Use Map to assign a General Plan Designation of Light Industrial (M-1) to APN: 0239-041-15 and portions of APN: 0239-091-13 and Residential Estate to portions of APN: 0239-091-14 and change the General Plan land use designation on approximately 76 acres from Residential Estate (R-E) and Public Facilities (P-PF) to Light Industrial (I-L). In addition, the City Council has also approved Resolution No. 2020-76 to amend the General Plan Circulation Element alignment and designation of Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector Highway.  
**San Bernardino County General Plan designation(s) and uses permitted by this designation(s):**  
N/A
5. **Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:**  
There are no expressed land use concerns as identified in the above state General Plan designations. The City of Fontana General Plan shall adequately serve any allowed land use requirements and no additional amendments to the General Plan Circulation Element are anticipated. In addition, As an individual industrial development, the Project is limited in its ability to ensure travel safety and reliability for people and goods in the SCAG region. However, at a local level, the realigned Lytle Creek Road would be redesignated from a Secondary Highway to a Collector and improved with wider travel lanes and sidewalks. In addition, no truck traffic would be allowed along the western end of Lytle Creek Road that connects to the Monarch Hills Residential Development Project area. This would ensure travel safety and reduce potential truck-vehicular access conflicts.
6. **Indicate the existing use of the subject territory.**  
Developed areas within the Reorganization Area generally consist of paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with the existing eight residential properties, as well as a small commercial development at the north end of the Reorganization Area.

**What is the proposed land use?**

The Proposed I-15 Logistics Project includes the development and operation of a 1,171,788-square-foot logistics facility on approximately 66.57 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Reorganization Area), inclusive of the 66.57-acre Logistics Site; and the related project components and entitlements

7. **Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)?** YES ☐ NO ☒ If YES, please explain.



8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item: N/A

- |  |  |
|--|--|
| <input type="checkbox"/> Agricultural Land Uses  | <input type="checkbox"/> Agricultural Preserve Designation       |
| <input type="checkbox"/> Williamson Act Contract   | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ |  |

9. Provide a narrative response to the following factor of consideration as identified in §56668(p):  
*The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The approved General Plan Amendments and Annexation to the City of Fontana promotes environmental justice to the extent that it allows the Landowner to legally develop the parcel for commercial and industrial land uses, which will provide job opportunities for all races, cultures, and income brackets. No changes to the environmental justice profiles as identified in Section 56668 are anticipated.

### ENVIRONMENTAL INFORMATION

1. Provide general description of topography. Generally flat

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>5</u>	%	Agricultural	<u>0</u>	%
Commercial	<u>5</u>	%	Vacant	<u>90</u>	%
Industrial	<u>0</u>	%	Other	<u>0</u>	%

3. Describe the surrounding land uses:

NORTH	<u>Residential, commercial and undeveloped land</u>
EAST	<u>Undeveloped land</u>
SOUTH	<u>Undeveloped land</u>
WEST	<u>Undeveloped land</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

The Project would include on- and off-site utility connections and street improvements: water, sewer, storm drain facilities, and street frontage improvements on Lytle Creek Road. Water improvements would tie in to existing 12-inch lines adjacent to the site. Sewer would be provided by installing a privately maintained lift station, which will tie into the sewer system that runs down Sierra Avenue to the manhole near Segovia Lane. Storm drain improvements would include the installation of underground collection pipes and a 3-acre retention basin. Additionally, the project would include the construction of a new Lytle Creek Road to Sierra Avenue extension from the property's northern boundary and continuing northeast for approximately 0.42 mile. The proposed road realignment will be consistent with the General Plan Circulation Element.



5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒  
NO ☐ Adjacent sites? YES ☒ NO ☐ Unincorporated ☐ Incorporated ☒

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6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☐  
NO ☒ If YES, please identify.

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7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ☒ If YES, please explain.

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### NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME CapRock Aquisitions, LLC c/o Patrick Daniels

TELEPHONE NO. 817-713-8826

ADDRESS:

1300 Dove Street, Suite 200, Newport Beach, CA 92660

NAME EPD Solutions, Inc. c/o Lauren Lockwood

TELEPHONE NO. 949-794-1189

ADDRESS:

2 Park Plaza, Suite 1120, Irvine, CA 92612

NAME DiTanyon Johnson, City of Fontana

TELEPHONE NO. 909-350-6678

ADDRESS:

8353 Sierra Avenue, Fontana, CA 92335

### CERTIFICATION

As a part of this application, the City/Town of Fontana, or the \_\_\_\_\_  
District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest -  
landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold  
harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,



and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.


This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE

11/18/20



SIGNATURE

Chuck Hays/City of Fontana

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Deputy City Manager

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

☒

ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT

☒

SPHERE OF INFLUENCE CHANGE SUPPLEMENT

☐

CITY INCORPORATION SUPPLEMENT

☐

FORMATION OF A SPECIAL DISTRICT SUPPLEMENT

☐

ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT



## SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

**ANNEXED TO**

- City of Fontana
- West Valley Water District
- San Bernardino Valley Municipal Water District
- Fontana Fire Protection District

**DETACHED FROM**

- San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5
- County Service Area 70

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

- a. Has pre-zoning been completed? YES ☒ NO ☐  
b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

The City of Fontana has pre-zoned the project area as Residential Estate (R-E) (Density: 2 du/ac), Public Utility Corridor (P-UC) (Density: n/a), General Commercial (C-2) (Density: 0.1-1 FAR), and Light Industrial (M-1) (Density N/A).

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☒ If YES, please provide a written justification for the proposed boundary configuration.

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4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

None are anticipated.



5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

None are anticipated.

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

Williamson Act contracts do not exist for any of the parcels on the site.

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

The Project would allow development of a logistics facility, which would provide additional employment opportunities within the City and enhance the region's overall economic development and competitiveness. A significant portion of the annexation area is rezoned as R-E, which allows 2 du/ac, and would help the City meet its RHNA numbers.

8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.



- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

See attached I-15 Logistics Center Annexation Plan for Service.

### **CERTIFICATION**

As a part of this application, the City/Town of Fontana, or the \_\_\_\_\_ District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest -landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

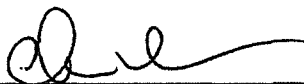
As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of Fontana or the \_\_\_\_\_ District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE

11/18/20



SIGNATURE

Chuck Hays/City of Fontana

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Deputy City Manager

Title and Affiliation (if applicable)





# I-15 LOGISTICS CENTER ANNEXATION

Plan for Service  
City of Fontana  
West Valley Water District

**Prepared for:**

LAFCO for San Bernardino County  
1170 West 3rd Street, Unit 150  
San Bernardino, CA 92415-0490

**Prepared by:**

EPD Solutions, Inc.  
2 Park Plaza, Suite 1120  
Irvine, CA 92614



## Certification

I hereby certify that this document presents the data and information required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

City of Fontana



Chuck Hays  
Deputy City Manager

Date 11/18/20



### Certification

I hereby certify that this document presents the data and information related to water services required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

**West Valley Water District**



Clarence C. Mansell, Jr.  
General Manager

Date 02/10/2020



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**List of Exhibits**

- Exhibit 1 Project Vicinity Map
- Exhibit 2 Sphere of Influence and Annexation Area
- Exhibit 3 Project Parcels
- Exhibit 4 West Valley Water District Existing and Proposed Service Area
- Exhibit 5 San Bernardino Valley Municipal Water District Existing and Proposed Service Area

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- Table 4-1 Current and Anticipated Service Providers in the I-15 Logistics Reorganization

**Appendices**

- Appendix A Assessor's Parcel Numbers Within Annexation



# 1 EXECUTIVE SUMMARY

This report provides an assessment of public service delivery capabilities of the City of Fontana, the West Valley Water District, and other agencies or special districts affected by the proposed expansion of a portion of the City of Fontana's Sphere of Influence (SOI) and the proposed annexation of 152 acres ("Reorganization Area"), inclusive of the 76-acre Logistics Site; and the related project components and entitlements to the City of Fontana. The City of Fontana is surrounded by the cities of Rialto, Rancho Cucamonga, and Jurupa Valley.

This report is being submitted to the County of San Bernardino Local Agency Formation Commission (LAFCO) as a "Plan for Service" required by California Government Code Section 56653. Currently, the proposed project site is located in unincorporated San Bernardino County, which provides many services to the Reorganization Area including fire and paramedic services, general government, development services, sheriff patrol, public library, regional parks and recreation, street lighting, transportation, flood control and drainage, and health and welfare. The proposed reorganization also includes detachment of the Reorganization Area from the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70.

After annexation, the City of Fontana is anticipated to provide services including general government, community development, police protection, local parks and recreation, community services, and public works. The reorganization also includes the annexation of 4.83 acres, including 3 parcels and portions of road right-of-way, into West Valley Water District and San Bernardino Valley Municipal Water District.

The proposed Reorganization Area includes the I-15 Logistics Project, which includes the development and operation of a 1,175,720-square foot logistics facility on approximately 76 acres (Logistics Site), the realignment of a segment of Lytle Creek Road (from the western project boundary eastward to a new intersection with Sierra Avenue), as well as related project components and entitlements. The logistics facility building would include two office spaces that would total approximately 30,000 square feet. It is anticipated that the logistics facility would be in operation 24 hours per day and would employ approximately 500-1,000 full-time employees. The logistics facility would include on-site and off-site utility connections for water, sewer, storm drain facilities, electricity, and cable television.

## 2 INTRODUCTION

The I-15 Logistics Project Reorganization Area is located in unincorporated San Bernardino County, northwest of Interstate 15 (I-15), south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City of Fontana's Sphere of Influence (SOI), as shown in Exhibit 2. More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from Interstate 210 (I-210) via the Citrus or Sierra Avenue interchanges.

### 2.1 PURPOSE OF THE STUDY



The Local Agency Formation Commission (LAFCO) for the County of San Bernardino requires a jurisdiction to submit a Plan for Service when the jurisdiction is affected by a proposed change in boundaries, formation, or organization. The proposed project intends to annex into the City of Fontana, West Valley Water District (WVWD), and San Bernardino Valley Municipal Water District (SBVMWD), which requires the City to show that the necessary infrastructure improvements and services can be provided to the proposed development. The Plan for Service must include the following components:

- a. A description of the level and range of each service to be provided to the affected territory.*
- b. An indication of when those services can feasibly be extended to the affected territory.*
- c. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.*
- d. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.*
- e. An indication of whether the affected territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.*
- f. If retail water service is to be provided through this change of organization, provide a description of the timely availability of water for projected needs within the area based upon the factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).*

## 2.2 OVERVIEW OF THE CITY OF FONTANA

The City of Fontana is located within San Bernardino County and occupies approximately 43 square miles. The 2018 city population is estimated at 213,739. The City of Fontana has over 40 parks, tot lots, sports facilities, and other recreational facilities, including the Lewis Library and Technology Center, two charter schools, and K-12 public schools. Major employers in the city include Kaiser Permanente, the Fontana Unified School District, the City of Fontana, Target, Manheim Auctions, Better Beverages, American Security Products, Coronado Stone Products, Firth Rixson, and Reddaway. The city has become a major hub for industrial focused truck and trailer facilities with easy access to I-15, I-10, and State Route (SR) 210.



### 3 PROJECT DESCRIPTION

This chapter presents the detailed land uses for the I-15 Logistics project and Reorganization Area. Information includes project density, population, assessed valuation and taxable sales. The total I-15 Logistics Reorganization Area includes the annexation of 152 acres ("Reorganization Area") inclusive of the 76-acre Logistics Site.

#### 3.1 PROJECT DEVELOPMENT

The Proposed Project includes the development and operation of a 1,175,720-square-foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Reorganization Area), inclusive of the 76-acre Logistics Site; and the related project components and entitlements, as discussed herein.

#### 3.2 REORGANIZATION AREA

The I-15 Logistics project proposes the annexation of 152 acres of land currently under the jurisdiction of the County of San Bernardino. The proposed Reorganization Area is in the northern portion of the City of Fontana's Sphere of Influence (SOI). More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from SR-210 via the Citrus or Sierra Avenue interchanges.

As shown in Exhibit 3, the Reorganization Area is proposed to include 21 parcels—inclusive of the Logistics Site, as well as portions of the road right-of-way for Lytle Creek Road, Sierra Avenue, and I-15. The parcels within the Reorganization Area have been pre-zoned and pre-designated, consistent with City of Fontana General Plan land use designations and zoning with the exception of the 2.14 acres of land not currently in the City's SOI. A list of Assessor's Parcel Numbers (APNs) in the Reorganization Area is provided in Appendix A.

The 152-acre Reorganization Area predominantly consists of vacant parcels of undeveloped land with surface elevations ranging from approximately 1,850 to 2,079 feet above mean sea level, generally sloping to the southwest. The Reorganization Area has been exposed to a variety of disturbances, including clearing/disking activities, off-road vehicle use, and illegal dumping.

Developed areas within the Reorganization Area generally consist of paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with the existing eight residential properties, as well as a small commercial development at the north end of the Reorganization Area.

There is an existing water tank located in the southern portion of the Reorganization Area, approximately 0.3 mile from the southern boundary of the I-15 Logistics project site. In addition, existing transmission towers are located along the entirety of the Reorganization Area's eastern boundary, including the I-15 Logistics project site.<sup>1</sup>

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<sup>1</sup> P. 3.0-11 & P. 3.0-12. "Draft Environmental Impact Report, I-15 Logistics," City of Fontana, August 2019.



## 4 EXISTING AND PROPOSED SERVICES

This chapter describes the existing and anticipated future service providers for the proposed I-15 Logistics Reorganization Area. The level and range of the services for the Reorganization Area are described, if they are known. The following services are detailed in this chapter:

- General Government
- Fire and Paramedic
- County Sheriff and Public Safety
- Library
- Parks and Recreation
- Water
- Sewer
- Transportation
- Flood Control and Drainage
- Utilities
- Schools
- Solid Waste Management
- Health and Welfare

Table 4-1 presents current and anticipated service providers for the I-15 Logistics project and Reorganization Area. In many cases, such as general government, community development, economic development, and sheriff/police, among others, responsibilities shift from San Bernardino County to the City of Fontana.

The Fontana Fire Protection District (FFPD) provides fire service to the City of Fontana including emergency services and fire prevention services. The current service area for the Fire Protection District is contiguous with the current City of Fontana's Sphere of Influence (SOI) and would need to be expanded to include the entire Reorganization Area. Therefore, an expansion of the Fire Protection District SOI, as well as annexation into the FFPD will be required. The area being annexed into the FFPD will be detached from the SBCFPD, its Valley Service Zone, and its Zone FP-5.

The West Valley Water District (WVWD) provides retail water service to Fontana and portions of unincorporated San Bernardino County. WVWD's existing service area and its SOI area do not fully cover the I-15 Logistics project and Reorganization Area. Therefore, an expansion of WVWD's service area and SOI is proposed so that the district can provide water service to the entire reorganization area.

The San Bernardino Valley Municipal Water District (SBVMWD) is a wholesale water provider and State Water Contractor, and it provides water to Fontana and to West Valley. The SBVMWD's existing service area does not fully encompass the I-15 Logistics project and Reorganization Area. Therefore, annexation into the SBVMWD's service area is proposed so that the water district can provide wholesale water service to the entire reorganization area.

According to the Fontana Public Works Department, the annexation area is not currently connected to the City's sewer system. Therefore, sewer would be provided to annexation area through installation of a privately maintained life station as part of the I-15 Logistics project. This privately maintained lift station would tie into the sewer system along Sierra Avenue to the manhole near



Segovia Lane. Other services, like utilities, remain unchanged before and after annexation. These changes are detailed in subsequent sections of this chapter.

**Table 4-1**  
**Current and Anticipated Service Providers in the I-15 Logistics Reorganization**

Service Type	Current Service Provider	Anticipated Service Provider
<b>General Government - Administrative Services:</b>		
Finance Division	County of San Bernardino	City of Fontana
Human Resources Division	County of San Bernardino	City of Fontana
Business Registration	County of San Bernardino	City of Fontana
<b>Community Development:</b>		
Planning	County of San Bernardino	City of Fontana
Building & Safety	County of San Bernardino	City of Fontana
Code Compliance	County of San Bernardino	City of Fontana
<b>Economic Development</b>	County of San Bernardino	City of Fontana
<b>Fire and Paramedic</b>	Fontana Fire Protection District San Bernardino County Fire Protection District (Valley Service Zone) (portion)	Fontana Fire Protection District
<b>Sheriff/Police</b>	San Bernardino County Sheriff's Department	Fontana Police Department
<b>Library</b>	San Bernardino County Library District	San Bernardino County Library District
<b>Parks and Recreation</b>	County of San Bernardino (regional parks)	City of Fontana
<b>Water</b>	Retail: West Valley Water District Wholesale: San Bernardino Valley Municipal Water District	Retail: West Valley Water District Wholesale: San Bernardino Valley Municipal Water District
<b>Sewer</b>	Private Septic Systems	City of Fontana
<b>Transportation:</b>		
Freeways and Interchanges	Caltrans	Caltrans
Arterials and Collectors	San Bernardino County	City of Fontana
Local Roads	San Bernardino County	City of Fontana
Transit	Omnitrans	Omnitrans
<b>Flood Control and Drainage:</b>		
Local Facilities	San Bernardino County Flood Control District	City of Fontana
Regional Facilities	San Bernardino County Flood Control District	San Bernardino County Flood Control District
<b>Utilities:</b>		
Cable/Internet	Frontier Communications	Frontier Communications
Telephone	Frontier Communications	Frontier Communications
Power	Southern California Edison	Southern California Edison
Natural Gas	Southern California Gas Company	Southern California Gas Company
<b>Schools</b>	Fontana Unified School District	Fontana Unified School District
<b>Solid Waste Management</b>	San Bernardino County Solid Waste Management Division (contract with Burrtec)	City of Fontana (contract with Burrtec)
<b>Health and Welfare</b>	San Bernardino County Department of Public Health	San Bernardino County Department of Public Health



## 4.1 GENERAL GOVERNMENT

### **Before Annexation**

The Reorganization Area is currently under the jurisdiction of San Bernardino County. General government services include the County Supervisor's office, Clerk of the Board of Supervisors, County Administrative Offices, and County Counsel. The Board of Supervisors is the governing body of the County government and Board-governed special districts.

Duties of the Clerk of the County Board of Supervisors include handling appeals made by members of committees, commissions and boards to the Board of Supervisors. The Clerk also records documents. The Clerk serves the entire County, including the Reorganization Area.

County administrative offices establish and administer policy, manage various County departments, and coordinate the County budget. The County Counsel's office oversees all legal aspects of County government, including providing legal representation in court, prosecutions on behalf of the County, providing legal advice and interpretation, and handling all necessary legal processes. The Counsel serves the entire County.

The County's general government services include all Administrative services, Community Development services, and Economic Development services to the Reorganization Area.

### **After Annexation**

Upon annexation, the Reorganization Area would become part of the City of Fontana. General government services include the City Council, City Manager, City Clerk, City Administrative Offices, including Public Services Administration, as well as the City Attorney. The City Council consists of five council members with the mayor as presiding officer. No new council representation will be required upon annexation.

The City Manager is responsible for the administrative affairs of the Town, including managing services and implementing programs and activities as directed by the City Council. Other managerial responsibilities include monitoring and advising the Council of all state and federal legislation that concern the City. The City Manager and staff serve the entire City, as well as the Reorganization Area. No additional personnel are expected to be required in the City Manager's office as a result of the annexation.

The City Clerk maintains the City's official records. The Clerk performs duties required by the California Political Reform Act, which created the California Fair Political Practices Commission (FPPC). The Clerk and staff serve the entire City and will serve the Reorganization Area. No additional personnel are expected to be required in the Clerk's office to serve the Reorganization Area.

The City's general government services include providing all Administrative services, Community Development services, and Economic Development services to the Reorganization Area.



## 4.2 FIRE AND PARAMEDIC

### Before Annexation

Currently, the Reorganization Area is mostly within the Fontana Fire Protection District (FFPD), a subsidiary district of the City, that contracts with the San Bernardino County Fire Protection District for its services. The FFPD is the service provider for fire prevention, fire protection and emergency medical services (EMS). The FFPD operates six fire stations, with Fire Station 79 located approximately 1.3 miles southwest of the project site at 5075 Coyote Canyon Road in Fontana, and Fire Station 78 located approximately 4.7 miles south of the project site at 7110 Citrus Avenue in Fontana.<sup>2</sup> According to the City's General Plan Public Facilities, Services, and Infrastructure Element, the average response time within the city is approximately four to five minutes. In addition to fire response, the FFPD also investigates and mitigates all types of hazardous materials spills, exposures, and releases, as well as provides emergency medical aid.

Approximately 5 acres of the Reorganization Area is served by the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70, which is a special tax zone for funding fire protection and Emergency Medical Services. SBCFPD covers 19,278 square miles and serves more than 60 communities/cities within four Regional Service Zones (Mountain, North Desert, South Desert and Valley).<sup>3</sup>

### After Annexation

The FFPD will provide fire prevention, fire protection and EMS for the entire Reorganization Area. The 5 acres currently served by SBCFPD will be annexed to FFPD. In conjunction with the annexation, a Sphere of Influence expansion will occur to include Assessor's Parcel Number (APN) 0239-041-15 and portions of APNs 0239-091-13 and -14, and the westerly right-of-way of Lytle Creek Road encompassing approximately 2.14 acres into the Fire Protection District's SOL.

## 4.3 SHERIFF/POLICE

### Before Annexation

Police protection for the Reorganization Area is currently provided by the San Bernardino County Sheriff's Department (SBCSD). SBCSD serves 2.1 million residents in an area of over 20,000 square miles with 8 county and 14 contract patrol stations. SBCSD has approximately 3,900 employees. The Reorganization Area is served by the Fontana Patrol Station at 17780 Arrow Boulevard, approximately seven miles to the south.<sup>4</sup>

### After Annexation

Upon annexation, the Fontana Police Department will provide the public safety services for the I-15 Logistics Center and the rest of the Reorganization Area. The FPD operates out of its headquarters at 17005 Upland Avenue, approximately seven miles south of the project site. Its staff includes 188 sworn officers.

<sup>2</sup> FFPD (Fontana Fire Protection District). 2019. Department website. Accessed October 2019. <https://www.fontana.org/634/Fire-Protection-District>.

<sup>3</sup> SBCFPD (San Bernardino County Fire Protection District). 2019. Department Website. Accessed October 2019.

<http://sbclafco.org/FiscalIndicators/BOS/SBCFPD.aspx>.

<sup>4</sup> SBCSD (San Bernardino County Sheriff's Department). 2020. Department website. Accessed October 2020. <https://wp.sbcounty.gov/sheriff/about-us/>



The I-15 Logistics project will not involve the construction of new houses and will not induce substantial population growth to the area. Thus, no additional police officers or police facilities are expected to be required to serve the I-15 Logistics project and Reorganization Area. In addition, the I-15 Logistics project and future development would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services.

#### 4.4 LIBRARY

##### **Before Annexation**

Currently, the Reorganization Area is served by the Summit Branch Library, which is part of the San Bernardino County Library System (SBCL). The San Bernardino County Library System has 32 branch libraries.<sup>5</sup> The Summit Branch is located at 15551 Summit Avenue in Fontana and is a driving distance of 3.7 miles from the Reorganization Area.

##### **After Annexation**

Upon annexation, the Reorganization Area would continue to be served by the Summit Branch of the SBCL. Currently, the County collects taxes for the library system through a County Library special district assessment. The Special District includes the unincorporated County and 17 cities, including Fontana. The annexation will result in no net change in the total tax revenues to the Special District.

The I-15 Logistics project will not involve the construction of new houses and will not induce substantial population growth to the area. Thus, no additional library facilities are expected to be required to serve the I-15 Logistics project and Reorganization Area.

#### 4.5 PARKS AND RECREATION

##### **Before Annexation**

The San Bernardino County Regional Parks Department provides regional park services to all residents within the County, including unincorporated areas. The County Regional Parks system includes the following parks: Glen Helen, Yucaipa, Lake Gregory, Cucamonga, Guasti, and Prado. The closest regional park is Glen Helen Regional Park, with a driving distance of approximately 3.5 miles, which has various recreation areas with amenities for fishing, boating, and picnicking. The County does not provide local park services, and, currently, there are no local parks within the Reorganization Area.

##### **After Annexation**

The Fontana General Plan Conservation, Open Space, Parks, and Trails Element states that there are over 40 parks, tot lots, sports facilities, and other recreational facilities in the City.<sup>6</sup>

The nearest city park is Coyote Canyon Park, approximately 1.5 miles southwest of the project site. Amenities available at this 15.5-acre park include baseball and softball fields, picnic shelters and tables with barbecue areas, a playground, a snack bar, and trails.

<sup>5</sup> SBCL (San Bernardino County Library System). 2019. Department website. Accessed October 2019. <http://www.sbclib.org/Information.aspx>.

<sup>6</sup> City of Fontana. 2019. City Website, Facilities & Parks. Accessed October 2019. <https://www.fontana.org/156/Facilities-Parks>.



## 4.6 WATER

### Before Annexation

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. These properties are currently serviced by the WVWD, which provides retail water service to Fontana and portions of unincorporated San Bernardino County.

WVWD utilizes three primary sources for drinking water supply: local surface water from flows on the east side of the San Gabriel Mountains, including North Fork Lytle Creek, Middle Fork Lytle Creek, and South Fork Lytle Creek; groundwater; and imported water from the State Water Project (SWP) through the SBVMWD, through the Lytle Turnout off the San Gabriel Feeder Pipeline.<sup>7</sup>

In addition, SBVMWD is a wholesale water provider and State Water Contractor, and it provides water to the eastern San Bernardino Valley.

### After Annexation

Currently, WVWD's existing service area and its SOI area do not fully cover the Reorganization Area. Therefore, an expansion of WVWD's service area and Sphere of Influence is proposed so that the district can provide water service to this future area of the city.

A Water Supply Assessment (WSA) of the Reorganization Area was prepared for the WVWD by Water Systems Consulting, Inc. According to the WSA, it is anticipated that the new water demand created by development of the Reorganization Area would not exceed the available water supply. WVWD mainly recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, greenbelts, open space, common areas, commercial landscaping, and supply for aesthetic impoundment or other water features.

As the Reorganization Area builds out and increased demand warrants, future development in the area will be required to extend water lines and other facilities to the property frontage and will be responsible for costs associated with the extension of service. Major development projects will be required to prepare WSAs in compliance with Senate Bills 610 and/or 221.

## 4.7 SEWER

### Before Annexation

Sanitary discharges and domestic wastewater generated by the existing residences on the site are disposed of by means of septic systems. According to the Fontana Public Works Department, the site is currently not connected to the City's sewer system.

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<sup>7</sup> P. 4.15-1. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.



### **After Annexation**

Upon annexation, regional domestic wastewater treatment services will be provided under the Regional Sewer Service Contract in which seven agencies—Fontana, Cucamonga County Water District, Montclair, Upland, Chino, Chino Hills, and Ontario—currently contract with the Inland Empire Utilities Agency (IEUA).

The IEUA treats domestic wastewater for the City of Fontana. Fontana's Public Works Department operates wastewater conveyance facilities within the City boundaries. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No. 1 in Ontario. The plant currently processes approximately 32 million gallons per day (mgd) of raw sewage. Its ultimate treatment capacity is 40 mgd, leaving a surplus capacity of approximately 8 mgd.

The I-15 Logistics project is within the Fontana's Public Works Department sanitary sewer service area; however, sewer for the I-15 Logistics project would be provided by installing a privately maintained lift station, which would tie into the sewer system along Sierra Avenue to the manhole near Segovia Lane. The existing land uses within the annexation area will not be connecting to this sewer facility, but the capacity of the proposed private sewer would allow for future connections with the City's approval.

Given the amount of excess capacity in the existing treatment facilities serving the City, the I-15 Logistics project and Reorganization Area will not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the I-15 Logistics project and any future development will be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements.

## **4.8 TRANSPORTATION**

### **Before Annexation**

Current transportation services for the Reorganization Area include freeways and interchanges serviced by Caltrans; arterials and collectors serviced by the County Public Works Department; local roads also serviced by the Public Works Department of San Bernardino County; and public transit serviced by Omnitrans. The nearest bus stop is currently located at the corner of Summit Avenue and Lytle Creek Road, approximately 2.8 miles south of the Logistics Site and is served by Omnitrans Route 82.

### **After Annexation**

Caltrans and Omnitrans will continue to provide their services post annexation for arterials, collectors and public transit. Omnitrans has an extensive network of bus routes throughout the City of Fontana and the surrounding region.

Upon annexation, the City of Fontana Public Works Department will be responsible for roadway construction and maintenance. Construction and improvements will be required as development occurs in the Reorganization Area and will likely be undertaken by individual developers. The future developer(s) will be responsible for improvements of all necessary public streets, both onsite and offsite. The future developer will also be responsible for improvements of all necessary public streets, both onsite and offsite.



The City of Fontana would become responsible for the regional transportation fees, which are established by the City's Developer Impact Fee schedule. These are assessed on a per unit basis for single and multi-family residential development, and per square foot for commercial and industrial development.

#### 4.9 FLOOD CONTROL AND DRAINAGE

##### **Before Annexation**

Stormwater management for the Reorganization Area and surrounding area is provided by the San Bernardino County Flood Control District (SBCFCD). The Flood Control District implements broad management functions, such as flood control planning, construction of drainage improvements for regional flood control facilities, and watershed and watercourse protection related to those facilities. It has power of taxation, bonded indebtedness, land and water rights acquisition, and cooperative partnerships with local, state, and federal agencies in order to carry out its mandated responsibility. Decisions related to the Flood Control District are made by the San Bernardino County Board of Supervisors. The District is subdivided into several geographic zones with the proposed Reorganization Area being in District Zone 1.

##### **After Annexation**

Upon annexation, the Flood Control District would be responsible for regional stormwater management within the Reorganization Area, and the Fontana Public Works Department would be responsible for local drainage management. Both the City and the SBCFCD provide flood control facilities for Fontana. SBCFCD is responsible for the construction of dams, containment basins, channels, and storm drains to intercept and convey flood flows through and away from developed areas. The City constructs and maintains local storm drains that feed into the county's area-wide system. In addition, the City has adopted a Master Drainage Plan.

As a permittee in the Santa Ana Regional Water Quality Control Board (RWQCB) Basin Plan, the City of Fontana implements a Municipal Storm Water Management Plan, which prohibits and regulates various types of discharges, mandates inspections and public education, puts controls on new development and redevelopment, and specifies site and construction site maintenance practices. Future development within the Reorganization Area will be required to manage storm flows onsite, and to participate in regional drainage improvements included in both County and City drainage master plans.

#### 4.10 UTILITIES

##### **Before Annexation**

Utilities include cable television, internet, telephone, electric power, and natural gas. Currently, Frontier Communications is the cable television and internet service provider. Verizon maintains telephone service to the Reorganization Area. Electricity is provided by Southern California Edison, while natural gas is supplied by the Southern California Gas Company. These service providers are not anticipated to change upon annexation.

##### **After Annexation**



The I-15 Logistics project and Reorganization Area would connect to existing electric power facilities owned and operated by Southern California Edison. The Project's annual electricity consumption is estimated to be 2,945,123 kilowatt-hours.<sup>8</sup> Developers will be responsible for the cost for extension of electricity facilities in the Reorganization Area. As a publicly traded company, Southern California Edison has developed a rate structure that includes the expansion of facilities to accommodate growth. Since development in the Reorganization Area is expected to occur over time, Southern California Edison's expansion plans will be adjusted to accommodate it.

The I-15 Logistics project and Reorganization Area would not require the use of natural gas and therefore will not be connected to existing natural gas lines owned and operated by the Southern California Gas Company. However, if services become needed, the City and the Southern California Gas Company will coordinate closely to assure the adequate provision of natural gas facilities and services to new development. Southern California Gas Company's rate structure currently includes the expansion of facilities to accommodate growth.

Utilities including cable television, internet, and telephone would continue to be provided to the site by Frontier Communications. Frontier Communications will connect the I-15 Logistics project and Reorganization Area to existing telecommunication facilities, which are located in the vicinity of the project site. Upon annexation, there would be increased demand for Frontier services and facilities in the Reorganization Area, however, both companies plan for infrastructure and service extensions throughout the region based on future development. While both of these service providers will need to monitor growth trends in their service areas to ensure the orderly and efficient of services and facilities, development in the Reorganization Area will occur over time, providing them time to plan for expansion and to accommodate growth into their respective rates structures.

#### 4.11 SCHOOLS

##### **Before Annexation**

Fontana Unified School District (FUSD) provides public education services and facilities to over 41,142 students in the City of Fontana and surrounding area, as well as 45 school sites, including the Reorganization Area.<sup>9</sup> The Reorganization Area is currently undeveloped and generates no student population.

##### **After Annexation**

Based on FUSD generation rates, project implementation could generate approximately 580 students in the FUSD associated with the potential for employees and their families to move to the area.<sup>10</sup> The I-15 Logistics project would be required to contribute fees to the FUSD in accordance with SB 50.

Future development in the Reorganization Area will generate revenues to the District from Developer Impact Fees. Development Impact school fees are \$0.61 per square foot for commercial/industrial development.<sup>11</sup> FUSD plans for new school sites as the student population

<sup>8</sup> P. 4.15-11. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.

<sup>9</sup> P. 4.12-1. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.

<sup>10</sup> Based on a Blended Student Generation Factor of 0.58 and the project's estimated employment generation of up to 1,000 employees; EH&A, *Fontana Unified School District Developer Fee Justification Study*, Table 14, Blended Student Generation Factors, page 22, June 20, 2018.

<sup>11</sup> FUSD (Fontana Unified School District). 2019. Developer Fees. Accessed September 2018. <http://www.fusd.net/departments/Business/Facilities/DevFees.stm>.



increases based on tract map approvals within the City. The City will coordinate closely with FUSD to ensure the adequate provision of public education services and facilities to students in the City.

#### 4.12 SOLID WASTE MANAGEMENT

##### **Before Annexation**

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. Currently, solid waste generated at the site is disposed of in commercial dumpsters located throughout the residential and commercial areas, and an independent solid waste disposal contractor removes solid waste from these areas.

The main solid waste disposal site for the Reorganization Area is the Mid-Valley Sanitary Landfill at 2390 Alder Ave, Rialto. The landfill has a capacity of 7,500 tons of solid waste per day and has 61,219,377 cubic yards of capacity available.<sup>12</sup>

##### **After Annexation**

Upon annexation, the City of Fontana will be responsible for providing solid waste management services to future development in the Reorganization Area. Per the City's Sole Franchise Hauler Agreement, all hauling resulting from construction or demolition activities may only be contracted through Burrtec Waste Industries.

Through its contractual agreement with the City of Fontana, Burrtec collects non-hazardous solid waste and hauls it to the Mid-Valley Sanitary Landfill. The landfill is operated by San Bernardino County. As discussed above, the landfill has a capacity of 7,500 tons of solid waste per day and 61,219,377 cubic yards of capacity available.<sup>13</sup> Solid waste collection and disposal services would be provided on a fee basis to future residential, commercial, and industrial customers within the Reorganization Area.

#### 4.13 HEALTH AND WELFARE

##### **Before Annexation**

The San Bernardino County Department of Public Health currently serves the City for the general public's health and welfare services. The department provides a variety of programs and services that informs and educates the public about health issues. The County Department of Public Health additionally provides public assistance welfare and healthcare needs for all residents within San Bernardino County.

##### **After Annexation**

There are no anticipated changes in service levels or costs after the annexation of the I-15 Logistics project and Reorganization Area. Although the I-15 Logistics project would have the potential to generate limited population growth with the potential to impact other public health and welfare

<sup>12</sup> CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.

<sup>13</sup> CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.



services, due to the number of persons anticipated to occupy the Logistics Site and the nature of uses proposed, no significant increase in demand for new or physically altered public facilities are expected. The I-15 Logistics project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to other public facilities by helping fund capital improvements and expenditures. The I-15 Logistics project and other future development would be required to adhere to standards and provisions set forth by the City.



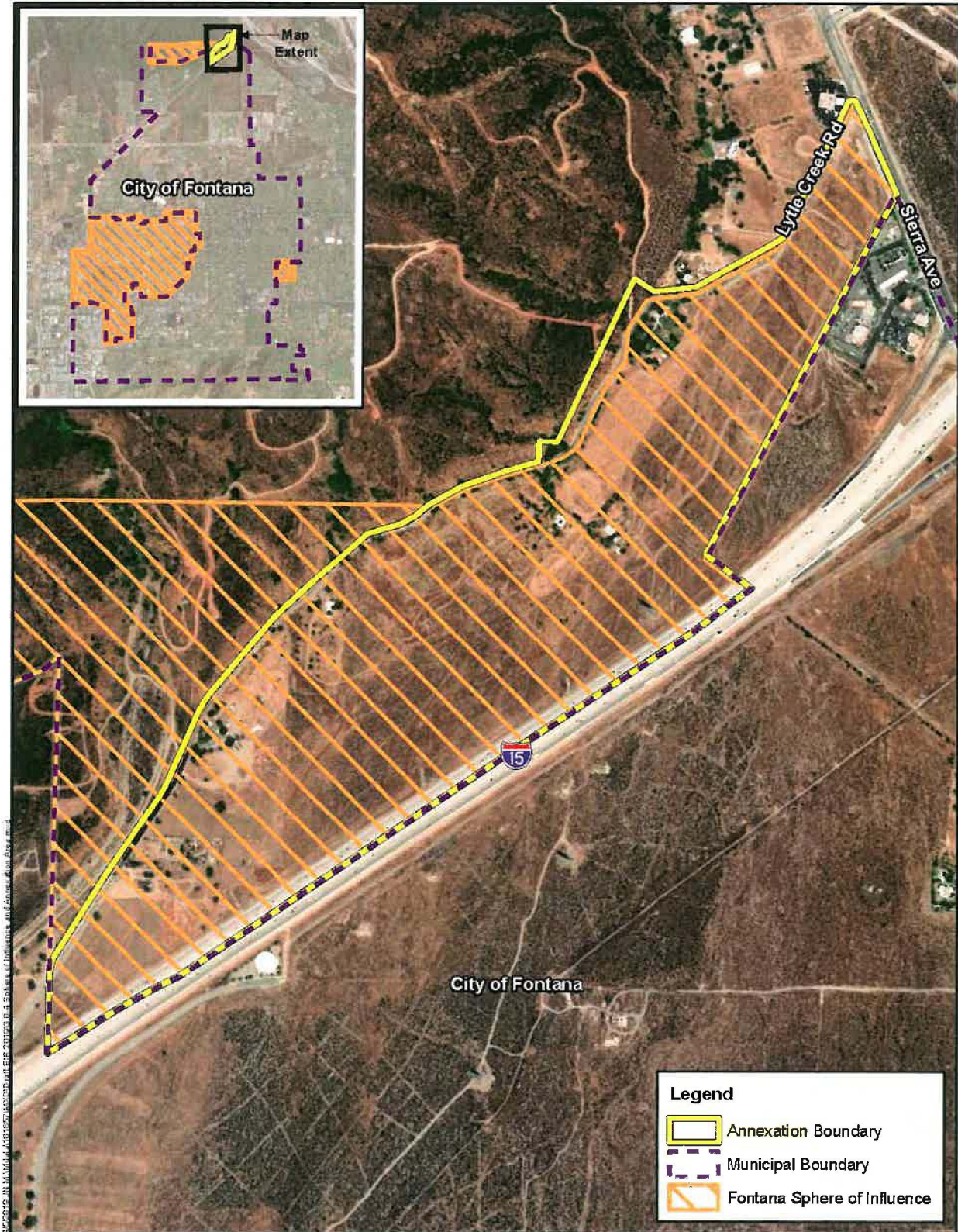


Source: ESRI USA Topographic Base map, San Bernardino County, United States Geological Survey

T-15 LOGISTICS  
DRAFT EIR  
Project Vicinity

### Exhibit 1





Michael Baker  
INTERNATIONAL



0 500 1,000  
Feet

Source: San Bernardino County, Google Imagery 2010

Sphere of Influence and Annexation Area

I-15 LOGISTICS  
DRAFT EIR

Exhibit 2









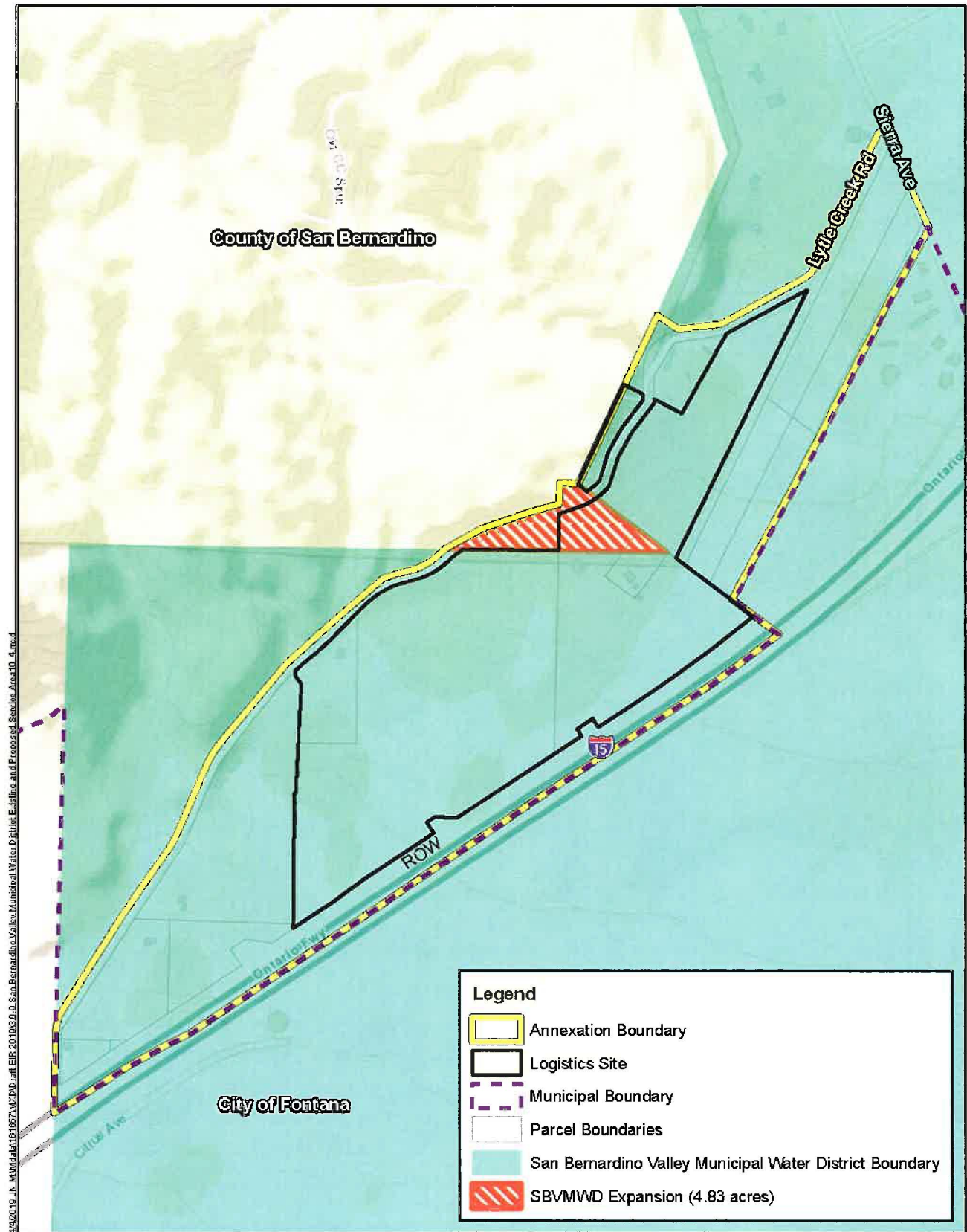
West Valley Water District Existing  
Existing and Proposed Service Area

**Michael Baker**  
INTERNATIONAL



Source: ESRI USA Topographic Basemap, San Bernardino County, West Valley Water District, ArcGIS Online





49402019\_1N\_14W004A0101027MCD00\_00 EIR 201803.DWG San Bernardino Valley Municipal Water District EIR and Proposed Service Area 10.4.mxd

I-15 LOGISTICS  
DRAFT EIR

San Bernardino Valley Municipal Water District  
Existing and Proposed Service Area

Michael Baker  
INTERNATIONAL



Source: ESRI USA Topographic Basemap, San Bernardino County, San Bernardino Valley Municipal Water District

Exhibit 5



**Appendix A Reorganization Area Assessor's Parcel Numbers**

0239-041-02  
0239-041-15  
0239-041-17  
0239-041-18  
0239-071-05  
0239-071-08  
0239-071-18  
0239-071-20  
0239-071-25  
0239-071-27  
0239-071-31  
0239-081-01  
0239-081-39  
0239-091-13  
0239-091-14  
0239-092-06  
0239-092-07  
0239-092-08  
0239-093-06  
0239-093-07  
0239-093-08



**Financial Impact Analysis**  
**Proposed Annexation to the City of Fontana**  
Annexation Area: I-15 Logistics Center

**Assumptions**

1. Projections are based on fiscal years ending June 30.
2. Revenues and costs are using fiscal year 19/20 budgeted figures, assuming no annual Consumer Price Index (CPI) adjustment as it is presumed that future costs increases will be offset against future revenue growth for the exception of known cost increases that were determined by the originating department.
3. No assumptions were made concerning new development in the area or the future of new development except what has been documented in the Environmental Impact Report.
4. No revenue projections were made for future Sales Tax for the Logistics Center or for existing commercial businesses. The proposed annexation will include three gas station and four restaurant properties. Anticipated sales tax revenue increases expected for existing businesses as the result of the buildout of the Logistics Center is difficult to project considering that the impact of the Logistics Center on the businesses is unknown. Nevertheless, it is estimated that an additional 500-1,000 employees will frequent the area once the buildout is complete.
5. Population of residents at the time of buildout is expected to be zero as reflected in this analysis as any existing residents identified in the General Plan portion of the Environmental Impact Report are expected to be relocated.
6. Factors concerning land use for the area were obtained through physical observation, reference to maps supplied by the City's Planning Department, and information supplied by the planner and builder.
7. Capital and other infrastructure impact has not been included in this analysis except for anticipated increases in street maintenance costs from trucks utilizing City maintained streets.
8. Planning, Building and Engineering Services and Fees that are non-recurring are excluded in this analysis.
9. Valuation of the existing properties are from the County Tax records, GIS, Realtor input, data provided by Realtor.com, and the local Multiple Listing Service. Assessed values for the land and estimate for the proposed Logistics Center were taken directly from the San Bernardino County Assessor tax rolls.
10. Fiscal model factors used in this analysis are based upon the 2019/2020 Adopted Operating Budget, with the following exceptions:
  - A. Business License Fees – estimate based on a logistics center located in the City with slightly smaller square footage and similar building use to the Logistic Center's plans. Business License Fees are highly variable and dependent on a number of factors including planned building use, business type, and gross receipts. The estimate is conservative considering the Environmental Impact Report's expected use and size of the property.
  - B. Property Taxes - based upon the City receiving \$.324 per \$1,000 of assessed value agreed upon by the San Bernardino County Board of Supervisors, and conservatively not assuming any future increase in property tax rates.
  - C. Police Services - based on analysis of costs estimated for code enforcement, animal control and general Police services provided by the City's Police Department for planned use and size of the property. Costs include existing and future anticipated police personnel hours and equipment.



Annexation  
I-15 Logistics Center

Recurring Municipal Revenues and Costs

		Fiscal Year Ending June 30,											
		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
		Project Year 1	Project Year 2	Project Year 3	Project Year 4	Project Year 5	Project Year 6	Project Year 7	Project Year 8	Project Year 9	Project Year 10	Project Year 11	Project Year 12
<b>Recurring Revenues</b>													
	Business License Fees	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
	Property Tax	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676
	Property Transfer Tax	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064
	<b>Total Recurring Revenues</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>
<b>Recurring Costs</b>													
	General Government	11,785	8,963	9,117	9,274	9,435	9,598	9,765	9,935	10,109	10,286	10,466	10,651
	Police Services w/ Code	51,731	37,258	38,003	38,763	39,539	40,330	41,136	41,959	42,798	43,654	44,527	45,418
	Animal Control	8,711	6,226	6,350	6,477	6,607	6,739	6,874	7,011	7,151	7,294	7,440	7,589
	Street Maintenance	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103
	Street Sweeping	1,474	737	737	737	737	737	737	737	737	737	737	737
	Signalized Intersections	4,500	4,590	4,682	4,775	4,871	4,968	5,068	5,169	5,272	5,378	5,485	5,595
	<b>Total Recurring Costs</b>	<b>\$85,304</b>	<b>\$64,877</b>	<b>\$65,993</b>	<b>\$67,131</b>	<b>\$68,291</b>	<b>\$69,475</b>	<b>\$70,683</b>	<b>\$71,914</b>	<b>\$73,171</b>	<b>\$74,452</b>	<b>\$75,759</b>	<b>\$77,093</b>
	<b>Recurring Surplus/(Deficit) Per Year</b>	<b>\$37,435</b>	<b>\$57,862</b>	<b>\$56,747</b>	<b>\$55,609</b>	<b>\$54,448</b>	<b>\$53,264</b>	<b>\$52,057</b>	<b>\$50,825</b>	<b>\$49,569</b>	<b>\$48,287</b>	<b>\$46,980</b>	<b>\$45,647</b>
	<b>Cumulative Surplus/(Deficit)</b>	<b>\$37,435</b>	<b>\$95,298</b>	<b>\$152,044</b>	<b>\$207,653</b>	<b>\$262,101</b>	<b>\$315,365</b>	<b>\$367,422</b>	<b>\$418,247</b>	<b>\$467,815</b>	<b>\$516,102</b>	<b>\$563,082</b>	<b>\$608,729</b>
	<b>Recurring Revenue/Cost Ratio</b>	<b>1.44</b>	<b>1.89</b>	<b>1.86</b>	<b>1.83</b>	<b>1.80</b>	<b>1.77</b>	<b>1.74</b>	<b>1.71</b>	<b>1.68</b>	<b>1.65</b>	<b>1.62</b>	<b>1.59</b>



Annexation  
I-15 Logistics Center

Recurring Municipal Revenues and Costs Cont'd

	Fiscal Year Ending June 30,								Totals
	2032	2033	2034	2035	2036	2037	2038	2039	
	Project Year 13	Project Year 14	Project Year 15	Project Year 16	Project Year 17	Project Year 18	Project Year 19	Project Year 20	
<b>Recurring Revenues</b>									
Business License Fees	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	2,000,000
Property Tax	21,676	21,676	21,676	21,676	21,676	21,676	21,676	21,676	433,513
Property Transfer Tax	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	21,272
<b>Total Recurring Revenues</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$122,739</b>	<b>\$2,454,785</b>
<b>Recurring Costs</b>									
General Government	10,839	11,030	11,226	11,425	11,628	11,836	12,047	12,263	211,879
Police Services w/ Code	46,326	47,252	48,198	49,161	50,145	51,148	52,171	53,214	902,730
Animal Control	7,741	7,896	8,054	8,215	8,379	8,547	8,717	8,892	150,909
Street Maintenance	7,103	7,103	7,103	7,103	7,103	7,103	7,103	7,103	142,061
Street Sweeping	737	737	737	737	737	737	737	737	15,478
Signalized Intersections	5,707	5,821	5,938	6,056	6,178	6,301	6,427	6,556	109,338
<b>Total Recurring Costs</b>	<b>\$78,452</b>	<b>\$79,840</b>	<b>\$81,254</b>	<b>\$82,698</b>	<b>\$84,170</b>	<b>\$85,671</b>	<b>\$87,203</b>	<b>\$88,765</b>	<b>\$1,532,194</b>
<b>Recurring Surplus/(Deficit) Per Year</b>	<b>\$44,287</b>	<b>\$42,900</b>	<b>\$41,485</b>	<b>\$40,042</b>	<b>\$38,570</b>	<b>\$37,068</b>	<b>\$35,537</b>	<b>\$33,975</b>	<b>\$922,591</b>
<b>Cumulative Surplus/(Deficit)</b>	<b>\$653,016</b>	<b>\$695,916</b>	<b>\$737,400</b>	<b>\$777,442</b>	<b>\$816,012</b>	<b>\$853,080</b>	<b>\$888,617</b>	<b>\$922,591</b>	
<b>Recurring Revenue/Cost Ratio</b>	<b>1.56</b>	<b>1.54</b>	<b>1.51</b>	<b>1.48</b>	<b>1.46</b>	<b>1.43</b>	<b>1.41</b>	<b>1.38</b>	



### **Fiscal Model Factors...Summary: Fiscal Year 2019/2020**

<b>Category</b>	<b>Factor</b>	<b>Description and Method</b>
<b>Local Taxes</b>		
	\$0.55	Property transfer tax per \$1,000 AV
<b>Licenses, Permits and Fees</b>		
See Indust-Dist, Comm Com'l, Local Com'l Sheets		Business License Fees
<b>Property Taxes</b>		
	\$0.324	Property Tax Received per \$1,000 of Assessed Valuation
	0%	Percent of Maximum property tax increase per year
<b>General Government</b>		
	16.03%	Citywide overhead as percent of Direct Service costs
<b>Police Services</b>		
	\$37,258	Annual Police Costs (incl Code Enforcement)
	\$14,472	Initial Police Costs (incl Code Enforcement)
	\$6,226	Annual Animal Control Costs
	\$2,485	Initial Animal Control Costs
	2%	Annual Increase in Police Service and Signal Maintenance Costs
<b>Public Services</b>		
	\$3,200	Road operation and maintenance cost per lane mile
	\$804	Street sweeping cost per Sweep Mile/year (lane miles)
	\$4,500	Operations & maintenance cost per signalized intersection per Traffic Eng.



*Municipal Services Fiscal Impact Analysis  
City of Fontana*

**I-15 Logistics Center**

**Residential Land**

<u>Parcel Number</u>	<u>Parcel Size</u>	<u>Proposed Use</u>	<u>Assessed Valuation</u>
0239-081-01	0.95	Residential	29,199
0239-081-39	0.07	Residential	10,612
0239-071-18	5.51	Residential	382,034
0239-071-05	3.7	Residential	648,182
0239-071-31	14.48	Residential	3,183,624
0239-041-15	0.23	Residential	3,366
0239-091-14	2.67	Residential	643,209
0239-041-02	1.24	Residential	0 Gov Land
<hr/> 28.85 Acres			<hr/> 4,900,226
1,256,706 Square Feet			

**Proposed Warehouse**

<u>Parcel Number</u>	<u>Parcel Size</u>	<u>Proposed Use</u>	<u>Estimated Valuation *</u>	<u>Estimated Business License</u>
Future Logistics Center	75.48	Light Industrial/Mixed Use	62,000,000	\$ 100,000
<hr/> 75.48 Acres				
1,175,720 Square Feet				

**Totals**

4,900,226	Residential
62,000,000	Estimated Logistics Center
<hr/> \$ 66,900,226	Total Assessed Value Estimate
<hr/> \$ 0.324	Property Tax Revenue Share (per \$1,000 AV)
<hr/> \$ 21,675.67	Estimated Annual Property Tax Revenue

\* - Estimated valuation based on San Bernardino County Tax Assessor's valuation of nearby Fontana located distribution center with similar lot size totaling 74.36 acres.

The remaining 45.67 acres in the overall 150 acres Annexation Area comprises public utility corridor, roadway ROW for Lytle Creek Road, Sierra Avenue, and I-15.



I-15 Logistics Center  
Estimated Street Miles  
Based on Map provided

Street type	Street Name	Estimated Feet (')	Estimated Lane Mile
Major		-	-
		-	-
Primary		-	-
		-	-
Secondary		-	-
		-	-
Local	Lytle Creek Rd	1,998	0.38
	Lytle Creek Rd	2,362	0.45
	Old Lytle Creek Rd	1,500	0.28
		<u>5,860</u>	<u>1.11</u>

REPORT APPROVED FOR DISTRIBUTION



LISA STRONG, MANAGEMENT SERVICES DIRECTOR



**CERTIFICATION**

**I hereby certify that this document presents the data and information required for this initial evaluation to the best of my ability and that the facts and information presented herein are true and correct to the best of my knowledge and belief.**

A handwritten signature in black ink, appearing to read 'Chuck Hayes', is written over a horizontal line.

**Chuck Hayes**  
**Deputy City Manager**

*gmi*



# **Letter Response from the West Valley Water District**

**Attachment 3**



**BOARD OF DIRECTORS**

Channing Hawkins  
*President, Board of Directors*  
Kyle Crowther  
*Vice President, Board of Directors*  
Dr. Michael Taylor  
*Director*  
Dr. Clifford O. Young, Sr.  
*Director*  
Greg Young  
*Director*



**ESTABLISHED AS A PUBLIC AGENCY IN 1952**  
WEST VALLEY WATER DISTRICT'S MISSION IS TO PROVIDE A RELIABLE,  
SAFE-DRINKING WATER SUPPLY TO MEET OUR CUSTOMERS' PRESENT  
AND FUTURE NEEDS AT A REASONABLE COST AND TO PROMOTE  
WATER-USE EFFICIENCY AND CONSERVATION.

**ADMINISTRATIVE STAFF**

Clarence C. Mansell, Jr.  
*General Manager*  
Shamindra K. Manbahal  
*Chief Financial Officer*  
Peggy Asche  
*Acting Board Secretary*

October 27, 2020

Ms. Samuel Martinez, Executive Officer  
Local Agency Formation Commission for San Bernardino County  
1170 West 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

**Subject: LAFCO 3242 - Sphere of Influence Amendments for the City of Fontana (Expansion), Fontana Fire Protection District (Expansion), West Valley Water District (Expansion), and San Bernardino County Fire Protection District (Reduction)**

**LAFCO 3243 - Reorganization to include Annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District, and Detachment from the San Bernardino County Fire Protection District, its Valley Service Zone, and its Zone FP-5, and County Service Area 70 (1-15 Logistics Project)**

Dear Mr. Martinez,

This letter is in response to your letter to Mr. Clarence C. Mansell, Jr., General Manager of West Valley Water District (District) dated August 31, 2020 regarding the application proposal for sphere of influence expansion and an annexation to the District. The area outside of the District's boundary and sphere of influence encompasses approximately 5 acres, which includes the entirety of APNs 0239-041-15, 0239-041-17, and 0239-041-18, and a portion of APN 0239-041-02, including the entire right-of-way area of Lytle Creek Road associated with these parcels.

On February 6, 2020, the Board of Directors of the District approved a Plan of Service for the I-15 Logistics Center and annexation into the District. With regard to the District's official position, the District has no objection to this annexation. Should you require additional information, please do not hesitate to contact me.

Sincerely,  
**WEST VALLEY WATER DISTRICT**

Shamindra Manbahal  
Chief Financial and Administrative Officer



**Letter Response from the  
San Bernardino Valley  
Municipal Water District**

**Attachment 4**





380 East Vanderbilt Way  
San Bernardino, CA 92408  
phone: 909.387.9200  
fax: 909.387.9247  
www.sbvwmwd.com

September 10, 2020

*via email*

Samuel Martinez, Executive Officer  
Local Agency Formation Commission for San Bernardino County  
1170 West 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490  
smartinez@lafco.sbcounty.gov

**Subject: Support for the Concurrent Annexation to San Bernardino Valley Municipal Water District  
Under LAFCO 3243**

Dear Mr. Martinez,

Should the Local Agency Formation Commission (LAFCO) approve LAFCO 3243 which generally involves annexation to the City of Fontana, the Fontana Fire Protection District, the West Valley Water District and Detachment from the San Bernardino County Fire Protection District, the San Bernardino Valley Municipal Water District (Valley District) supports the concurrent annexation of the portion that is outside of the Valley District service area but within Valley District's sphere of influence.

Valley District is a regional, wholesale water agency that imports supplemental water through the State Water Project (SWP) and works collaboratively with other water agencies in its service area to manage the local water resources within its service area. Per the *San Bernardino Valley Regional Urban Water Management Plan*, the Valley District service area does not have sufficient local water supplies and is dependent upon supplemental water, primarily from the SWP, that is imported by Valley District. The West Valley Water District that is part of LAFCO 3243 receives SWP water both directly and indirectly from Valley District. Much of the funding for the SWP supply is derived through property tax assessments by Valley District on the parcels within its service area. Concurrent annexation to Valley District preserves equity and ensures that all beneficiaries of SWP water pay for this valuable resource.

Valley District greatly appreciates LAFCO's ongoing commitment to investigate concurrent annexation of territory to Valley District whenever one of the retail water agencies within the Valley District service expands its service territory outside of Valley District's current boundaries.

Sincerely,

Heather Dyer  
CEO/General Manager

Cc: Clarence Mansell, WVWD

**Board of Directors and Officers**

JUNE HAYES  
Division 1

GIL NAVARRO  
Division 2

SUSAN LONGVILLE  
Division 3

T. MILFORD HARRISON  
Division 4

PAUL KIELHOLD  
Division 5

HEATHER DYER  
CEO/General Manager



# **West Valley Water District Water Supply Assessment (July 2018)**

**Attachment 5**



# Final Water Supply Assessment for I-15 Logistics Center

*Prepared by:*



*Prepared for:*



855 West Base Line Road  
Rialto, CA 92377

Board Approved on

7/13/2018



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# Chapter I – Introduction

---

This Water Supply Assessment (WSA) has been prepared for the I-15 Logistics Center (Project) in accordance with the provisions of Senate Bill No. 610 (SB 610). California Water Code references are provided throughout this document *in italic text* where relevant.

## SB 610

For projects meeting certain criteria, a public water system supplier must prepare and approve a WSA that contains three parts:

- Explicit identification of existing and anticipated water supply entitlements, water rights and water service contracts, demonstrated by contracts, Capital Improvement Programs, and permit applications.
- If no water has been received from the source identified to supply the project, other competing purveyors that receive water from this source must be identified.
- If groundwater is a proposed supply, factors such as adjudicated rights, groundwater management practices and historical pumping must be presented to establish proper use of the resource.

The latest adopted Urban Water Management Plan (UWMP) may be utilized to provide the information required for the WSA. If the demands expected from the proposed project are not accounted for in the UWMP, a discussion must be included with regard to whether the water system's total projected water supplies during normal, single dry and multiple dry years over a 20-year period from the date of the report, will meet the projected demand of the proposed project in addition to the system's existing and projected future uses.

On the basis of the WSA, the public water supplier is required to provide "written verification" of "sufficient water supplies." The verification must consider the following factors:

- The availability of water over the next 20 years.
- The applicability of any urban water shortage contingency analysis prepared per Water Code Section 10632.
- The reduction in water supply allocated to a specific use by an adopted ordinance.
- The amount of water that can be reasonably relied upon from other water supply projects, such as conjunctive use, reclaimed water, water conservation, and water transfer.

In June 2016 West Valley Water District (District) adopted the 2015 San Bernardino Valley Regional Urban Water Management Plan (RUWMP), as is required for water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre feet per year (AFY).



The RUWMP projected water supplies to meet future demands through the year 2040. It assessed the projected demand and supply and concluded that the District has, and will have, an adequate water supply to meet all demands within their service area to 2040.

The RUWMP contains the following information as required by Water Code Section 10910 for WSAs:

- A detailed description of each groundwater basin that supplies the District with potable water.
- Copies of the court decrees and judgments for each groundwater basin.
- A detailed description and analysis of the amount and location of groundwater pumped by the District for each groundwater basin for the last five years.
- A detailed description and analysis of the amount and location of the groundwater projected to be pumped from each groundwater basin by the District.
- An analysis of the sufficiency of each groundwater basin to meet the District's projected amounts to be pumped under normal, single dry year, and multiple dry year conditions for the next 20 years (2015 - 2040) in five-year increments.

This WSA incorporates information and direct citations from the RUWMP. Additional information can be found in the adopted RUWMP

([https://wuedata.water.ca.gov/public/uwmp\\_attachments/6449323356/SBV\\_RUWMP\\_rev\\_with\\_appendices.pdf](https://wuedata.water.ca.gov/public/uwmp_attachments/6449323356/SBV_RUWMP_rev_with_appendices.pdf)).

## Project Overview

The Project site is located in unincorporated San Bernardino County just north of Interstate 15 (I-15), south of Sierra Avenue, east of Lytle Creek Road, and mostly within the northern portion of the City of Fontana's (City's) Sphere of Influence. The Project involves the development of a new warehouse facility, the realignment of Lytle Creek road, and the annexation of these components, and additional areas into the City of Fontana. The total annexation area into the City of Fontana would be 119.34 acres. The proposed annexation would include 22 parcels, inclusive of the warehouse site, and portions of the road right-of-way (ROW) for Lytle Creek Road, Sierra Avenue, and I-15. The Project includes Tentative Parcel Map 19712.

The Project is mostly within the water service area of the District (Figure 1), a public water system as defined in CWC Section 10912. The District's existing service area and its sphere of influence area do not fully cover the project site; therefore, an expansion of the District's sphere of influence is proposed to fully cover the Project area. Annexation of the project into the District's service area is proposed so it can provide water service to this future area of the City. Additionally, San Bernardino Valley Municipal Water District (SBVMWD) is a wholesale water provider and State Water Contractor and provides water to the City and the District. SBVMWD's existing service area does not fully include the Project site. Therefore, annexation of the Project into SBVMWD's service area is also proposed so that it can provide wholesale water service for this future area of the City.



The Project site consists of 72.34 acres, located within a portion of the larger 119.34 acre annexation area. The portion of the project site being developed with uses associated with water demand includes 61.17 acres and consists of a concrete tilt-up logistics warehouse of approximately 1,175,720 square feet. The Project is being entitled to include two potential office spaces that would total approximately 30,000 square feet and would be located on the northeast and southeast corners of the proposed warehouse with associated facilities and improvements such as a guard booth, parking, landscaping, and a detention basin. The Project will require water for consumptive and sanitary purposes to support employees at the facility and for irrigation of landscaped areas.

The Project location incorporates an area that is currently developed with eight rural residential uses as well as undeveloped land. Two of the residences are proposed to be redeveloped into the proposed industrial use. The demands of the remaining existing residential uses are supplied privately and it is assumed they will not connect to the District's water systems as part of this Project.



# Chapter II – Water Supply Assessment

---

## Determination of a Project

### California Water Code section 10910

*(a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act Division 13 (commencing with Section 21000) of the Public Resources Code, under Section 21080 of the Public Resources Code shall comply with this part.*

As defined in Section 10912(a) (5) of the California Water Code, *a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area, must have a WSA included in their Environmental Impact Report. This particular Project falls into this category, and therefore requires a WSA.*

## Preparer

### California Water Code section 10910

*(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with any entity serving domestic water supplies whose service area includes the project site, the local agency formation commission, and any public water system adjacent to the project site.*

The Project is mostly within the water service area of the District, a public water system as defined in Section 10912, and the District would supply water for the project. Figure 1 depicts the project location within the District's current service area boundary. Annexation of the remaining portion of the Project into the District's service area is proposed.



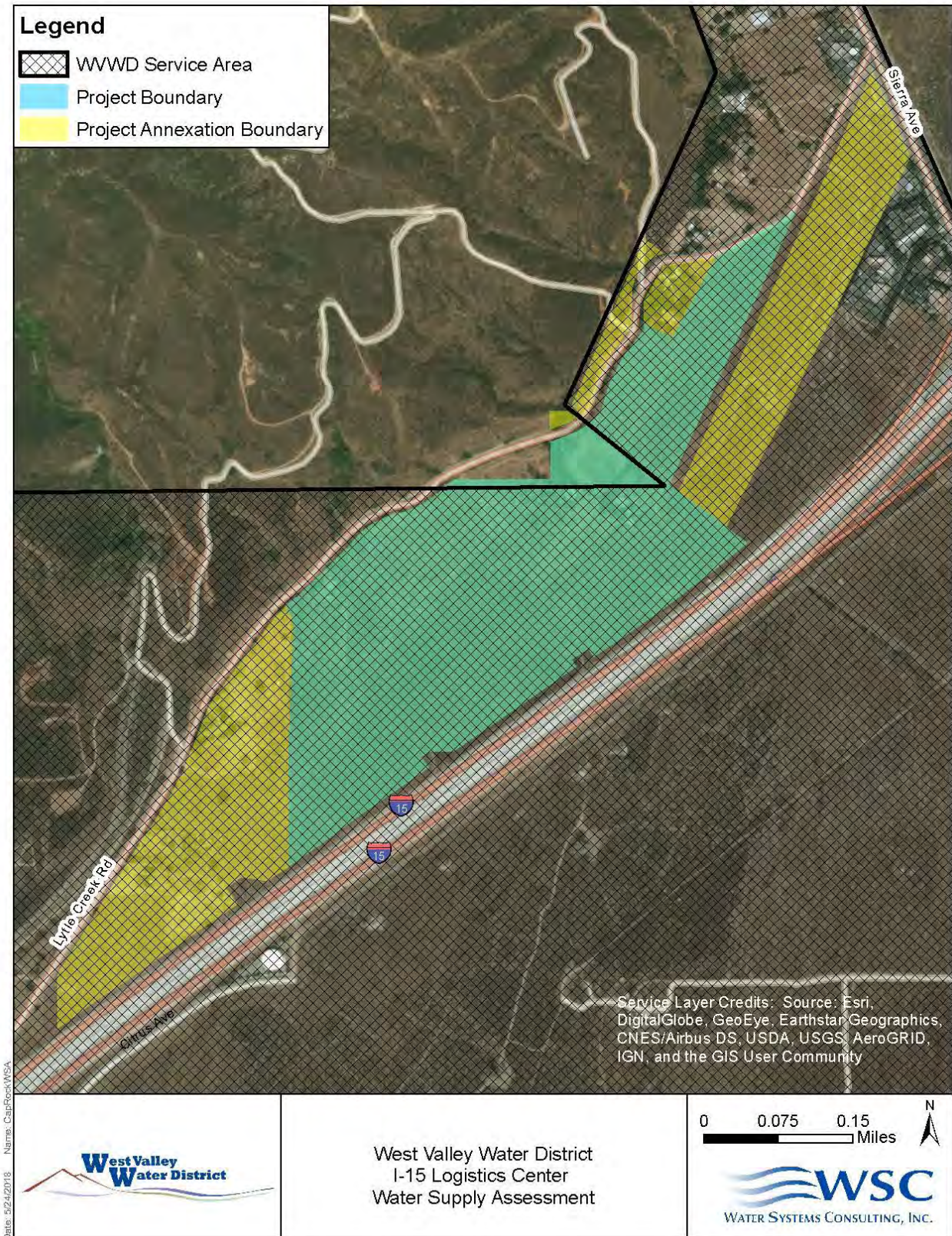


Figure 1. Project Location



## Project Demands Inclusion in an UWMP

### **California Water Code section 10910**

- (c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).*
- (c) (2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).*

The 2015 RUWMP is the most recently adopted UWMP by the District and outlines water supplies that will be used by the District to fulfill projected future demand. The District's projected future water demands in the 2015 RUWMP were derived from three factors: the expected growth in service area population, the expected change in per-capita consumption, and the expected industrial growth in addition to overall demand growth. For planning purposes, the District estimated that beginning in 2020, its per-capita consumption would be approximately 10 percent higher than the observed 2015 value. This methodology assumes that all other non-residential water uses will increase proportionately to residential uses. It was also assumed industrial demand would increase by an additional 1,100 AFY beyond the projected demands determined using the per-capita methodology.

As shown on the Conceptual Site Plan in Figure 2, the proposed developed site area is 61.17 acres and is comprised of M-2 General Industrial, Warehouse (S-1), Office (B) uses. For the purposes of estimating water demands for the Project, the developed acres attributed to each use type, including landscape irrigation for light industrial and parking area requirements for both uses, were estimated by prorating the total developed area based on the building square feet for each use type. Demands were then estimated for the Project using land use based water demand factors from the District's 2012 Water Master Plan (WMP). The land use demand factors are applied to gross estimated acreage for each land use. Applying the District's 2012 WMP water usage rate of 2,000 gpd/acre for the Light Industrial building, parking and landscape irrigation areas and 3,500 gpd/acre to office building and parking areas yields a demand of 147 AFY as shown in Table 1. The Project is expected to be completed in a single phase and the water demands are expected to be in place by 2020. The existing residential uses within the Project area are not currently served by the District so the redevelopment of these uses does not impact the estimated demands for the Project area.



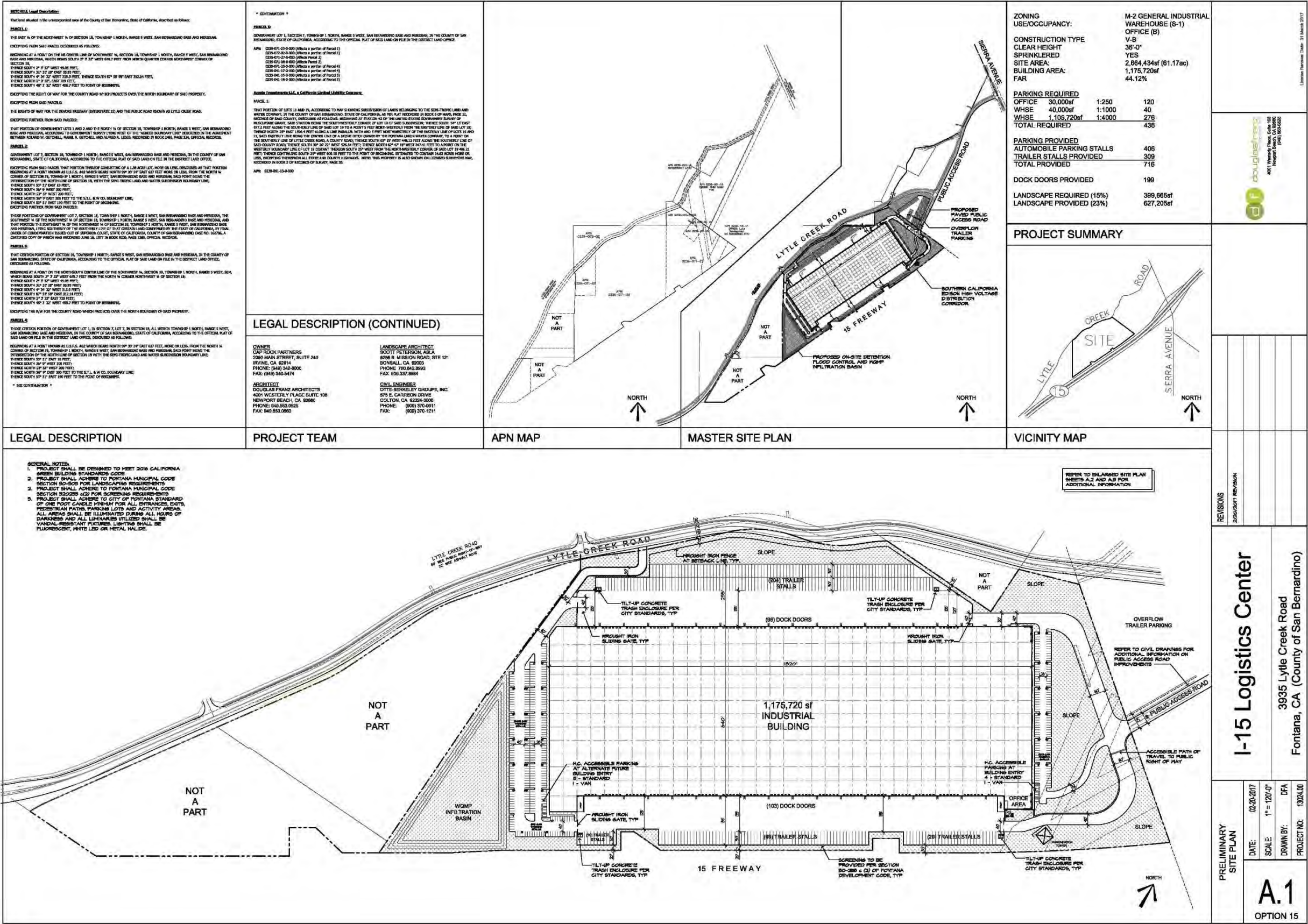
*Table 1. Estimated Project Demands*

<b>Land Use</b>	<b>Acres</b>	<b>WMP Factor (gpd/acre)</b>	<b>AFY</b>
Office	6.13	3,500	24
Light Industrial (Warehouse)	55.03	2,000	123
<b>Totals</b>	<b>61.2</b>		<b>147</b>

The RUWMP assumed that the District's total industrial demands would increase from 709 AFY in 2015 to 2,231 AFY in 2040, a total increase of 1,522 AFY. The additional demands of the Project of 147 AFY are less than the assumed increase in industrial demands in the RUWMP; therefore, the demands of the Project were included in the RUWMP. Information from the 2015 RUWMP was used for this WSA and is described in detail in the following sections.

Note that the District is also currently preparing a WSA for another industrial development in their service area in the unincorporated San Bernardino County community of Bloomington that is estimated to have a net additional demand of 70 AFY. When considered in addition to the demands of this Project, the total is still lower than the assumed increase in industrial demands in the RUWMP.







## System Description

### **Water Code section 10631 (Urban Water Management Plan Requirements)**

*(a) Describe the service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.*

A summary of the District's service area and population are included in this section. Additional information related to the population estimates and other factors affecting the District's water management planning are published in the 2015 RUWMP.

The District is a County Water District, a public agency of the State of California, organized and existing under the County Water District Law (Division 12, Section 30,000 of the Water Code) of the State of California. Among other typical political subdivision powers, it has the power of taxation and eminent domain.

The District is located in southwestern San Bernardino County with a small part in northern Riverside County. The service area is shown in Figure 3. The District is adjacent to the western limits of the City of San Bernardino on the east; adjacent to and including the eastern part of the City of Fontana on the west; adjacent to the U.S. Forest Service boundary on the north; and the County of Riverside on the south. The District is divided into northern and southern sections by the central portion of the City of Rialto.

The current and estimated future populations within the District from the 2015 RUWMP are shown in Table 2.

Table 2. Population - Current and Projected

Population Served	2015	2020	2025	2030	2035	2040
Population Served	80,161	86,246	92,793	99,836	107,415	115,568



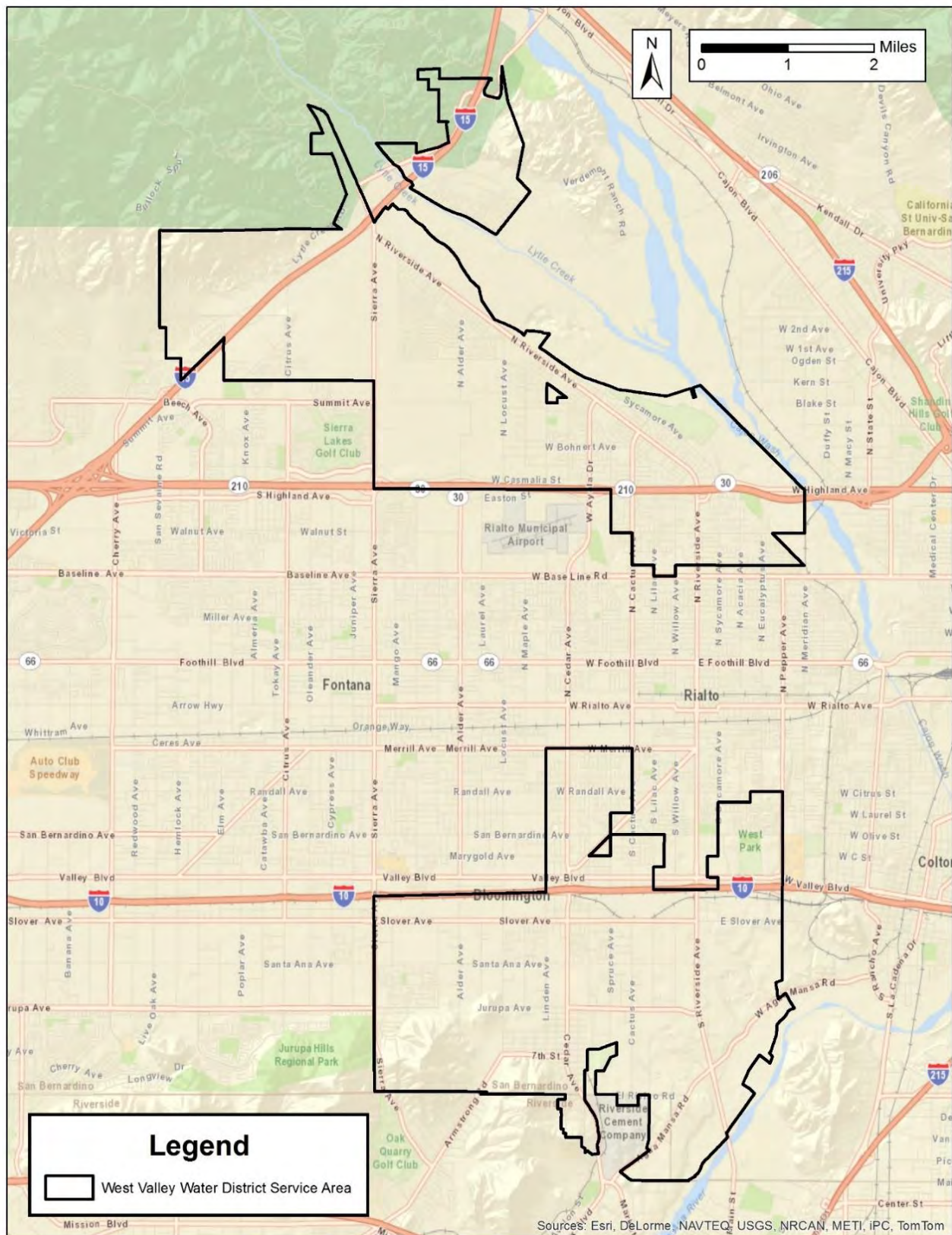


Figure 3. West Valley Water District Service Area



## Water Demands

### **California Water Code section 10631**

*(e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors including, but not necessarily limited to, all of the following uses:*

*(A) Single-family residential.*

*(B) Multifamily.*

*(C) Commercial.*

*(D) Industrial.*

*(E) Institutional and governmental.*

*(F) Landscape.*

*(G) Sales to other agencies.*

*(H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.*

*(I) Agricultural.*

*(2) The water use projections shall be in the same five-year increments described in subdivision (a).*

The Water Conservation Bill of 2009 (SBX7-7) is one of four policy bills enacted as part of the November 2009 Comprehensive Water Package. The Water Conservation Bill of 2009 provides the regulatory framework to support the statewide reduction in urban per capita water use described in the 20 by 2020 Water Conservation Plan. Consistent with SBX7-7, the District has determined and reported its existing baseline water consumption and established future water use targets in gallons per day per capita, as described in the 2015 RUWMP. To meet these targets the District has formulated a conservation program to meet these goals, as described in the 2015 RUWMP.

## Water Uses by Sector

The District categorizes customers as single family residential, multi-family residential, landscape irrigation, agricultural irrigation, commercial, industrial, institutional, fire service, and hydrant uses. Water deliveries for each customer class for the years 2011 through 2015 are summarized in Table 3.



Table 3. Past Demands for Raw and Potable Water – Actual (AF)

Use Type	Additional Description	Level of Treatment When Delivered	2011	2012	2013	2014	2015
Single Family		Drinking Water	12,017	12,789	12,400	11,958	9,786
Multi-Family		Drinking Water	531	597	566	553	504
Commercial		Drinking Water	1,450	1,625	1,690	1,654	1,453
Institutional		Drinking Water	1,020	1,232	1,160	1,157	825
Industrial		Drinking Water	886	876	762	770	709
Agricultural irrigation		Drinking Water	117	152	90	111	105
Landscape Irrigation		Drinking Water	1,355	1,674	1,687	1,799	1,319
Golf Course		Drinking Water	292	0	0	0	0
Fire Service		Drinking Water	2	2	1	2	2
Hydrant		Drinking Water	97	143	281	326	273
Sales/Transfers/Exchanges to other agencies	SB County Connection / Glen Helen	Drinking Water	0	0	0	10	92
Nonrevenue		Drinking Water	2,200	2,157	2,074	2,131	2,064
		Total	19,966	21,246	20,710	20,472	17,131

Projected future water use was estimated using two factors: the expected growth in service area population, and the expected change in per-capita consumption. For planning purposes, the District estimated that beginning in 2020, its per-capita consumption would be approximately 10 percent higher than the observed 2015 value. While the District will continue to encourage conservation, this assumption reflects the possible change in behaviors that may occur after the current drought ends and mandatory drought restrictions are phased out. The estimated future demands are shown in Table 4 and Table 5. The District does not anticipate any routine or single large water sales to any agencies in the future. The District does not anticipate future water use related to saline barriers, groundwater recharge operations, or recycled water. For the purpose of projections, based on data from the past five years, nonrevenue water is assumed to be 10 percent of total sales. The District will continue efforts to decrease water loss and thereby reduce gallons per capita per day of water use.



Table 4. Demands for Raw and Potable Water – Projected (AF)

Use Type	Additional Description	Level of Treatment	2020	2025	2030	2035	2040
Single Family		Drinking Water	11,654	12,538	13,490	14,514	15,616
Multi-Family		Drinking Water	600	646	695	747	804
Commercial		Drinking Water	1,730	1,861	2,002	2,154	2,318
Institutional		Drinking Water	982	1,057	1,137	1,223	1,316
Industrial		Drinking Water	1,944	2,008	2,077	2,151	2,231
Agricultural Irrigation		Drinking Water	100	80	40	20	0
Landscape Irrigation		Drinking Water	1,571	1,691	1,819	1,957	2,105
Golf Course		Drinking Water	0	0	0	0	0
Fire Service		Drinking Water	2	3	3	3	3
Hydrant		Drinking Water	325	349	376	404	435
Sales/Transfers/Exchanges to other agencies	SB County Connection / Glen Helen	Drinking Water	0	0	0	0	0
Nonrevenue		Drinking Water	1,891	2,023	2,164	2,317	2,483
	Total		20,799	22,256	23,802	25,492	27,312

Table 5. Total Water Demands (AF)

Demand	2015	2020	2025	2030	2035	2040
Potable and Raw Water	17,131	20,799	22,256	23,802	25,492	27,312
Recycled Water Demand	0	0	0	0	0	0
Total Water Demand	17,131	20,799	22,256	23,802	25,492	27,312

## Water Supplies

### California Water Code section 10910

- (d)(1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.
- (2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:
- (A) Written contracts or other proof of entitlement to an identified water supply.
  - (B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.
  - (C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.
  - (D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.



## District Overview

The District utilizes three primary sources for drinking water supply: local surface water from flows on the east side of the San Gabriel Mountains, including North Fork Lytle Creek, Middle Fork Lytle Creek, and South Fork Lytle Creek; groundwater; and imported water from the State Water Project (SWP). The District distribution system is divided into eight pressure zones; it currently has 25 existing reservoirs with a total storage capacity of approximately 72.61 million gallons. The District also operates a 14.4-MGD water filtration facility. These supplies are discussed further below. The contracts and entitlements for District water supplies are summarized in Table 8 and are enclosed in Appendix A through Appendix E.

## Surface Water

The District has the right to divert and export 2,290 gpm out of the Lytle Creek Region when it is available as described in the Lytle Creek Judgment in Appendix A. The District can also purchase an additional 1,350 gpm of Lytle Creek flows through an agreement with the City of San Bernardino (San Bernardino is not able to utilize their surface water flows), which is treated at the Oliver P. Roemer WFF (see Appendix A). The District also utilizes Lytle Creek surface water flows for groundwater recharge in the Lytle Creek Basin.

The District is participating in regional planning efforts to capture additional stormwater for purposes of groundwater recharge.

## State Water Project

The District receives SWP water from the San Bernardino Valley Municipal Water District (Valley District) through the Lytle Turnout off the San Gabriel Feeder Pipeline. Newly constructed metering and transmission facilities will enable the District to purchase and treat up to 20 MGD (approximately 23,000 AFY) at final treatment plant expansion. SWP water is treated at the District's Oliver P. Roemer Water Filtration Facility (WFF) and used for potable supply, or can be used to supply non-potable customers, or for groundwater recharge in the Lytle Creek Basin. In 2006 the WFF was expanded to increase production capacity to 14.4 MGD. Ultimately this plant will have a capacity of 20.4 MGD. The District has been utilizing SWP water through the Lytle Turnout since 1999.

## Groundwater Supplies

### **California Water Code section 10910**

*(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water assessment:*

- (1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.*
- (2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present*



*management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.*

- (3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*
- (4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*
- (5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.*

The District draws approximately 65 percent of its water supply from its wells. The District's normal operating practice is to pump its wells 16 hours a day during off peak hours to take advantage of Southern California Edison's time of use rate. If, for some reason, wells are not in service (maintenance or repair), the District has the ability and right to pump its wells up to 24 hours per day. The District has approximately 36 MGD production capability from all of its wells in operation 24 hours per day.

The District extracts groundwater from five regional groundwater basins: Bunker Hill and Lytle Creek (which are both part of the San Bernardino Basin Area), Rialto-Colton, Riverside North, and Chino Basins. All five basins have been adjudicated and are managed, as discussed further in the following sections specific to each basin.

The District, in a joint venture with the City of Rialto and Valley District, constructed 25,000 feet of 48-inch transmission line known as the Baseline Feeder, which is described in the Baseline Feeder Agreement in Appendix E. Through an agreement with Valley District, the District is to receive 5,000 AFY of supply through this transmission line. The District has received water through the Baseline Feeder since 1998. Because this water is not produced by the District, it is not included in Table 6.

The District's historical production for the past five years is shown in Table 6.



Table 6. Groundwater Volume Pumped (AF)

Groundwater Type	Location or Basin Name	Water Quality	2011	2012	2013	2014	2015
Alluvial Basin	Lytle Creek	Drinking Water	2,983	4,002	3,776	3,262	2,159
Alluvial Basin	Riverside North	Drinking Water	3,144	3,932	3,389	2,992	2,065
Alluvial Basin	Rialto-Colton	Drinking Water	4,883	4,093	4,005	3,916	2,505
Alluvial Basin	Bunker Hill	Drinking Water	1,335	1,682	1,885	1,478	1,520
Alluvial Basin	Chino	Drinking Water	0	0	0	0	0
	Total		12,345	13,709	13,055	11,648	8,249

### The San Bernardino Basin Area

The San Bernardino Basin Area (SBBA) was defined by, and adjudicated in gross, by the Western-San Bernardino Judgment (Western Judgment) in 1969 (see Appendix B). The SBBA has a surface area of approximately 141 square miles and lies between the San Andreas and San Jacinto faults. The basin is bordered on the northwest by the San Gabriel Mountains and Cucamonga fault zone; on the northeast by the San Bernardino Mountains and San Andreas fault zone; on the east by the Banning fault and Crafton Hills; and on the south by a low, east-facing escarpment of the San Jacinto fault and the San Timoteo Badlands. Alluvial fans extend from the base of the mountains and hills that surround the valley and coalesce to form a broad, sloping alluvial plain in the central part of the valley. The SBBA encompasses the Bunker Hill sub basin (DWR Number 8.02-06) defined by DWR and also includes a small portion of the Yucaipa Basin (8-02.07) and Rialto-Colton Basin (8-02.04) as defined by DWR. The SBBA also encompasses surface water.

The Western Judgment established the natural safe yield of the SBBA to be a total of 232,100 AF per year (AFY) for both surface water diversions and groundwater extractions (the Western Judgment is provided in Appendix B). Surface water is diverted from Mill Creek, Lytle Creek, and the SAR. The average surface water diversions in the SBBA for direct use from 1968 to 2000 were 39,000 AFY.

The Western Judgment allocates 64,862 AFY of the safe yield, which equates to 27.95 percent, to the Plaintiffs. The Plaintiffs include the City of Riverside (the successor to the Riverside Water Company and the Gage Canal Company), Riverside Highland Water Company, Meeks & Daley Water Company, and Regents of the University of California. The Riverside County agencies may not exceed their allocation unless they participate in “New Conservation” (explained below).

The Non-Plaintiffs’ (agencies within San Bernardino County, including the District) rights were defined in the Judgment as 167,238 AFY, which equates to 72.05 percent of the safe yield. San Bernardino agencies are allowed to extract more than 167,238 AFY from the SBBA, as long as they import and recharge a like amount of water into the SBBA. The Western-San Bernardino Watermaster provides an annual accounting of both the plaintiff and non-plaintiff extractions and a comparison to the safe yield. The Watermaster bases the Valley District replenishment water requirement on the cumulative accounting of non-plaintiff extractions. If the cumulative extractions are less than the cumulative safe yield, there is a groundwater “credit” in the basin. In years when cumulative extractions are greater than their allocation, a “debit” is given. Recharge is also required to offset the export of water outside



the SBBA in excess of the amount recorded during the base period (1959-1963). Credits are earned for any new supplies such as stormwater capture. As of the accounting performed for the 2015 Annual Western-San Bernardino Watermaster Report, the Non-Plaintiffs have 104,994 AF of net credit accumulated in the SBBA and are, therefore, not required to recharge. Although there is no recharge requirement under the Judgment, the Non-Plaintiffs have continued to recharge the SBBA.

### *Lytle Creek Sub basin*

Lytle Creek Basin is part of the SBBA, and it is not identified as a separate sub-basin in DWR Bulletin 118-2003; however, the sub basin is an integral part of the Upper Santa Ana Valley Groundwater Basin and a major recharge area for both the Bunker Hill and Rialto-Colton sub basins. Historically, local agencies have recognized Lytle Creek sub basin as a distinct groundwater sub basin. In the Western Judgment, the Bunker Hill and Lytle Creek sub basins are combined into the SBBA. However, the three separate water-bearing zones and intervening confining zones of the Bunker Hill sub basin are not observed in the Lytle sub basin. Sediments within the Lytle sub basin are, for the most part, highly permeable, and the aquifer has a high specific yield. High permeability and specific yield tend to result in an aquifer that responds rapidly to changes in inflow (precipitation and streamflow) and outflow (groundwater pumping, streamflow, and subsurface outflow).

Lytle Creek sub basin is adjoined on the west by the Rialto-Colton sub basin along the Lytle Creek fault, and on the east and southeast by the Bunker Hill sub basin along the Loma Linda fault and Barrier G. The northwestern border of the sub basin is delineated by the San Gabriel Mountains, and runoff from the mountains flows south/southeast through Lytle and Cajon Creeks into the basin.

Numerous groundwater barriers are present within Lytle Creek sub basin, resulting in six compartments within the sub basin. Barriers A through D divide the northwestern portion of the sub basin into five sub-areas and the southeastern portion of the sub basin comprises the sixth sub-area. Barrier F divides the northwestern sub-areas from the southeastern sub-area. Studies have shown that the groundwater barriers are less permeable with depth. When groundwater levels are high during wet years, more leakage occurs across the barriers than when groundwater levels are lower (i.e., during dry years). The amount of pumping in each sub-area, in large part, controls the movement of groundwater across the barrier within the older alluvium but not the younger alluvium.

It is important to note that the water rights in Lytle Creek are set forth in long-standing court judgments governing the rights of the parties in that basin. The Lytle Creek Basin was adjudicated under the 1924 Judgment No. 17,030 from the Superior Court of San Bernardino County (Lytle Creek Judgment) and is managed by the Lytle Creek Water Conservation Association, which is made up of the successors to the stipulated parties of the judgment (a copy of the Lytle Creek Judgment is provided in Appendix J of the 2015 RUWMP and in Appendix A of this WSA). Table 7 shows historical extractions from the SBBA for years 2010-2014.



Table 7. Historic Groundwater Extractions and Surface Water Diversions from SBBA (AFY)

Entity	2010	2011	2012	2013	2014
<b>Non-Plaintiffs</b>					
Bear Valley Mutual Water Company (a)	17,524	16,862	15,560	15,259	17,102
City of Colton (a)	4,740	4,783	6,222	5,170	4,879
East Valley Water District (a)	18,120	18,408	19,538	18,796	17,896
City of Loma Linda (a)	4,863	5,401	5,776	5,571	5,449
City of Redlands (a)	28,960	31,908	31,918	29,641	29,100
City of Rialto (a)	5,325	3,377	3,109	4,082	4,132
San Bernardino Valley MWD (a)	291	618	3,790	7,485	8,178
City of San Bernardino (a)	49,185	50,331	50,250	46,853	44,798
West Valley Water District (a)	7,986	7,697	8,637	7,723	6,397
Yucaipa Valley Water District (a)	166	97	120	220	154
Other Agencies in San Bernardino and Private Entities (b)	16,474	19,288	23,053	17,597	15,062
<b>Subtotal for Non-Plaintiffs</b>	<b>153,634</b>	<b>158,770</b>	<b>167,973</b>	<b>158,397</b>	<b>153,147</b>
<b>Plaintiffs</b>					
Riverside Highland Water Company (c)	1,136	1,655	2,135	2,873	2,077
Agencies in Riverside County (d)	52,987	54,151	60,159	60,885	57,072
<b>Subtotal for Plaintiffs</b>	<b>54,123</b>	<b>55,806</b>	<b>62,294</b>	<b>63,758</b>	<b>59,149</b>
<b>Total</b>	<b>207,757</b>	<b>214,576</b>	<b>230,267</b>	<b>222,155</b>	<b>212,296</b>
<p>Notes:</p> <p>(a) Data from Volume 1 of the Western-San Bernardino Watermaster Annual Report for 2015.</p> <p>(b) Includes Crafton Water Company, Devore Water Company, Fontana Union Water Company, Loma Linda University, Mentone Citrus Growers, Mount Vernon Water Company, Mountain View Generating Station, Muscoy Mutual Water Company, San Bernardino County – Facility Management, Tennessee Water Company, Terrace Water Company, and Redlands water Company. Data from Volume 1 of the Western-San Bernardino Watermaster Annual Report for 2015.</p> <p>(c) Riverside-Highland Water Company’s service area extends into both San Bernardino and Riverside counties. However, Riverside-Highland Water Company is a Plaintiff within the Western Judgment and therefore extractions for Riverside-Highland are typically included with those of Riverside County entities. Data from Table No. 11, Western-San Bernardino Watermaster Annual Report for 2015.</p> <p>(d) Includes Agua Mansa Water Company and Meeks &amp; Daley Water Company, Regents of the University of California, and the City of Riverside. Data from Table Nos. 10, 12, and 13 of the Western-San Bernardino Annual Report for 2015.</p>					



### **Rialto-Colton Basin**

The Rialto-Colton subbasin underlies a portion of the upper Santa Ana Valley in southwestern San Bernardino County and northwestern Riverside County. This subbasin is about 10 miles long and varies in width from about 3.5 miles in the northwestern part to about 1.5 miles in the southeastern part. This subbasin is bounded by the San Gabriel Mountains on the northwest, the San Jacinto fault on the northeast, the Badlands on the southeast, and the Rialto-Colton fault on the southwest.

The District and its predecessors have been utilizing the Rialto Basin for water supply for more than 80 years. The Rialto Basin was adjudicated under the 1961 Decree No. 81,264 from the Superior Court of San Bernardino County (Rialto Basin Decree) (see Appendix C). Groundwater storage capacity of the basin is about 210,000 af (DPW 1934), with an estimated 120,000 af for the Rialto portion of the sub-basin and about 93,000 af for the Colton portion. The basin shows quick rises of water levels during high precipitation years and slower decline over several years.

Under normal conditions, when the basin is not in adjudication, the District has unlimited extraction rights. During drought conditions when the adjudication is in effect, the District's extraction right ranges from 3,067 afy in the most severe drought periods to a maximum of 6,134 afy. Existing wells in the Rialto Basin have the capacity to extract up to 10,000 afy during normal conditions.

### **North Riverside Basin**

The North Riverside Basin (the portion of the Riverside Basin Area in San Bernardino County) is part of the 1969 Judgment No. 117,628 (Western Judgment- see Appendix B), under the Bunker Hill Basin. The Riverside Groundwater Basin is a large alluvial fill basin that is bounded by major faults and topographic barriers. Recharge to the basin occurs by the underflow from basins to the north, contributions from the Santa Ana River, and from percolation of surface water runoff from the surrounding uplands, in particular the Box Spring Mountains to the east. The District, which has no limits or restrictions on groundwater pumping in the basin, has been utilizing the North Riverside Basin for water supply for more than 60 years.

Extractions from the North Riverside Basin for use in Riverside County are limited to 21,085 AFY by the Judgment. Extractions for use in San Bernardino County are unlimited, provided that water levels at three index wells in the Rialto-Colton and Riverside North Basins stay above 822.04 feet MSL. The 2015 Integrated Regional Water Management Plan provided an estimate of 30,100 AFY as the sustainable supply from North Riverside for use in San Bernardino County, based on extractions from 1996 to 2005.

### **Chino Basin**

Fontana Water Company, the City of Rialto, and the District extract water from Chino Sub basin, an adjudicated basin managed by the Chino Basin Watermaster. The Chino Sub basin lies in the southwest corner of San Bernardino County. The Chino Sub basin is bordered to the east by the Rialto-Colton fault. In the other three directions, the Chino Sub basin is ringed by impermeable mountain rock, the San Gabriel Mountains to the north, the Jurupa Mountains and Puente Hills to the south and southwest. Average annual precipitation across the basin is 17 inches. This part of the San Bernardino Valley is drained by San Antonio Creek and Cucamonga Creek southerly to the Santa Ana River.



On January 2, 1975, several Chino Basin producers filed suit in California State Superior Court for San Bernardino County (the "Court") to settle the problem of allocating water rights in the Chino Basin. On January 27, 1978, the Court entered a judgment in Chino Basin Municipal Water District v. City of Chino et al. (Chino Basin Watermaster Judgment) adjudicating water rights in the Chino Basin and establishing the Chino Basin Watermaster (see Appendix D). The Judgment adjudicated all groundwater rights in Chino Basin and contains a physical solution to meet the requirements of water users having rights in or dependent upon the Chino Basin. The Judgment also appointed the Watermaster to account for and implement the management of the Chino Basin. The Judgment declared that the initial operating safe yield of the Chino Basin is 145,000 AFY. The Basin is managed through implementation of the Chino Optimum Basin Management Plan. Per the Judgment, the District has a minimum of approximately 1,000 AFY of extraction rights. Extractions above that amount must be replenished with SWP water through a program with the Chino Basin Watermaster.

### **Recycled Water**

The District does not currently have or use recycled water as a supply. The District is completing a master plan for potential use of recycled water within its service area. The District's plans for recycled water are still preliminary, and the expected beneficial use has not been quantified.

### **Desalinated Water**

The District does not currently use desalinated water as a supply and has no current plans to develop new desalinated water supplies.

### **Exchanges or Transfers**

The District currently has interconnections with the Cities of Rialto, Colton and San Bernardino, the Fontana Water Company, Marygold Mutual Water Company, and Valley District which can be utilized as needed for short-term supply needs. These connections are not typically used for extended periods and are not relied on as a source of supply.

### **Future Water Supply and Projects**

To meet the future demands within the system, the District plans to rehabilitate existing wells, to drill new wells, and equip wells with wellhead treatment if required. These wells are planned for various groundwater basins and pressure zones within the distribution system.

Groundwater is not the only planned supply source to be utilized by the District to meet the anticipated future demands. The District has expanded the Oliver P. Roemer Water Filtration Facility to allow additional treatment of SWP water when available. A future expansion of the plant will increase the ultimate capacity of the facility to 20.4 MGD.

Over time, the District intends to utilize a greater amount from each existing source, up to their legal rights and availability from each water supply source.

### **Summary of Existing and Planned Sources of Water**

The District's actual supplies used during 2015 are summarized in Table 8.



Table 8. Water Supplies - Actual

Water Supply	Additional Detail on Water Supply	Entitlement, Right or Contract	2015 Actual Volume (AF)	2015 Water Quality
Surface Water	Lytle Creek	Lytle Creek Judgment & Water Purchase Agreement- Appendix A	2,271	Drinking Water
Purchased or Imported Water	SWP Water	No limit or contract; obtained from SBVMWD	2,244	Drinking Water
Groundwater	Lytle Creek	Lytle Creek Judgment & Water Purchase Agreement- Appendix A	2,159	Drinking Water
Groundwater	Riverside North	Western Judgment- Appendix B	2,065	Drinking Water
Groundwater	Rialto-Colton	Rialto Basin Decree- Appendix C	2,505	Drinking Water
Groundwater	Bunker Hill	Western Judgment	1,520	Drinking Water
Groundwater	Chino	Chino Basin Watermaster Judgment- Appendix D	0	Drinking Water
Purchased or Imported Water	Baseline Feeder (Bunker Hill)	Baseline Feeder Agreement- Appendix E	4,367	Drinking Water
	Total		17,131	

The District plans to utilize a greater amount from each of its supply sources, up to the legal rights and availability. The District's available supplies for future years are summarized in Table 9.

Table 9. Water Supplies – Projected (AF)

Water Supply	Additional Detail on Water Supply	2020	2025	2030	2035	2040
Surface Water	Lytle Creek	5,500	5,500	5,500	5,500	5,500
Purchased or Imported Water	SWP Water	7,000	7,000	7,000	7,000	7,000
Groundwater	Riverside North	2,500	3,500	4,000	4,500	4,500
Groundwater	Rialto-Colton	6,000	6,000	6,000	6,000	6,000
Groundwater	SBBA Groundwater (Bunker Hill / Lytle)	9,500	14,000	17,000	19,500	19,500
Groundwater	Chino	900	900	900	900	900
Purchased or Imported Water	Baseline Feeder (Bunker Hill)	5,000	5,000	5,000	5,000	5,000
	Total	36,400	41,900	45,400	48,400	48,400



## Supply Reliability

### **California Water Code section 10631**

*(c) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:*

- (1) An average water year.*
- (2) A single dry water year.*
- (3) Multiple dry water years.*

## Groundwater

Some of the District's wells have been impacted by arsenic, perchlorate and volatile organic carbons (VOCs). The District has implemented wellhead treatment as needed and continues to monitor groundwater contamination and the movement of groundwater contaminant plumes. These past and ongoing groundwater treatment projects have demonstrated that treatment is an economically viable alternative for handling arsenic, perchlorate and VOCs. Based on current conditions, water quality is not anticipated to affect District supply reliability. However, water quality issues are constantly evolving. The District will take action to protect and treat supply when needed, but it is well recognized that water quality treatment can have significant costs.

Geologic hazards within Lytle Creek have the potential to disrupt the water supply system by restricting the flow and/or introducing large quantities of suspended solids to the runoff, thereby increasing turbidity levels. To deal with this water quality issue, the District added pre-treatment capability at the Oliver P. Roemer WFF to achieve both turbidity removal and total organic carbon reduction.

## State Water Project

During times of State-wide drought conditions, the availability of SWP water may be reduced. These conditions are normally known in advance, providing the District with the opportunity to plan for the reduced supply. During a drought period, it is Valley District's priority to meet obligations to maintain lake levels at Big Bear Lake and to make direct deliveries to the water treatment plants operated by Redlands, the District, EVWD, YVWD, and SBMWD.

## Reliability by Type of Year

During normal and wet years, Valley District uses SWP water for groundwater recharge. Therefore, this water is available for production during dry years. Through its use of groundwater storage, Valley District does not anticipate a reduction in the availability of SWP water during single or multiple dry years.

Due to the size of the groundwater basins utilized by the District, a single dry year will not affect well production. The annual amount produced in past normal, single dry, or multiple dry water years from a basin does not give an accurate representation of potential basin production. Factors such as lower system demand, cost of pumping, inoperable wells, pumping duration, replenishment costs, water quality, cost of supply and the ability to treat water all affect annual basin production numbers.



The District has been able to utilize up to 5,500 AFY during normal times from Lytle Creek surface flows and projects a minimum of 2,130 AFY during extended drought conditions. The District and its predecessors have been utilizing Lytle Creek surface flows for water supply for more than 130 years.

## Regional Supply Reliability

The District is committed to minimizing the need to import water from other regions. The District operates a number of conservation programs to implement various Demand Management Measures, helping to reduce the need for imported water.

## Sufficiency Assessment

### California Water Code section 10910

- (c) (3) *If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.*
- (4) *If the city or county is required to comply with this part pursuant to subdivision (b), the water assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

There has been a historical trend associated with drier years and an increase in water use among agencies. Conservation efforts have proven to be effective in decreasing water use in dry years, such as the past three years (2013-2015).

The District has estimated that demands could increase 10 percent during a single dry year. During a multiple dry year period, it is expected that conservation messaging and restrictions would lead to consumption dropping back down to normal year levels in the second dry year, and falling a further 10 percent in the third dry year.

The following tables summarize the anticipated supplies and demands for the District.

*Table 10. Normal Year Supply and Demand Comparison (AF)*

Totals	2020	2025	2030	2035	2040
Supply Totals	36,400	41,900	45,400	48,400	48,400
Demand Totals	20,799	22,256	23,802	25,492	27,312
Difference	15,601	19,644	21,598	22,908	21,088



Table 11. Single Dry Year Supply and Demand Comparison (AF)

Totals	2020	2025	2030	2035	2040
Supply Totals	33,030	38,530	42,030	45,030	45,030
Demand Totals	22,879	24,481	26,183	28,041	30,043
Difference	10,151	14,049	15,847	16,989	14,987

Table 12. Multiple Dry Years Supply and Demand Comparison (AF)

Year	Totals	2020	2025	2030	2035	2040
First Year	Supply Totals	33,030	38,530	42,030	45,030	45,030
	Demand Totals	22,879	24,481	26,183	28,041	30,043
	Difference	10,151	14,049	15,847	16,989	14,987
Second Year	Supply Totals	33,030	38,530	42,030	45,030	45,030
	Demand Totals	20,799	22,256	23,802	25,492	27,312
	Difference	12,231	16,274	18,228	19,538	17,718
Third Year	Supply Totals	33,030	38,530	42,030	45,030	45,030
	Demand Totals	18,719	20,030	21,422	22,943	24,580
	Difference	14,311	18,500	20,608	22,087	20,450

## Water Shortage Contingency Plan

Per California Water Code section 10632, the District has an adopted Water Shortage Contingency Plan that is included in the 2015 RUWMP.

## Determination

### California Water Code section 10911

*(c) The city or county may include in any environmental document an evaluation of any information included in that environmental document provided pursuant to subdivision (b). The city or county shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. If the city or county determines that water supplies will not be sufficient, the city or county shall include that determination in its findings for the project.*

The District has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed Project, in addition to existing and planned future uses.

## Reservation of Authority

Nothing in this WSA shall be construed to create a right or entitlement to water service, or any specific level of service nor does it affect existing law concerning the District's obligation to provide water service to its existing customers or to any potential future customers. **(See Government Code § 66473.7(m) and (n).)**



In addition, the District specifically reserves its authority to impose reasonable terms and conditions or to refuse water service to any existing customers or to any potential future customers, in order to conserve water in the face of an existing or threatened water shortage. **(See Water Code § 350, et. seq.)**

## Conditions of Approval

This assessment of reliable water supply is conditioned on the following:

1. The property owner will install water efficient devices and landscaping according to the requirements of the District's water use efficiency ordinance(s), if any, at the time of construction of the Project to reduce the impact of this Project on District water supplies.
2. Prior to Project construction, the property owner is required to meet with District staff to develop a plan of service. The plan of service will include, but not be limited to, water and recycled water requirements to serve the Project. If there is a change in the circumstances detailed in this water supply assessment, the District has the option to suspend the approval of this WSA.
3. This Project is not located near any existing recycled water facilities; however, in the future it may be possible to serve this Project with recycled water. District policy recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, green-belts, open space, common areas, commercial landscaping and supply for aesthetic impoundment or other water features. The majority of landscaped areas in this Project will be designed to use recycled water to the greatest extent possible.

According to District requirements, the Project may be conditioned to construct a recycled water system physically separated from the potable water system. This system will need to be constructed to the District's recycled water standards. The Project may also be conditioned to construct off-site recycled water facilities. The District will make a determination on requirements for recycled water use and facilities during the design phase of the Project.

4. This WSA will be reviewed every three (3) years until the Project begins construction. The property owner shall notify the District when construction has begun. The review will ensure that the information included in this WSA remains accurate and no significant changes to the Project or District's water supply have occurred. If the property owner has not contacted the District within three (3) years of approval of this WSA, it will be assumed that the proposed Project no longer requires the estimated water demand calculated, the demand for this Project will not be considered in assessments for future Projects, and the assessment provided by this document will become invalid.
5. (a) Based on present information the District has determined that it will be able to provide adequate water supplies to meet the potable water demand for this Project in addition to existing and future uses. Water service will be guaranteed by the satisfaction of all rules and regulations of



the District. The District reserves the right to revisit this water supply assessment in the event of a potential increase in water demand to the Project.

(b) This WSA is not a commitment to serve the Project, but a review of District's supplies based on present information available.

(c) Recycled water will be used to the greatest extent possible on the proposed Project.



# References

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San Bernardino Valley Municipal Water District. (January 2015). *Upper Santa Ana River Watershed Integrated Regional Water Management Plan*.



# Appendix A. Lytle Creek Judgment & Surface Water Purchase Agreement

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COPY OF COMPLETE WATER SUPPLY ASSESSMENT  
WITH APPENDICES

AVAILABLE AT:

[http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243\\_WSA.pdf](http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243_WSA.pdf)



# Appendix B. Western Judgment

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COPY OF COMPLETE WATER SUPPLY ASSESSMENT  
WITH APPENDICES

AVAILABLE AT:

[http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243\\_WSA.pdf](http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243_WSA.pdf)



# Appendix C. Rialto Basin Decree

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COPY OF COMPLETE WATER SUPPLY ASSESSMENT  
WITH APPENDICES

AVAILABLE AT:

[http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243\\_WSA.pdf](http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243_WSA.pdf)



# Appendix D. Chino Basin Watermaster Judgment

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COPY OF COMPLETE WATER SUPPLY ASSESSMENT  
WITH APPENDICES  
AVAILABLE AT:

[http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243\\_WSA.pdf](http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243_WSA.pdf)



# Appendix E. Baseline Feeder Agreement

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COPY OF COMPLETE WATER SUPPLY ASSESSMENT  
WITH APPENDICES  
AVAILABLE AT:

[http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243\\_WSA.pdf](http://www.sbcounty.gov/uploads/lafco/Proposals/3243/3243_WSA.pdf)



# **Draft Resolution No. 3325**

**Attachment 6**



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**PROPOSAL NO.: LAFCO 3243**

**HEARING DATE: JANUARY 20, 2021**

## **RESOLUTION NO. 3325**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3243 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF FONTANA, THE FONTANA FIRE PROTECTION DISTRICT, THE WEST VALLEY WATER DISTRICT, AND THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT, AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE, AND ITS ZONE FP-5, AND COUNTY SERVICE AREA 70 (I-15 LOGISTICS PROJECT). The overall reorganization area encompasses approximately 152 and is generally located northerly of the I-15 Freeway, westerly of Sierra Avenue, southerly of Lytle Creek Road and easterly of the natural extension of Citrus Avenue, within the northern City of Fontana's sphere of influence.**

**On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed reorganization in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for January 20, 2021 at the time and place specified in the notice of public hearing; and,



## RESOLUTION NO. 3325

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

### **CONDITIONS:**

**Condition No. 1.** The boundaries of this change of organization are approved as set forth in Exhibits "A", "A-1", "B", "B-1", "C", "C-1" attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3243.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Fontana (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The City of Fontana shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

**Condition No. 6.** The date of issuance of the Certification of Completion shall be the effective date of the reorganization.

**SECTION 3. DETERMINATIONS.** The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The reorganization area is legally inhabited containing 16 registered voters as certified by the Registrar of Voters as of December 9, 2020.
2. The County Assessor's Office has determined that the total assessed value of land and improvements within the reorganization area is \$1,436,078 (land--\$1,175,329; improvements--\$260,749) as of September 17, 2020.



## RESOLUTION NO. 3325

3. Through approval of the companion proposal, LAFCO 3242, the entire reorganization area is within the spheres of influence of the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in *The Sun*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (23) and registered voters (16) within the reorganization area (totaling 39 notices) and to landowners (87) and registered voters (21) within the reorganization area (totaling 108 notices). Comments from registered voters, landowners, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Fontana pre-zoned the reorganization area as follows: Light Industrial (I-L), Public Utility (P-UC), Residential Estates (R-E) and General Commercial (C-G).

These zoning designations are consistent with the City's General Plan and are generally compatible with the surrounding land uses in the area. The City's pre-zone designations will remain in effect for a minimum of two years following annexation unless specific actions are taken by the City Council.

7. The Southern California Associated Governments ("SCAG") recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3243 is adjacent to the I-15 Freeway, which is part of the RTP-SCS's regional express lane network that will be adding two express lanes in each direction for completion by 2040.
8. The City of Fontana approved and adopted its 2017 Local Hazard Mitigation Plan on August 14, 2018 that show the reorganization area is adjacent to both high and very high Fire Hazard Severity Zones.
9. A Complete Final Environmental Impact Report (EIR) was prepared and certified as adequate by the City of Fontana for the I-15 Logistics Project (SCH No. 2018011008). This Complete Final EIR addresses environmental impacts of the Project itself including the proposed spheres of influence amendments and the jurisdictional changes associated with said Project. (Copies of the City's Complete Final EIR and all associated documents were previously provided to Commission members). The Commission's staff and its Environmental Consultant have independently reviewed the Complete Final EIR and found them to be adequate for the reorganization proposal (LAFCO 3243) decision.

The Commission certified that it had reviewed and considered the City's Complete Final EIR and the environmental effects outlined therein, and as referenced in the



## RESOLUTION NO. 3325

Findings and Statement of Overriding Considerations, prior to reaching a decision as a CEQA responsible agency. The Commission acknowledged the mitigation measures and Mitigation Monitoring and Reporting Program contained in the City's Complete Final EIR and found that no additional alternatives or mitigation measures would be adopted by the Commission. The Commission found that all changes alterations, and mitigation measures are within the responsibility and jurisdiction of the City and other agencies, not the Commission. The Commission found that it is the responsibility of the City to oversee and implement these measures and the Mitigation Monitoring and Reporting Program.

The Commission adopted the Findings and Statement of Overriding Considerations by resolution, LAFCO Resolution No. 3323, regarding the environmental effects of the reorganization. The Commission found that all feasible changes or alterations have been incorporated into the project; that these changes are the responsibility of the City and other agencies identified in the Findings and Statement of Overriding Considerations and the City's Complete Final EIR; and that specific economic, social or other considerations make infeasible adoption of the alternatives identified in the City's Complete Final EIR.

10. The reorganization area is served by the following local agencies: County of San Bernardino, Inland Empire Resource Conservation District, Fontana Fire Protection District (portion), West Valley Water District (portion), San Bernardino Valley Municipal Water District (portion), San Bernardino County Fire Protection District, its Valley Service Zone and its Zone FP-5 (portion), and County Service Area 70 (multi-function unincorporated County-wide).

County Service Area 70 will be detached and its sphere of influence reduced upon successful completion of this proposal. A portion of the reorganization area will also be detached from San Bernardino County Fire Protection District and its associated service zones.

11. The City of Fontana has submitted a plan for the extension of municipal services to the study area as required by Government Code Section 56653, which indicate that the City of Fontana can, at a minimum, maintain the existing level of service delivery and can improve the level and range of services currently available in the area.

The certified Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use be included within a City so that the full range of municipal services can be planned, funded, extended and maintained.
13. The reorganization area can benefit from the availability and extension of municipal services from the City of Fontana, Fontana Fire Protection District, West Valley Water District, and San Bernardino Valley Municipal Water District, as evidenced by the Plan for Service certified by the City.



## RESOLUTION NO. 3325

14. This proposal may or may not have an effect on the City of Fontana's ability to achieve its fair share of the regional housing needs since the only project known at this time is the proposed warehouse facility; however, there are areas within the reorganization area that are designated for low density residential development; however, no development is anticipated at this time.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Community Analyst for the City of Fontana and the reorganization (2020 data):

Demographic and Income Comparison	City of Fontana (%)	Reorganization Area (%)
Race and Ethnicity		
• African American Alone	10.0 %	12.5 %
• American Indian Alone	1.0 %	0 %
• Asian Alone	6.6 %	6.2 %
• Pacific Islander Alone	0.3 %	0 %
• Hispanic Origin (Any Race)	66.8 %	35.3 %
Median Household Income	\$76,225	\$117,097

Through future development of the warehouse facility, the reorganization area will benefit from the extension of services and facilities from the City including the other agencies that serve the community and, at the same time, the approval of the reorganization proposal will not result in the unfair treatment of any person based on race, culture or income.

16. The County of San Bernardino and the City of Fontana have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The maps and legal descriptions, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

**SECTION 4.** Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

**SECTION 5.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**SECTION 6.** The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the



**RESOLUTION NO. 3325**

matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

**SECTION 7.** Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

**SECTION 8.** Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF SAN BERNARDINO )

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 21, 2021.

**DATED:**


\_\_\_\_\_  
**SAMUEL MARTINEZ**  
Executive Officer



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** JANUARY 12, 2020   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Senior Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT:** Agenda Item #6: LAFCO 3244 -- Reorganization to Include  
Annexation to the Town of Apple Valley and Detachment from  
County Service Area 70 (Annexation No. 2019-001)

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**INITIATED BY:**

Resolution of the Town Council of the Town of Apple Valley

**RECOMMENDATION:**

The staff recommends that the Commission approve LAFCO 3244 by taking the following actions:

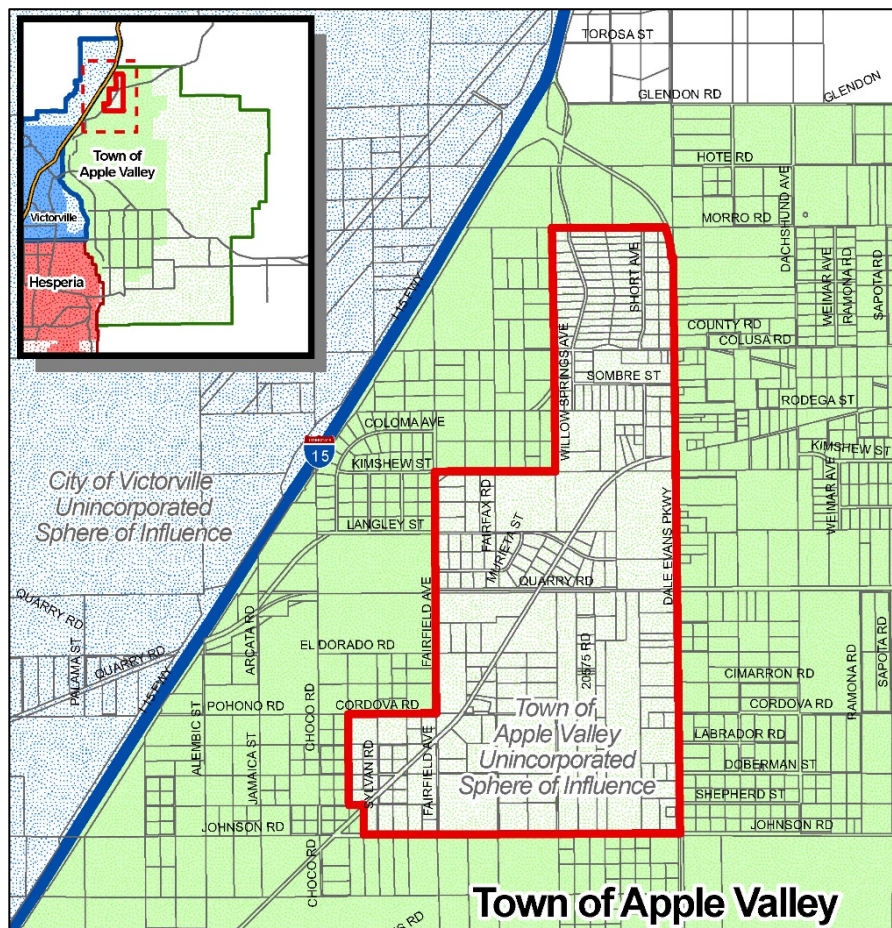
1. With respect to environmental review:
  - a. Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the Town of Apple Valley's Addendum to the Environmental Impact Report (SCH#2008091077) prepared by the Town for the Apple Valley 2009 General Plan and Annexation 2008-001;
  - b. Determine that the Town of Apple Valley's environmental assessment is adequate for the Commission's use as a CEQA Responsible Agency for its consideration of LAFCO 3244;
  - c. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the proposal; that the mitigation measures identified in the Town of Apple Valley's environmental documents are the responsibility of the Town and/or others, not the Commission; and,



- d. Direct the Executive Officer to file the Notice of Determination within five (5) days, and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3244 since the Town of Apple Valley, as lead agency, has paid said fees.
2. Approve LAFCO 3244 with the standard LAFCO terms and conditions that include, but are not limited to, the "hold harmless" clause for potential litigation costs by the applicant and the continuation of fees, charges, and/or assessments currently authorized by the annexing agency.
3. Adopt LAFCO Resolution No. 3326, setting forth the Commission's determinations and conditions of approval concerning LAFCO 3244.

**BACKGROUND:**

LAFCO 3244 is a reorganization proposal initiated by the Town of Apple Valley (hereafter the “Town”) that includes annexation of approximately 1,424 acres to the Town and detachment from County Service Area 70. The proposed reorganization area generally includes the remaining Town of Apple Valley unincorporated island located in the Town’s northwestern sphere of influence. The map below provides a general





location of the area to be annexed into the Town, which is also included as Attachment #1 to this report.

The reorganization area is totally surrounded by the Town's existing boundary, which is bordered by Morro Road on the north, Dale Evans Parkway on the east, a combination of parcel lines and Johnson Road on the south, and a combination of parcels lines and Fairfield Avenue on the west within the Town's northwestern sphere of influence.

## Previous Annexation Proposals

### LAFCO 3169

In 2012, the Town tried to annex the entirety of Town's northwestern sphere of influence area, identified by the Town as the "Golden Triangle."

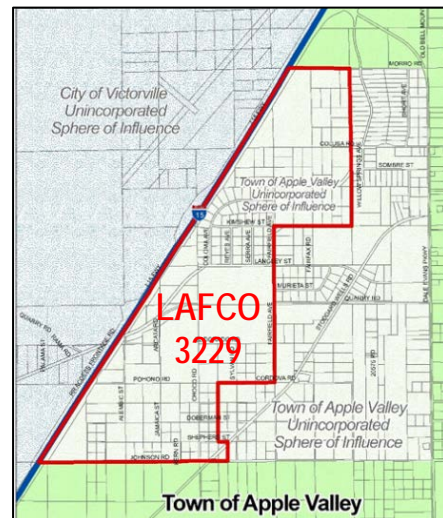
The Town's proposal, LAFCO 3169, was approved by the Commission; however, during the protest proceedings for said proposal, the registered voters within the reorganization area generated enough protest to terminate the proposal.



### LAFCO 3229

In 2018, the Town returned with a subsequent proposal that proposed the annexation of a portion of Golden Triangle, particularly the area along the I-15 Freeway corridor.

That proposal, LAFCO 3229, was also approved by the Commission; however, the Commission's approval was subject to a condition that required the Town to initiate the annexation of the remainder of the island.

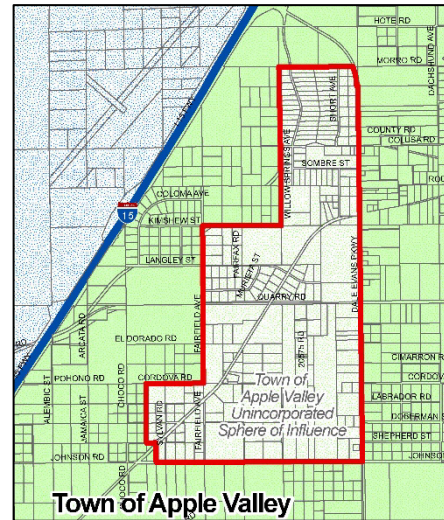


Therefore, the Town's purpose of submitting LAFCO 3244, as outlined in its resolution of initiation, Resolution 2020-26, is to comply with the condition that was imposed on LAFCO 3229, which is to annex the remainder of the island.



## **Island Provisions:**

Although the proposal is a totally-surrounded island initiated by the Town, it is staff's view that LAFCO 3244 does not qualify as an "island" pursuant to either the provisions of Government Code Section 56375(a)(4) or Section 56375.3. These provisions require the Commission to approve an annexation of unincorporated "surrounded or substantially surrounded" territory if the Commission can make certain determinations. One of the determinations, regarding the territory being substantially developed or developing, cannot be justified since the area is generally vacant. Therefore, the Commission has discretion to approve, modify and approve, or deny approval of LAFCO 3244.



Another "island" provision does not apply to LAFCO 3244 – removing the protest process for islands that are 150 acres or less. Therefore, should the Commission approve this proposal, the registered voters and landowners would ultimately decide the fate of LAFCO 3244 through a protest proceeding.

This report provides the Commission with the information related to the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

## **BOUNDARIES:**

The reorganization area encompasses approximately 1,424 acres, which includes the entirety of the remaining Town of Apple Valley unincorporated island located in the Town's northwestern sphere of influence.

No boundary issue has been identified. It is LAFCO staff's position that this reorganization proposal provides for a logical boundary since it removes the entire unincorporated territory within the Town.

## **LAND USE:**

The existing County land use designations for the reorganization area include AV (Apple Valley)/RL (Rural Living – one unit; minimum 2.5 acres), AV/RL-5 (Rural Living – one unit; minimum 5 acres), and AV/CR (Rural Commercial). The proposed land use designation as for the entire area in the Countywide Plan is Special Development, which is generally compatible with the Town's anticipated land use plan.



The Town has assigned the area pre-zone land use designations as a part of its General Plan Update, which include the following: Estate Residential (1 unit/1 to 2.5 acres), Medium Density Residential (4 to 20 dwelling units/acre), Mixed Use Residential (4 to 30 dwelling units/acre, retail, and office commercial development), General Commercial (retail, office, and services), Regional Commercial (retail, services, restaurant, and hotel/motel), Planned Industrial (warehousing, light manufacturing, research/development, and administrative), and Public Facility (Town/County facilities, fire stations, schools, utility facilities). These pre-zone designations are consistent with the Town's General Plan and with surrounding land uses.

The Town's pre-zone designations will take effect upon completion of the reorganization process and must remain for a minimum of two years unless specific actions are taken by the Town Council. The law allows for a change in designation if the Town Council makes the finding, at a public hearing, that a substantial change has occurred in circumstances that necessitate a departure from the pre-zoning outlined in the application made to the Commission.

### **SERVICE DELIVERY AND EFFECTS ON OTHER LOCAL GOVERNMENTS:**

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. County Service Area 70 (multi-function, unincorporated countywide entity) is the only County service provider within the reorganization area affected by the change. There will be no change in jurisdiction for the Mojave Water Agency (State Water contractor), Apple Valley Fire Protection District (fire protection/paramedic), Mojave Desert Resource Conservation District (portion), and County Service Area 60 (Apple Valley Airport).

The application includes a plan for the extension of services, including a Financial Impact Analysis, as required by law and Commission policy. The Plan and Analysis are included as a part of Attachment #2 to this report. In general, the Plan identifies the following:

#### **Wastewater**

The Town of Apple Valley provides for the wastewater collection and transportation within its boundaries. Through annexation, the Town will become responsible for wastewater collection within the area. In the future, wastewater collection services could be extended within the reorganization area.

Wastewater treatment and disposal would be provided by the Victor Valley Wastewater Reclamation Authority (VWRA), a joint powers entity. VWRA maintains regional intercept lines that collect and transport wastewater from the Town's system to the regional wastewater treatment plant in Victorville. The Victorville plant treats approximately 10.7 million gallons per day (mgd), which has a capacity of 18 mgd currently that is expected to expand to 22 mgd by 2020, and 30 mgd by 2025.



### Water

Water service is provided to the majority of the Town through the Liberty Utilities Company, a water utility governed by the California Public Utilities Commission ("PUC"). Domestic water for existing development is provided by private wells. At present the reorganization area is outside the certificated service area assigned Liberty Utilities, thus it would require an expansion in order to provide service. The PUC has jurisdiction over expansion of a water utility, not LAFCO. The Plan for Service indicates that the Town will require new development within the reorganization area to extend water lines and other facilities to the property frontages and will be responsible for costs associated with the extending the infrastructure.

### Fire Protection and Emergency Medical Services

Fire protection and paramedic services are currently provided by the Apple Valley Fire Protection District, which will continue to serve the area following annexation.

### Law Enforcement

Law enforcement responsibilities will transfer from the San Bernardino County Sheriff's Department to the Town of Apple Valley, who already contracts with the Sheriff's Department for the provision of said service. Local traffic control will transition from the California Highway Patrol to the Town's contract with the County Sheriff's Department.

### Roads

County maintained roads within the area shall transfer to the Town of Apple Valley upon completion of LAFCO 3244. The Town will then be responsible for roadway construction and maintenance. Construction and improvements will be required as development occurs within the reorganization area. Future development will be responsible for its fair share of roadway improvements.

### Solid Waste

The reorganization area is generally undeveloped and generates limited solid waste. Upon completion of LAFCO 3244, the Town of Apple Valley will be responsible for providing solid waste management services to future development within the reorganization area. Burrtec Waste Industries, through its affiliate AVCO Disposal, provides the Town with solid waste collection and disposal services through its contractual agreement with the Town.

AVCO Disposal hauls non-hazardous waste to the Victorville Landfill. AVCO Disposal also provides weekly pick up of recyclable materials for residential, commercial, and industrial development. Recyclables are sorted at the Victor Valley Materials Recovery Facility. Solid waste collection and disposal services are provided on a fee basis to residential, commercial, and industrial customers.



### Fiscal Impact Analysis

The Town has included a Fiscal Impact Analysis, as required by Commission policy, which outlines the total potential costs and revenues to the Town. The cost/revenue analysis identifies short-term revenues and possible long-term deficits.

As required by Commission policy and State law, the Plan for Service along with the Financial Impact Analysis, shows the ability of the Town to extend its services to the area upon need through future development and to maintain existing services at the time of reorganization.

### **ENVIRONMENTAL CONSIDERATIONS:**

The Town of Apple Valley prepared an Addendum to the Environmental Impact Report (SCH#2008091077) for the Apple Valley 2009 General Plan and Annexation 2008-001.

The Town's environmental assessment, which includes the 2009 General Plan Environmental Impact Report (which were made available to the Commission) and the Addendum (included as part of Attachment #3), has been reviewed by the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates, who determined that, if the Commission chooses to approve LAFCO 3244, the Town's documents are adequate for Commission's use as a responsible agency under CEQA (California Environmental Quality Act). The following are the necessary environmental actions to be taken by the Commission as a responsible agency under CEQA:

- a. Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the Town of Apple Valley's Addendum to the Environmental Impact Report (SCH#2008091077) prepared by the Town for the Apple Valley 2009 General Plan Amendment and Annexation 2008-001;
- b. Determine that the Town's environmental assessment are adequate for the Commission's use as a CEQA Responsible Agency for its consideration of LAFCO 3244;
- c. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the Town's environmental documents are the responsibility of the Town and/or others, not the Commission; and,
- d. Direct the Executive Officer to file the Notice of Determination within five (5) days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3244 since the Town of Apple Valley, as lead agency, has paid said fees.



## **CONCLUSION:**

LAFCO 3244 was initiated by the Town of Apple Valley in order to comply with the condition that was imposed on the previous reorganization proposal, LAFCO 3229, which required the Town to initiate the annexation of the remainder of the “Golden Triangle” area.

LAFCO staff supports approval of LAFCO 3244 as the reorganization area will benefit from the full range of municipal services available through the Town of Apple Valley upon future development.

For all the reasons outlined in the report above, staff recommends approval of LAFCO 3244.

## **DETERMINATIONS:**

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The County Registrar of Voters Office has determined that the reorganization area is legally inhabited containing 64 registered voters as of December 9, 2020.
2. The County Assessor’s Office has determined that the total assessed valuation of land within the reorganization area is \$13,745,276 as of August 21, 2020 (\$10,119,098--land; \$3,626,178--improvements).
3. The reorganization area is within the sphere of influence assigned the Town of Apple Valley.
4. Legal notice of the Commission’s consideration of the proposal has been provided through publication in the *Daily Press*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In accordance with State law and adopted Commission policies, LAFCO staff has provided individual notice to:
  - landowners (273) and registered voters (64) within the reorganization area (totaling 337 notices), and
  - landowners (287) and registered voters (9) surrounding the reorganization area (totaling 296 notices).



Staff received a letter from a landowner within LAFCO 3244 in support of the reorganization. Any additional comments from registered voters, landowners, and other individuals and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.

6. The Town of Apple Valley has assigned the reorganization area pre-zone land use designations as a part of its 2009 General Plan Update, which include the following: Estate Residential, Medium Density Residential, Mixed Use, General Commercial, Regional Commercial, Planned Industrial, and Public Facility. These zoning designations are consistent with the Town's General Plan and surrounding land uses in the area. The Town's pre-zone designations will remain in effect for a minimum of two years following annexation unless specific actions are taken by the Town Council.
7. The Southern California Associated Governments ("SCAG") recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. The Plan includes the widening of Dale Evans Parkway from the I-15 Freeway to Thunderbird Road (most of which is adjacent to LAFCO 3244) from two to four lanes by 2030. The I-15 Freeway section of the Victor Valley is also scheduled to include an Express Lane in each direction by 2045.
8. The Town of Apple Valley's Local Hazard Mitigation Plan was updated in 2017. The plan does not identify threats for flood, wildfire, and/or earthquake and other natural and human-caused hazards. The reorganization area is not within a flood zone or a fault zone but is considered to be within a moderate fire hazard severity zone.
9. As CEQA responsible agency, the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates, has reviewed the Town of Apple Valley's environmental documents for the reorganization proposal and has indicated that the Town's environmental documents for the reorganization proposal are adequate for the Commission's use as CEQA responsible agency. The Town of Apple Valley prepared an Addendum to the Environmental Impact Report (SCH#2008091077) for the Town of Apple Valley 2009 General Plan and Annexation 2008-001.
10. The reorganization area is served by the following local agencies:
  - Apple Valley Fire Protection District
  - County of San Bernardino
  - County Service Area 60 (airport)
  - County Service Area 70 (unincorporated County-wide multi-function)
  - Mojave Desert Resource Conservation District (portion)
  - Mojave Water Agency



County Service Area 70 will be detached upon successful completion of this proposal. None of the other agencies will be directly affected by the completion of this proposal as they are regional in nature.

11. The Town of Apple Valley has submitted a plan for the extension of municipal services to the study area, as required by law, along with a Financial Impact Analysis required by Commission policy. The Plan as well as the Financial Impact Analysis are included as a part of Attachment #2 to this report and indicate that the Town can maintain and/or improve the level and range of services currently available in the area.

The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use to be included within a Town or City so that the full range of municipal services can be planned, funded, extended and maintained.
13. The reorganization area can benefit from the availability and extension of municipal services from the Town of Apple Valley upon future development.
14. This proposal will assist the Town of Apple Valley's ability to achieve its fair share of the regional housing needs as some of the assigned land use designations for the area include Estate Residential, Medium Density Residential, and Mixed Use (residential), all of which allow for some type of residential development in the area.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the approval of the reorganization to annex the entire island will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.
16. The County of San Bernardino and the Town of Apple Valley have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this annexation. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

SM/MT



Attachments:

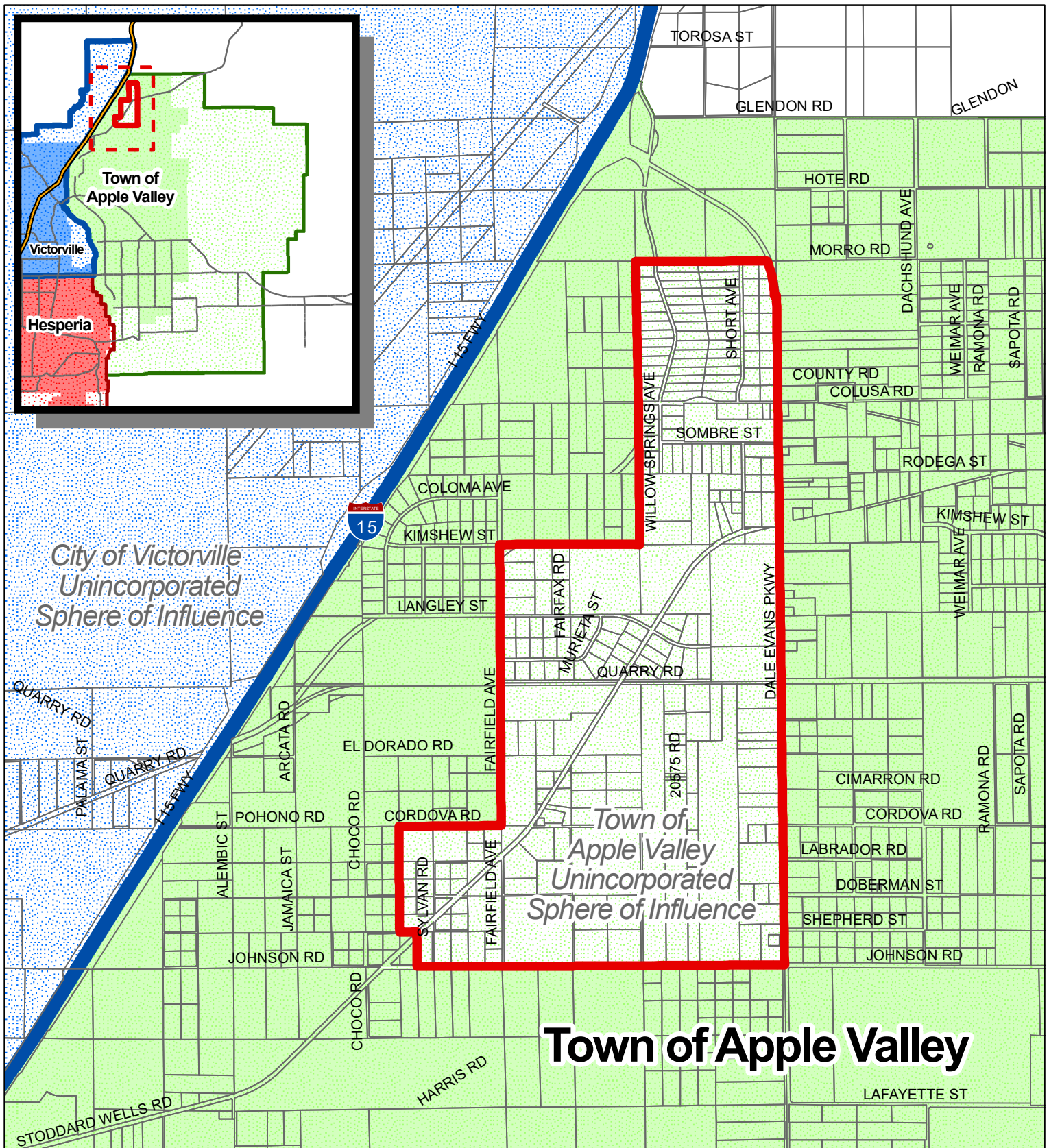
1. [Vicinity Map](#)
2. [Application, Plan for Service and Fiscal Impact Analysis](#)
3. [Environmental Response from Tom Dodson and the Town's Addendum to the Environmental Impact Report \(SCH#2008091077\) for the Apple Valley 2009 General Plan and Annexation 2008-001 Including Links to the Environmental Documents Related to the Town of Apple Valley's Approval of the Apple Valley General Plan And Annexations 2008-001](#)
4. [Draft Resolution No. 3326](#)



# **Vicinity Map**

**Attachment 1**





**LAFCO 3244 — Reorganization to include Annexation to the Town of Apple Valley and Detachment from County Service Area 70 (Annexation No. 2019-001)**

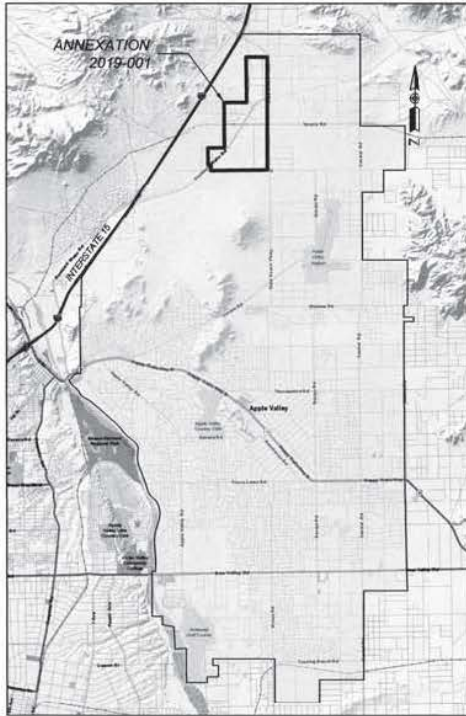
0 0.25 0.5 1 Miles



Disclaimer: The information shown is intended to be used for general display only and is not to be used as an official map.

- LAFCO 3244 Annexation Area
- Town of Apple Valley
- City of Victorville
- City of Hesperia
- Town of Apple Valley Sphere of Influence
- City of Victorville Sphere of Influence
- City of Hesperia Sphere of Influence





VICINITY MAP  
NOT TO SCALE

# ANNEXATION 2019-001

## TOWN OF APPLE VALLEY

### LEGEND

- ANNEXATION BOUNDARY
  - EXISTING TOWN OF APPLE VALLEY BOUNDARY
  - TAX ASSESSOR PARCELS
  - - - 1/4 SECTION LINE
  - + SECTION CORNER
- SEC. 13, T6N, R4W SECTION, TOWNSHIP, RANGE

### AFFECTED AGENCIES

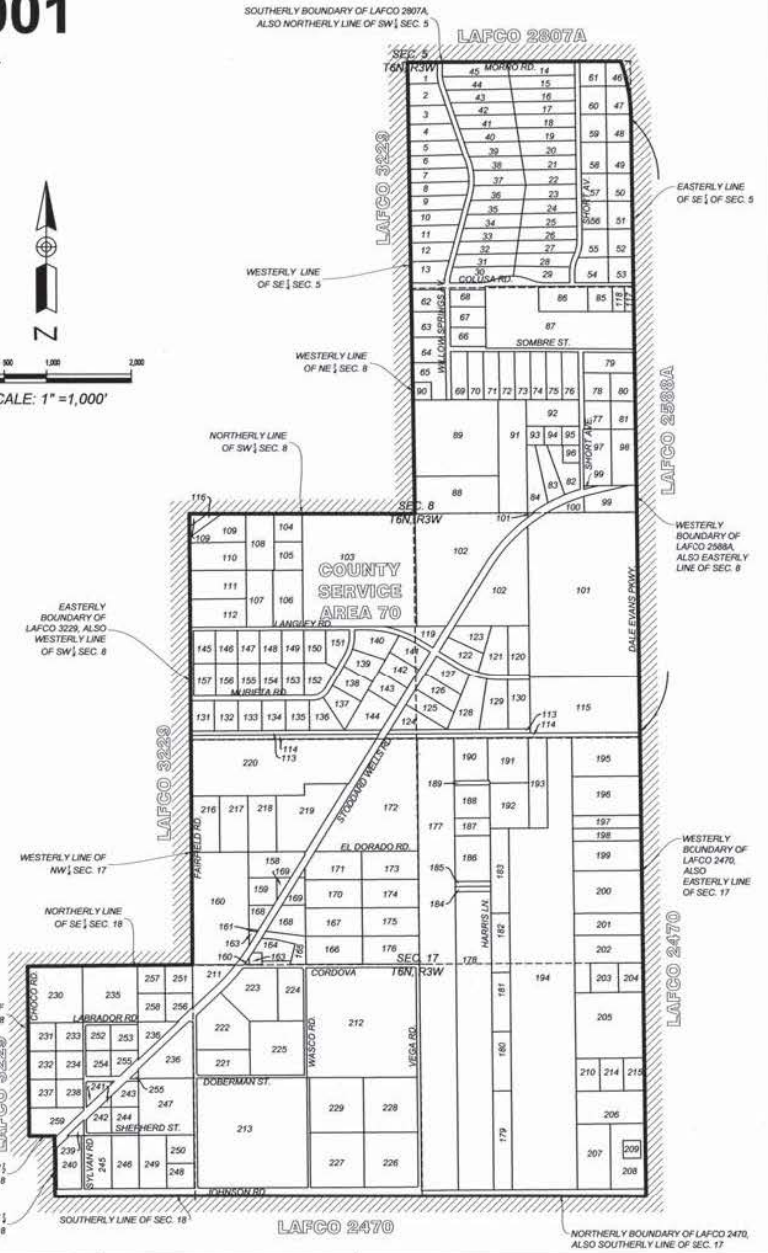
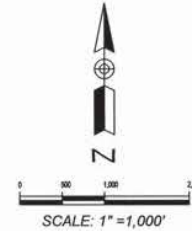
TOWN OF APPLE VALLEY  
COUNTY SERVICE AREA 70

### ANNEXATION AREA

1,423.62 ACRES

### ABBREVIATIONS

SEC SECTION  
N NORTH  
NW NORTHWEST  
NE NORTHEAST  
S SOUTH  
SW SOUTHWEST  
SE SOUTHEAST



TAX ASSESSOR PARCEL NUMBER TABLE																							
#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN	#	APN
1	47224101	41	47224228	81	47225405	121	47228202	161	47229207	201	47229248	241	47236224										
2	47224102	42	47224229	82	47225501	122	47228203	162	47229208	202	47229249	242	47236225										
3	47224103	43	47224230	83	47225502	123	47228204	163	47229210	203	47229250	243	47236226										
4	47224104	44	47224231	84	47225503	124	47228301	164	47229211	204	47229251	244	47236227										
5	47224105	45	47224232	85	47227302	125	47228302	165	47229212	205	47229252	245	47236228										
6	47224106	46	47224301	86	47227303	126	47228303	166	47229213	206	47229254	246	47236229										
7	47224107	47	47224302	87	47227304	127	47228304	167	47229214	207	47229255	247	47236230										
8	47224108	48	47224303	88	47227328	128	47228305	168	47229215	208	47229256	248	47236232										
9	47224109	49	47224304	89	47227329	129	47228306	169	47229216	209	47229257	249	47236233										
10	47224110	50	47224305	90	47227330	130	47228307	170	47229217	210	47229258	250	47236234										
11	47224111	51	47224306	91	47227331	131	47228401	171	47229218	211	47229260	251	47236235										
12	47224112	52	47224307	92	47227332	132	47228402	172	47229219	212	47229262	252	47236241										
13	47224113	53	47224308	93	47227333	133	47228403	173	47229220	213	47229264	253	47236242										
14	47224201	54	47224309	94	47227334	134	47228404	174	47229221	214	47229266	254	47236243										
15	47224202	55	47224310	95	47227335	135	47228405	175	47229222	215	47229267	255	47236244										
16	47224203	56	47224311	96	47227336	136	47228406	176	47229223	216	47229268	256	47236250										
17	47224204	57	47224312	97	47227337	137	47228407	177	47229224	217	47229269	257	47236251										
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20	47224207	60	47224315	100	47227340	140	47228410	180	47229227	220	47229273												
21	47224208	61	47224316	101	47227341	141	47228411	181	47229228	221	47229274												
22	47224209	62	47225101	102	47227342	142	47228412	182	47229229	222	47229275												
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28	47224215	68	47225203	108	47227348	148	47228504	188	47229235	228	47229281												
29	47224216	69	47225301	109	47227349	149	47228505	189	47229236	229	47229282												
30	47224217	70	47225302	110	47227350	150	47228506	190	47229237	230	47229283												
31	47224218	71	47225303	111	47227351	151	47228507	191	47229238	231	47229284												
32	47224219	72	47225304	112	47227352	152	47228508	192	47229239	232	47229285												
33	47224220	73	47225305	113	47227353	153	47228509	193	47229240	233	47229286												
34	47224221	74	47225306	114	47227354	154	47228510	194	47229241	234	47229287												
35	47224222	75	47225307	115	47227355	155	47228511	195	47229242	235	47229288												
36	47224223	76	47225308	116	47227363	156	47228512	196	47229243	236	47229289												
37	47224224	77	47225401	117	47227366	157	47228513	197	47229244	237	47229290												
38	47224225	78	47225402	118	47227367	158	47229245	198	47229245	238	47229291												
39	47224226	79	47225403	119	47228101	159	47229246	199	47229246	239	47229292												
40	47224227	80	47225404	120	47228201	160	47229247	200	47229247	240	47229293												



PREPARED BY:  
*Amélia Paula Pereira* 11/05/2020  
AMELIA PAULA PEREIRA  
P.L.S. NO. 8493  
DATE

PREPARED: NOVEMBER 2020

SCALE: 1" = 1,000'

**TOWN OF APPLE VALLEY**

14955 DALE EVANS PARKWAY  
APPLE VALLEY, CA 92307

760-240-7000 (MAIN)  
760-240-7223 (FAX)

**LAFCO NO. 3244**

REORGANIZATION TO INCLUDE ANNEXATION TO THE TOWN OF APPLE VALLEY AND DETACHMENT FROM COUNTY SERVICE AREA 70 - ANNEXATION 2019-001

PORTIONS OF SECTIONS 5, 8, 17 & 18, T6N, R3W, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

**SHEET**  
**1 of 1**



# **Application, Plan for Service and Fiscal Impact Analysis**

**Attachment 2**



## SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: Town of Apple Valley Annexation 2019-001  
\_\_\_\_\_  
\_\_\_\_\_
  
2. NAME OF APPLICANT: Town of Apple Valley, CA  
 APPLICANT TYPE:    ☐ Landowner                      ☒ Local Agency  
                              ☐ Registered Voter        ☐ Other \_\_\_\_\_  
 MAILING ADDRESS:  
14955 Dale Evans Parkway  
Apple Valley, CA 92307  
 PHONE:            ( 760 ) 240-7000 ext.7200  
 FAX:                ( 760 ) 240-7399  
 E-MAIL ADDRESS: llamson@applevalley.org
  
3. GENERAL LOCATION OF PROPOSAL: Annexation 2019-001 encompasses  
approximately 1,426 acres generally bounded on the north by Morro Road  
(extended), on the south by Johnson Road, on the west by various parcel boundaries,  
and on the east by Dale Evans Parkway.
  
4. Does the application possess 100% written consent of each landowner in the subject territory?  
 YES ☒ NO ☐ If YES, provide written authorization for change.
  
5. Indicate the reason(s) that the proposed action has been requested. Lands are within the  
Town's sphere-of-influence and an "island" surrounded by its corporate limits. The  
annexation represents a logical extension of the Town's corporate limits to plan  
for future growth.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**LAND USE AND DEVELOPMENT POTENTIAL**

1. Total land area of subject territory (defined in acres):  
Approximately 1,426 acres
2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)  
Approximately 112 dwelling units (84 single-family residential units and 28 multi-family residential units)
3. Approximate current population within area:  
340
4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):  
The Town of Apple Valley General Plan designates land in the annexation area as follows: Estate Residential (1 du/1 - 2.5 gross acres); Multi-Family Residential (4 to 20 du/net acre); Mixed Use (residential (4-30 du/acre), retail, and office commercial development); General Commercial (retail, office, and services); Regional Commercial (retails, services, restaurant, hotel/motel); Planned Industrial (warehousing, light manufacturing, research/development, administrative); Public Facilities (Town/County facilities, fires stations, schools, utility facilities)  
**San Bernardino County General Plan designation(s) and uses permitted by this designation(s):**  
Rural Living (rural residences, incidental agriculture, other compatible uses)  
Rural Commercial (permitted uses include auto sales/rental, convenience store, bar/night club, restaurant, warehouse retail, and some services)  
Neighborhood Commercial (permitted uses include convenience store, restaurant, parking lots, and some services)
5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:  
Apple Valley General Plan land use designations provide for more intensive land uses than the San Bernadino County General Plan; these have been addressed in the EIR Addendum. The proposed land use plan will not conflict with projects, goals, or guiding policies of the regional transportation plan (RTP). Buildout will contribute minimally to the Town population and RTP growth forecasts. The annexation area is near I-15, within two miles of two existing interchanges, and primary access will be provided by existing roadways.
6. Indicate the existing use of the subject territory.  
The annexation area is sparsely developed with residential uses and several paved and unpaved roads.

**What is the proposed land use?**

Proposed land uses are Apple Valley General Plan land use designations described in No.4, above. Development will consist of single- and multi-family residences, mixed-use development, commercial development, public facilities, and planned industrial projects.

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☒ If YES, please explain.



8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

<input type="checkbox"/> Agricultural Land Uses	<input type="checkbox"/> Agricultural Preserve Designation
<input type="checkbox"/> Williamson Act Contract	<input checked="" type="checkbox"/> Area where Special Permits are Required
<input type="checkbox"/> Any other unusual features of the area or permits required: <u>Future development with the potential</u> to impact streambeds or banks may require a Section 1602 Streambed Alteration Permit from CA Dept. of Fish and Wildlife (CDFW).	

9. Provide a narrative response to the following factor of consideration as identified in §56668(p):  
*The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The annexation area is currently sparsely developed with residential and commercial uses. The extension of public utilities and infrastructure will occur in an orderly manner based on the timing and location of new development. The Town continually monitors and plans for service needs within its boundaries to assure that all segments of the population are fairly served.

### ENVIRONMENTAL INFORMATION

1. Provide general description of topography. The annexation area consists of generally flat desert land with elevations ranging from approximately 3,000 feet to 3,160 feet above mean sea level.

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>8.8</u>	%	Agricultural	<u>                    </u>	%
Commercial	<u>0.34</u>	%	Vacant	<u>85.8</u>	%
Industrial	<u>4.2</u>	%	Other	<u>(roads) 0.82</u>	%

3. Describe the surrounding land uses:

NORTH	<u>Vacant (Town of Apple Valley)</u>
EAST	<u>Scattered residences and a juvenile detention center, vacant (Town of Apple Valley)</u>
SOUTH	<u>Vacant (Town of Apple Valley)</u>
WEST	<u>Vacant (Town of Apple Valley)</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

Future development will require grading and extension of roadways, water, sewer, stormwater management, and other utility infrastructure. No development projects are currently proposed.



5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒ NO ☐ Adjacent sites? YES ☒ NO ☐ Unincorporated ☐ Incorporated ☒

The annexation, in and of itself, will not directly induce growth. However, annexation will facilitate future growth consistent with the Apple Valley General Plan land use plan, which allows development at higher densities than currently allowed by the County General Plan. The annexation area is adjacent to regional transportation (I-15) and in proximity to existing urban uses (residences, employment) to the south and east. The land use plan optimizes existing infrastructure and is compatible with nearby land uses.

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☒ NO ☐ If YES, please identify.

Apple Valley Unified School District (AVUSD) provides public education services and facilities to the annexation area. Apple Valley Fire Protection District (AVFPD) provide fire protection and emergency response services to the annexation area. The San Bernardino County Sheriff's Department currently provides law enforcement services to the annexation area.

7. Is this proposal a part of a larger project or series of projects? YES ☒ NO ☐ If YES, please explain.

The currently proposed annexation is consistent with the Town's General Plan long term vision, by providing opportunities for economic development and employment growth. The annexation area will allow direct access to the I-15 corridor for Town businesses and residents, and provide a direct connection from the Town's traditional center to the south to the broader region to the north and south. Employment growth will be fostered by the additional commercial and industrial lands proposed.

### **NOTICES**

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME Lori Lamson TELEPHONE NO. (760)240-7000

ADDRESS: 14955 Dale Evans Parkway, Apple Valley, CA 92307

NAME Nicole Sauviat Criste TELEPHONE NO. (760)341-4800

ADDRESS: 42635 Melanie Place, Suite 101, Palm Desert, CA 92211

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

### **CERTIFICATION**

As a part of this application, the City/Town of Apple Valley, or the n/a District/Agency, \_\_\_\_\_ (the applicant) and/or the n/a \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,



and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 6/29/2020

Lori Lamson  
SIGNATURE  
Lori Lamson

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Assistant Town Manager  
Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT                                       |
| <input type="checkbox"/>            | SPHERE OF INFLUENCE CHANGE SUPPLEMENT   |
| <input type="checkbox"/>            | CITY INCORPORATION SUPPLEMENT   |
| <input type="checkbox"/>            | FORMATION OF A SPECIAL DISTRICT SUPPLEMENT  |
| <input type="checkbox"/>            | ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT |



## SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

**ANNEXED TO**

Town of Apple Valley

**DETACHED FROM**

San Bernadino County

San Bernadino County CSA No. 70

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

a. Has pre-zoning been completed? YES ☒ NO ☐

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

Estate Residential (1 du/1 - 2.5 gross acres); Multi-Family Residential (4 to 20 du/net acre); Mixed Use (residential (4-30 du/acre));

General Commercial; Regional Commercial; Planned Industrial; Public Facilities

Please see attached Ordinance 406.

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☒ If YES, please provide a written justification for the proposed boundary configuration.

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

Future development in the annexation area will be subject to the developer impact fees identified in the Town's Municipal Fee Schedule

(Ordinance 294, as amended) and any applicable taxes, assessments, or fees that may be implemented by the Town in the future. At

this time, the Town is not proposing any new assessment districts to which the annexation area would be subject.



5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

The annexation area will be detached from County Service Area 70; however, it does not fund any services currently provided to the territory. Therefore, the territory will not be relieved of any existing special taxes, assessments, charges, or fees.

---

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

There are no Williamson Act Contracts within the proposed annexation area.

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7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

The annexation will have no impact on the Town's ability to achieve its RHNA housing needs for this planning period, as that is being provided for in the current Town limits. Sufficient sites are identified in the Housing Element to accommodate the Town's RHNA allocation. The land use plan for the annexation area accommodates detached single-family residential units on lots of 1 to 2 1/2 gross acres, consistent with the rural character of the Town, and will not directly affect RHNA needs.

---

8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.



- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

### CERTIFICATION

As a part of this application, the City/Town of Apple Valley, or the n/a District/Agency, n/a (the applicant) and/or the n/a (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of Apple Valley or the n/a District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 6/29/2020

Lori Lamson  
SIGNATURE

Lori Lamson, Assistant Town Manager  
Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Assistant Town Manager  
Title and Affiliation (if applicable)



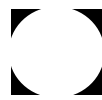
**PLAN FOR PROVISION OF MUNICIPAL SERVICES  
ANNEXATION 2019-001  
TO THE  
TOWN OF APPLE VALLEY**



**Prepared for:**

**Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307**

**Prepared by:**



**Terra Nova Planning & Research, Inc.®  
42635 Melanie Place, Suite 101  
Palm Desert, CA 92211**

**June 2020**



# **TOWN OF APPLE VALLEY**

## **Annexation 2019-001**

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## **I. INTRODUCTION**

The San Bernardino County Local Agency Formation Commission (LAFCO) requires the preparation of a Plan of Services (POS) to evaluate all proposed annexations. The POS describes existing services provided within the annexation area and identifies the jurisdiction or other agency that provides them. It also discusses services to be provided to the annexation area by the Town of Apple Valley and other applicable service providers upon annexation.

In 2008, a POS was prepared for Annexation No. 2008-001 to the Town of Apple Valley. The voters did not approve the annexation, and the annexation area was not incorporated into the Town. In 2018, a POS was prepared for Annexation No. 2018-001 which included 1,304± acres of Annexation No. 2008-001; the annexation was approved, and the area was incorporated into the Town limits. The POS contained herein evaluates a newly proposed annexation area that includes the remaining acreage of Annexation No. 2008-001 (see Exhibit 4). The proposed annexation area is within the Town of Apple Valley Sphere of Influence. It is near the U.S. Interstate-15 transportation corridor in an area where urban development is expected to occur and intensify in the future. It consists of an “island” of unincorporated land surrounded by the Town’s corporate limits.

The purpose of this annexation application is to provide a means by which to accomplish comprehensive and orderly planning for future development, while ensuring the efficient and adequate provision of services to the site. The most efficient provision of municipal services and the extension of utilities, as well as the use of public facilities, would be by the Town. The Apple Valley General Plan provides for the extension of public facilities and utility services to the proposed annexation area.

The POS identifies the following:

- Public facilities and service providers that will be responsible for various facilities to serve the annexation area;
- Whether these services are currently available in the annexation area;
- Where applicable, extension of services has been considered, and costs that may be associated with the provision of service.

The annexation area will be provided services by the following providers:

- Liberty Utilities for domestic water
- Town of Apple Valley for sanitary sewer service
- Apple Valley Unified School District for public educational services
- San Bernardino County Newton T. Bass Apple Valley Library for public library services
- AVCO Disposal, a Burrtec Waste Industries company, for solid waste management



- Apple Valley Police Department/San Bernardino County Sheriff's Department for police protection
- Apple Valley Fire Protection District for primary fire services
- Town of Apple Valley for parks/recreation services and facilities
- Southern California Edison for electricity
- Southwest Gas Company for natural gas
- Frontier and Charter Spectrum for telephone and telecommunications
- St. Mary Medical Center for hospital services; American Medical Response (AMR) for ambulance services

Section III describes each of the services that will be provided by the respective service provider. Existing facilities available to serve the annexation area are discussed, and costs associated with extending services and facilities to serve the site are identified where possible.



## **II. COMMUNITY SETTING**

### **A. Annexation Area**

The Town of Apple Valley proposes the annexation of 1,424± acres of land currently under the jurisdiction of the County of San Bernardino. The proposed annexation area is in the Town's Sphere of Influence and generally bounded on the north by Morro Road (extended), on the south by Johnson Road, on the west by various parcel boundaries, and on the east by Dale Evans Parkway. The location of the annexation area is shown on Exhibits 1, 2 and 3. Exhibit 4 shows the boundaries of the currently proposed annexation compared to the previously proposed Annexation 2008-001 and Annexation 2018-001.

The annexation area may be described as including: a portion of Sections 5, 8, 17, and 18, Township 6 North, Range 3 West of the San Bernardino Base and Meridian. A list of Assessor's Parcel Numbers (APNs) in the annexation area is provided in Appendix A.

The annexation area is sparsely developed with residential and commercial uses and several roads that traverse the area. As previously noted, it is completely surrounded by the Town's corporate limits. Land to the immediate east is sparsely developed with scattered residential units and the High Desert Juvenile Detention Center. Land to the north, south, and west is vacant.

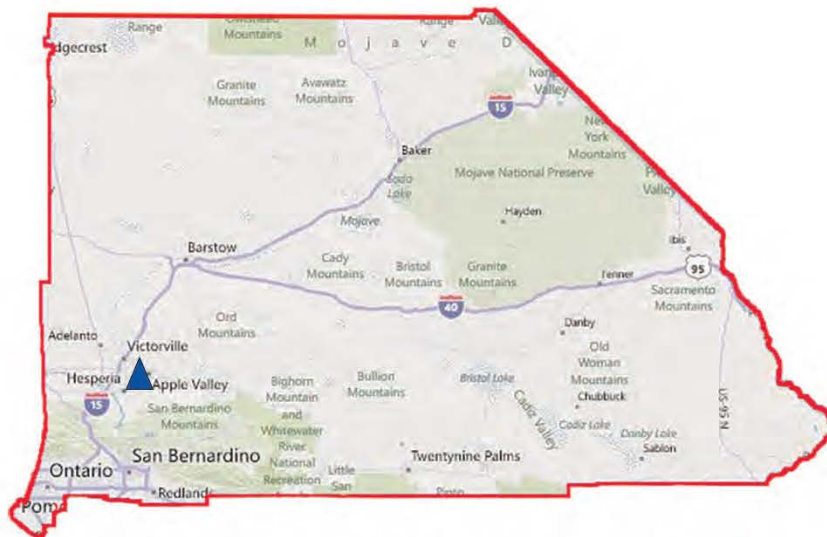




# CALIFORNIA

PACIFIC  
OCEAN

MEXICO

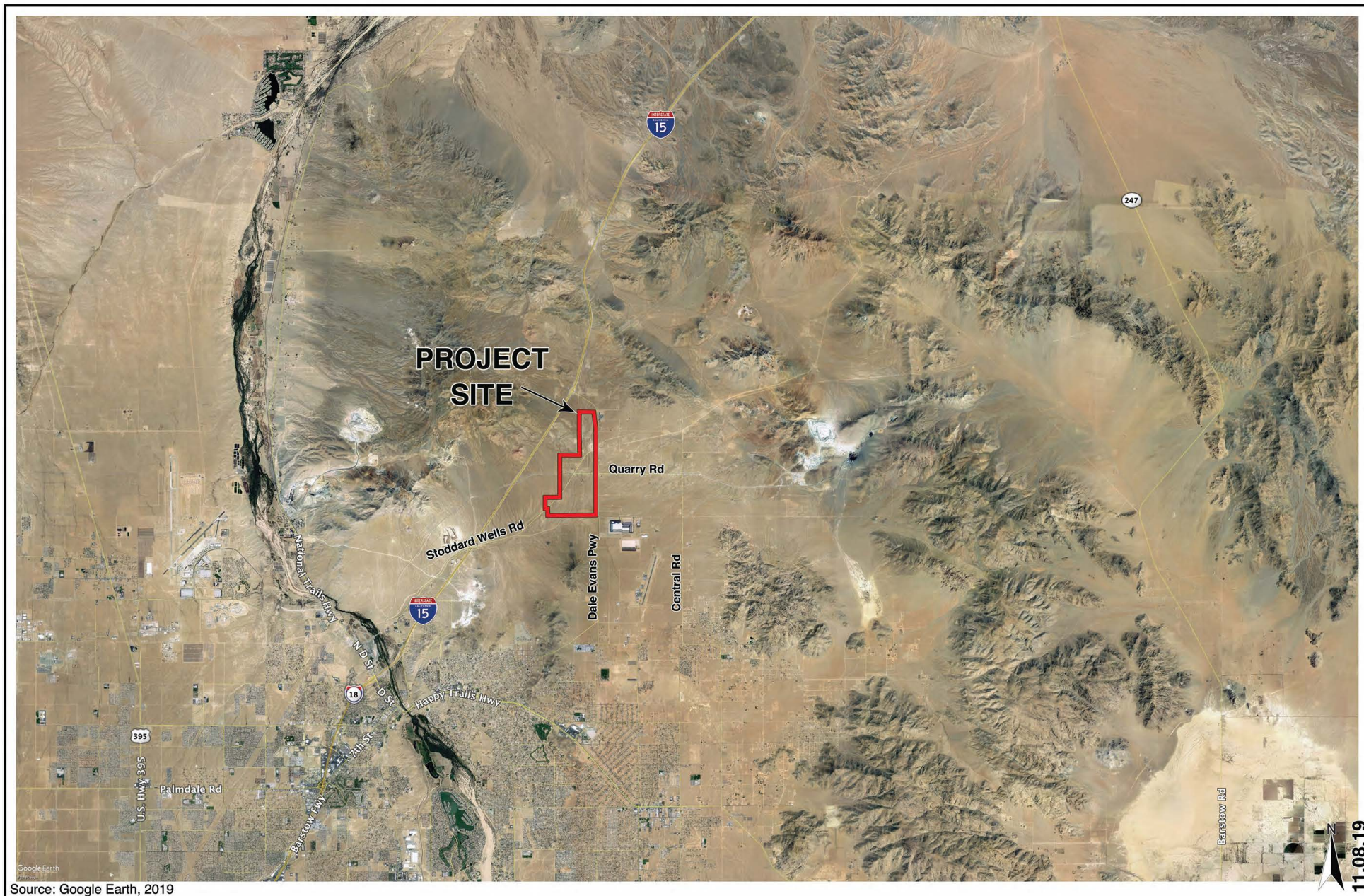


# SAN BERNARDINO COUNTY

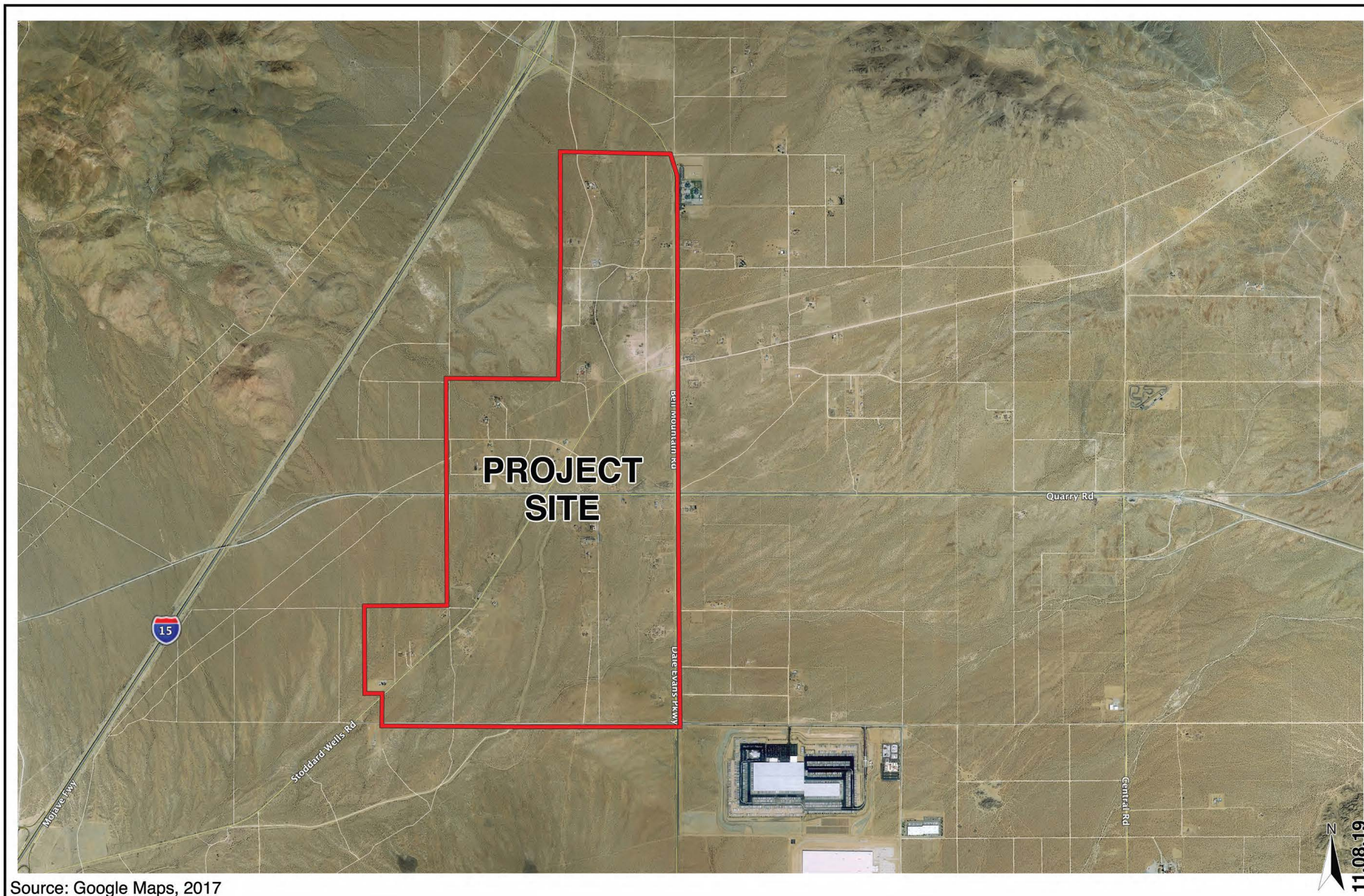


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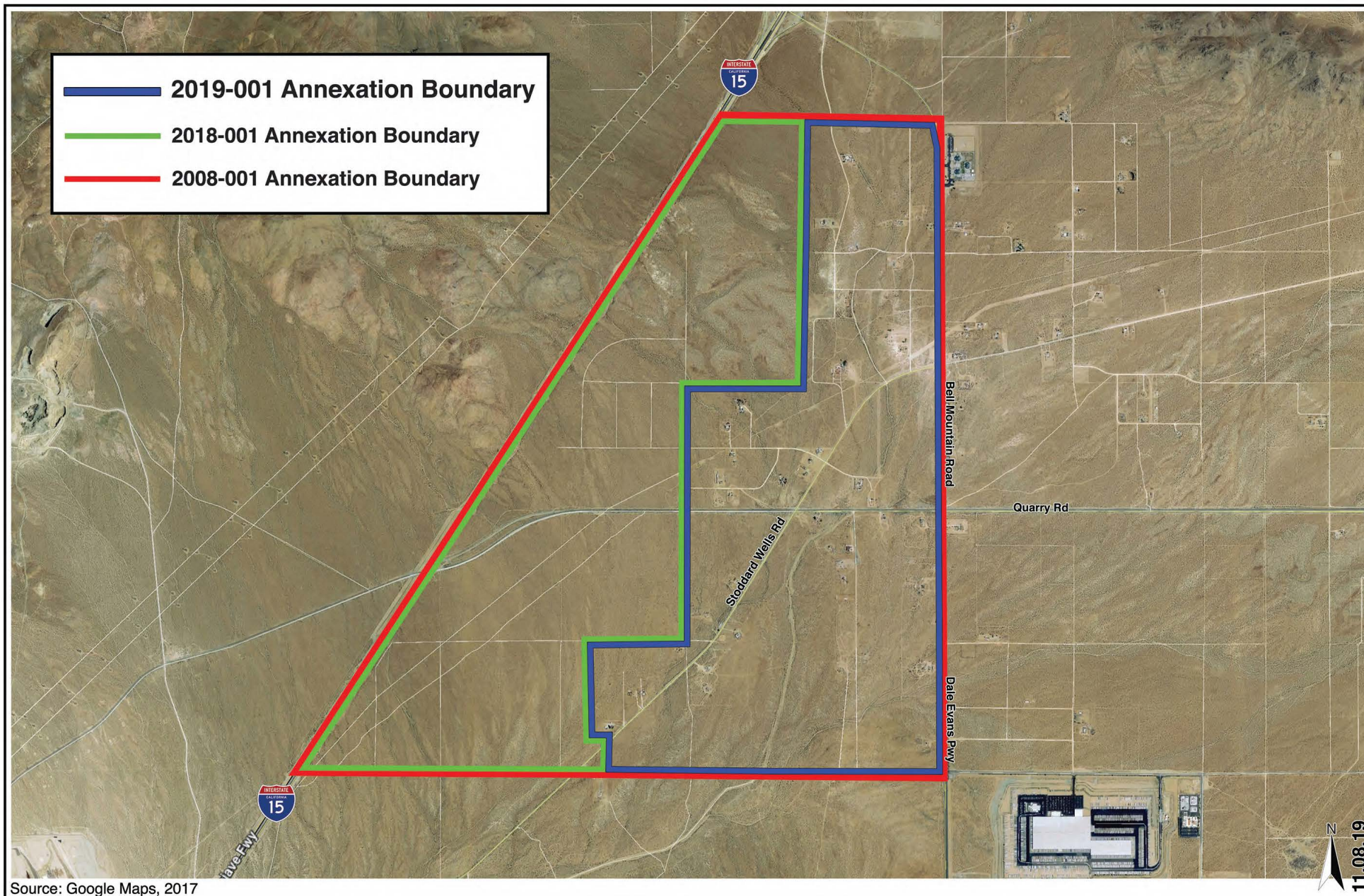




Source: Google Maps, 2017

**Apple Valley Annexation 2019-001  
Plan of Services  
Project Location Map  
Apple Valley, California**







## **B. Planning Area Context**

The Town of Apple Valley's corporate boundaries cover approximately 78 square miles.<sup>1</sup> An additional 200± square miles comprise the Town's Sphere of Influence. Apple Valley is situated in the high desert region of southwest San Bernardino County, near the foothills of the San Bernardino Mountains, which lie to the south. Other jurisdictions in the region include the City of Victorville to the west, City of Hesperia to the southwest, City of Adelanto to the northwest, and unincorporated community of Lucerne Valley to the east.

The Town has developed most densely along major roadways, including State Highway 18, which extends southeast to northwest through Apple Valley; and Bear Valley Road, which is located south of Highway 18 and runs east to west. North of Highway 18 to Waalew Road, the existing development pattern becomes gradually less dense. North of Waalew Road, existing development is scattered and relatively limited in most areas; however, the North Apple Valley Industrial Specific Plan (NAVISP) provides for substantial future industrial and commercial development in this area. Existing development in the NAVISP area includes the Apple Valley Airport and the Walmart Distribution Center, as well as a number of smaller industrial buildings and projects. Some development has occurred on Dale Evans Parkway, which forms the easterly boundary of the annexation area and provides direct access to I-15.

The I-15 corridor borders the Town in a generally southwest to northeast direction. It connects the region with Los Angeles and other markets to the south, and Barstow, Las Vegas, and Salt Lake City to the north.

## **C. Physical Characteristics**

The proposed annexation area is characterized by expanses of vacant desert, scattered residential and commercial development, and several paved and unpaved roadways. Its topography is relatively flat, with elevations ranging from approximately 3,000 feet to 3,160 feet above mean sea level. Dry washes, part of the regional drainage of the area, occur throughout the annexation area.

## **D. Population Estimates**

In 2010, the Town of Apple Valley population was 69,135; by 2019 it was estimated at 73,464.<sup>2</sup> The average household size is 3.04.<sup>3</sup>

The annexation area is partially developed and contains approximately 112 dwelling units and a population of 340.<sup>4</sup>

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<sup>1</sup> <http://www.applevalley.org>

<sup>2</sup> U.S. Census 2010; and California Department of Finance City/County Population and Housing Estimates, January 1, 2019.

<sup>3</sup> 2013-2017 American Community Survey 5-Year Estimates. Figure shown in the average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19).

<sup>4</sup> 112 dwelling units x 3.04 persons/household, 2013-2017 American Community Survey 5-Year Estimates, average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19).



### **III. EXISTING AND PROPOSED SERVICES**

#### **A. Administrative Services/General Government**

##### *County of San Bernardino*

The annexation area is currently under the jurisdiction of San Bernardino County. General government services include the County Supervisor's office, Clerk of the Board of Supervisors, County Administrative Offices, and County Counsel. The Board of Supervisors is the governing body of the County government and Board-governed special districts. The annexation area is in the First Supervisorial District of the County, which is currently represented by Supervisor Robert Lovingood.

Duties of the Clerk of the County Board of Supervisors include handling appeals made by members of committees, commissions and boards to the Board of Supervisors. The Clerk also records documents, including CEQA documentation and other items. The Clerk serves the entire County, including the annexation area.

County administrative offices establish and administer policy, manage various County departments, and coordinate the County budget. The County Counsel's office oversees all legal aspects of County government, including providing legal representation in court, prosecutions on behalf of the County, providing legal advice and interpretation, and handling all necessary legal processes. The Counsel serves the entire County.

##### *Town of Apple Valley*

Upon annexation, the annexation area would become part of the Town of Apple Valley. General government services include the Town Council, Town Manager, Town Clerk, Town Administrative Offices, including Public Services Administration, and Town Attorney. The Town Council consists of five council members with the mayor as presiding officer. No new council representation will be required upon annexation.

The Town Manager is responsible for the administrative affairs of the Town, including managing Town services and implementing programs and activities as directed by the Town Council. Other managerial responsibilities include monitoring and advising the Council of all state and federal legislation that concern the Town. The Town Manager and staff serve the entire Town, and will serve the annexation area. No additional personnel are expected to be required in the Town Manager's office as a result of the annexation.

The Town Clerk maintains the Town's official records, including Town Council official minutes. The Clerk performs duties required by the California Political Reform Act, which created the California Fair Political Practices Commission (FPPC). The Clerk serves as the Town's Election Official and Notary Public, and maintains the Municipal Code. The Clerk's office also serves as a Passport office. The Clerk and staff serve the entire Town, and will serve the annexation area. No additional personnel are expected to be required in the Clerk's office to serve the annexation area.



The Town's General Government offices and services include the following:

- Human Resources Department, including Risk Management
- Public Information Office
- Finance Department
- Animal Services
- Economic and Business Development Department
- Police Department
- Community Development Department, including planning, housing, and code enforcement services
- Parks & Recreation Department
- Public Services Department
- Office of Emergency Preparedness
- Building & Safety Department
- Public Works Department, including street maintenance, wastewater, and grounds maintenance
- Engineering Department
- Environmental & Transit Services
- Apple Valley Golf Course administration

The Community Resource Foundation, a non-profit public benefit corporation, supports and promotes cultural, recreational, and human services needs in Apple Valley.

## **B. Wastewater Treatment**

The Town owns and operates the local wastewater collection system, which serves more than 22,000 residents. The sewer system consists of approximately 145 miles of sewer pipe infrastructure and 8 lift stations.<sup>5</sup> It is relatively new and does not cover the entire Town; approximately 70% of developed residential areas have not been connected to the sewer system and still rely on septic systems.

The Town is a member of the Victor Valley Wastewater Reclamation Authority (VWRA), a joint powers authority that includes the Town of Apple Valley, City of Hesperia, City of Victorville, and San Bernardino County Service Areas 42 (Oro Grande) and 64 (Spring Valley Lake). Although the Town of Apple Valley maintains ownership, operation, and maintenance of its sewer system, VWRA maintains regional intercept lines that collect and transport wastewater from Town pipelines to a regional wastewater treatment plant in Victorville. The Victorville wastewater treatment plant treats approximately 10.7 million gallons per day (MGD),<sup>6</sup> and has a design and treatment capacity of 18 MGD. Overall capacity is expected to be expanded to 22 MGD by 2020 and 30 MGD by 2025.<sup>7</sup>

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<sup>5</sup> Town of Apple Valley Sewer System Management Plan (SSMP) Update, September 10, 2019.

<sup>6</sup> <http://www.vvwwra.com>, accessed November 12, 2019.

<sup>7</sup> "Victor Valley Wastewater Reclamation Authority Sewer Plan, Adopted Policy for Serving the Growth of the Community," August 2005.



The Apple Valley Subregional Water Reclamation Plant near Brewster Park is a new VVWRA facility that treats a portion of locally generated wastewater, while all solids and other wastewater continue to be treated at the Victorville treatment plant. The new plant produces about one million gallons per day of recycled water to be used for irrigation of the Apple Valley Golf Course and other irrigated spaces.<sup>8</sup>

Although there are currently no local sewer facilities in the annexation area, the Northern Apple Valley Interceptor (NAVI) crosses through the annexation area.<sup>9</sup> The NAVI is a 38,925-foot long sewer pipeline with diameters ranging from 18 to 24 inches. It extends from the High Desert Juvenile Detention Center at the intersection Dale Evans Parkway and Morro Road in the north, south along Dale Evans Parkway, south of and roughly parallel with Stoddard Wells Road, and southwest beyond Interstate-15 to the Victorville sewer collection system. Currently, its only connection is the Detention Center.

The Apple Valley Sewer System Master Plan Update evaluated the adequacy of the Town's sewer system based on the assumption that the Town will develop according to land use projections defined in the 2009 General Plan. These projections include build out of the Golden Triangle area ("previously denied" Annexation 2008-001), which encompasses the currently proposed annexation area plus the (approved) Annexation 2018-001 area. The report concluded that the NAVI has adequate capacity to handle additional flows from future build out anticipated within the Golden Triangle without the need for upgrading the pipe diameter.<sup>10</sup> New pipelines that connect to the NAVI will be needed to serve development as the area builds out. The report includes plans for future pipelines (see Exhibit 5) in the Golden Triangle and estimates that new infrastructure serving the Golden Triangle area would cost about \$31.9 million.<sup>11</sup> The proposed annexation area covers about 50% of the Golden Triangle and will result in less development at build out compared to the Golden Triangle. Therefore, it is reasonable to assume the need for and costs associated with new infrastructure will be less than these estimates.

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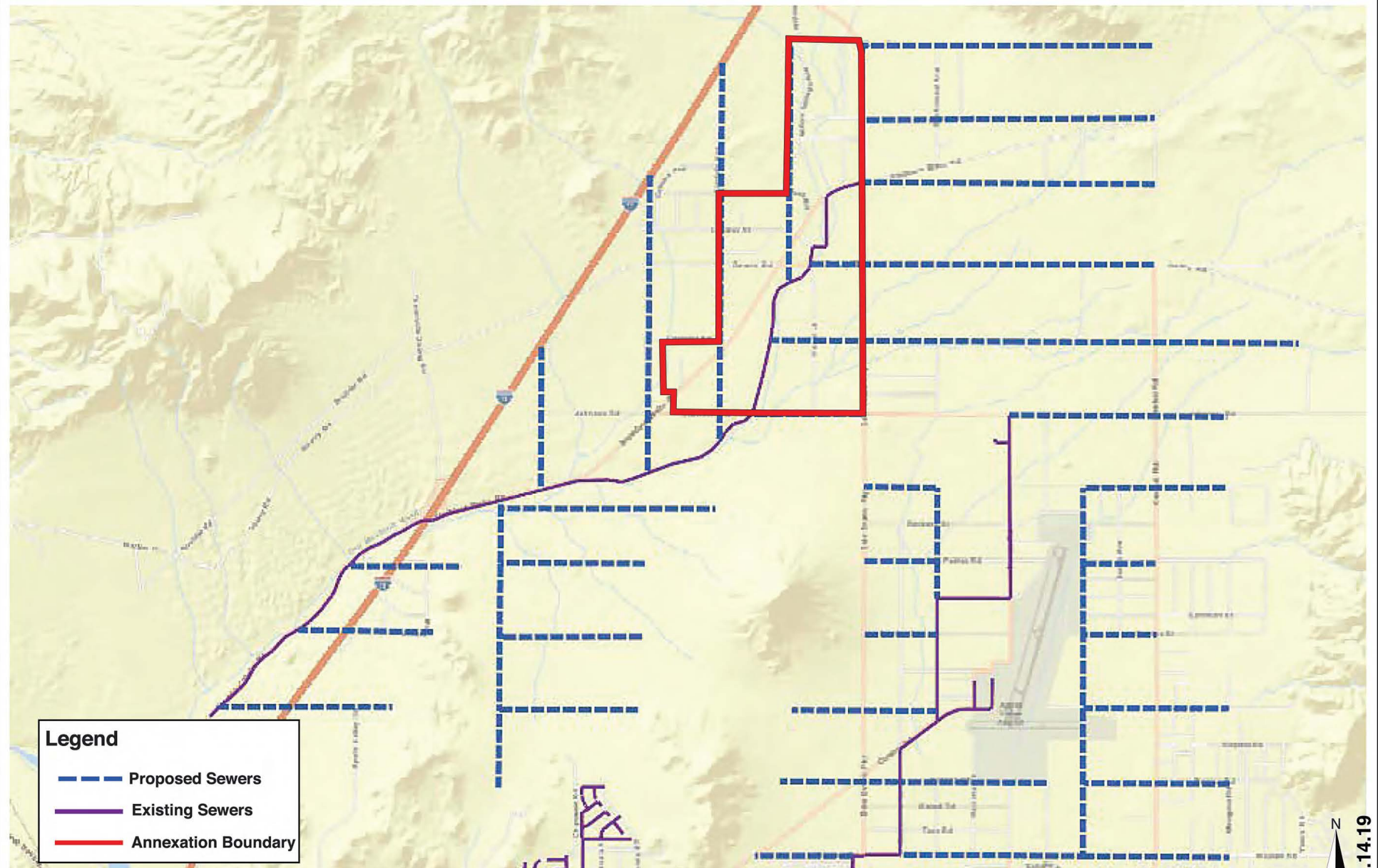
<sup>8</sup> .Purple Pipe Newsletter, Volume XIII Springs 2018, Victor Valley Wastewater Reclamation Authority.

<sup>9</sup> "Final Report, Sewer System Master Plan Update, Town of Apple Valley, California," URS Corporation, August 2013.

<sup>10</sup> Ibid, p. 10-30 and 10-65.

<sup>11</sup> Ibid, Figure 12-4, Figure 12-5, Table 1-2.





Source: URS, 2013



At build out, the annexation area is expected to have a population of approximately 11,452 residents. Based on a wastewater generation factor of 100 gallons per capita per day<sup>12</sup>, build out of the annexation area could generate an estimated 1,145,200 gallons of wastewater per day. Based on these estimates, future development is not expected to result in wastewater flows that exceed the existing or planned capacity of the Victorville wastewater treatment plant.

Future development within the annexation area will be required to extend wastewater collection to the property frontage, and project developers will be responsible for costs associated with connecting development to the service. The Town adopted a Sewer Connection Policy in 2006 that requires that new development connect to Town facilities where the development's lots are within one-half mile of existing sewer facilities. Developments located more than one-half mile from existing facilities are required to install dry sewers or interim "Holding Tank Systems" if approved by the Lahontan Regional Water Quality Control Board (CRWQCB). All new development is expected to ultimately be connected to the community sewage collection system.<sup>13</sup>

The Town and VVWRA assess local and regional sewer connection fees based on the total number of plumbing fixtures. The Town also assesses capacity fees, sewage facilities fees, and Development Impact Fees which are expected to provide adequate funding for extension and maintenance of sewer services to new development.

### **C. Stormwater Improvements**

Stormwater management for the annexation area and surrounding area is provided by the San Bernardino Flood Control District ("Flood Control District"). The Flood Control District implements broad management functions, such as flood control planning, construction of drainage improvements for regional flood control facilities, and watershed and watercourse protection related to those facilities. It has power of taxation, bonded indebtedness, land and water rights acquisition, and cooperative partnerships with local, state, and federal agencies in order to carry out its mandated responsibility. Decisions related to the Flood Control District are made by the San Bernardino County Board of Supervisors. The District is subdivided into several geographic zones; the Town of Apple Valley and proposed annexation area are in District Zone 4.

Upon annexation, the Flood Control District would be responsible for regional stormwater management within the annexation area, and the Apple Valley Public Works Department would be responsible for local drainage management. The Town defines and manages local facilities through its Master Drainage Plan, which divides the Town and its Sphere of Influence into several subareas and identifies facilities and future needs within each. The proposed annexation area is within the North Community Drainage Plan area, which includes numerous drainage facilities designed to manage locally generated runoff.

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<sup>12</sup> p. III-246, "Draft Environmental Impact Report, Apple Valley General Plan and Annexations 2008-001 & 2008-002," February 2009.

<sup>13</sup> "Town of Apple Valley General Plan," adopted August 11, 2009.



The Town is required to monitor its Master Drainage Plans every five years to update changes to local and regional drainage and flood conditions. It has established per unit developer impact fees for storm drainage facilities for residential and commercial/industrial development to offset the cost of improvements due to increased development.

Future development within the annexation area will be required to manage storm flows on-site, and to participate in regional drainage improvements included in both County and Town drainage master plans.

#### **D. Roadway Maintenance**

The annexation area includes a small network of primarily unpaved roadways. Approximately ½ mile to the west is U.S. Interstate 15, a 6-lane divided highway. The nearest I-15 interchanges to the annexation area are at: 1) Dale Evans Parkway, approximately 0.4-mile north of the annexation area, and 2) Stoddard Wells Road, approximately 1.7-mile south of the annexation area.

Dale Evans Parkway forms the easterly boundary of the annexation area. It extends from the I-15 interchange to Highway 18. It is a 2-lane (partly 3-lane) divided, paved road. It is General Plan designated as a Major Divided Parkway (142 foot right-of-way).

Stoddard Wells Road runs through the central portion of the annexation area. It is a two-lane undivided, southwest-northeast trending roadway that enters the Town at an interchange with I-15 and extends northeast beyond the Town limits. It is General Plan designated as a Major Road (104 foot right-of-way) north of Johnson Road and to the northeast as it traverses the Town.

The annexation area is bounded on the south by Johnson Road. East of Stoddard Wells Road, it is a two-lane east-west trending road that extends from the annexation area to the east across the northern portion of the Town. West of Stoddard Wells Road, it extends outside the annexation area and is unpaved and unimproved. Johnson Road is General Plan designated as a Major Road (104 foot right-of-way) east of Stoddard Wells Road.

Quarry Road roughly bisects the annexation area. It is a privately owned east-west trending road that runs parallel to and north of Johnson Road. It originates from a quarry east of the Town limits and continues west through the annexation area, crosses over I-15, and continues west. It is currently a 2-lane undivided roadway. The General Plan designates it as a Major Divided Arterial (128 foot right-of-way) west of Stoddard Wells Road and a Major Road (104 foot right-of-way) east of Stoddard Wells Road within the annexation area.

Upon annexation, the Town will be responsible for roadway construction and maintenance. Construction and improvements will be required as development occurs in the annexation area, and will likely be undertaken by individual developers. Future development will be responsible for a fair share of roadway improvements. The Town has established transportation impact fees through its Developer Impact Fee schedule. These are assessed



on a per unit basis for single and multi-family residential development, and per square foot for commercial and industrial development. Gas taxes, Proposition 42 Traffic Congestion Relief funds, Local Transportation Funds, and Measure I funds are also used for the construction and maintenance of streets and highways.

### **E. Public Safety: Police and Emergency Preparedness**

#### *Law Enforcement*

The San Bernardino County Sheriff's Department currently provides law enforcement services to the annexation area. Upon annexation, law enforcement services will be provided by the Town of Apple Valley which contracts with the San Bernardino County Sheriff's Department. The Apple Valley Police/Sheriff Station is located in the Civic Center at 14931 Dale Evans Parkway in Apple Valley. Its staff includes 51 sworn personnel and 13 general employees.<sup>14</sup> In 2018, staffing levels resulted in a ratio of one deputy per 1,987 residents,<sup>15,16</sup> and the Department responded to 67,988 calls for service.<sup>17</sup>

The Department has set a target ratio of 1 deputy per 1,500 residents.<sup>18</sup> Based on this standard, and a projected buildout population of 11,452<sup>19</sup> in the annexation area, build out of the annexation area would require eight additional deputies.

The Town expends approximately 43% of its General Fund toward Sheriff services.<sup>20</sup> The Town has established Development Impact Fees to fund additional law enforcement facilities; these are assessed per dwelling unit and per square foot of commercial/industrial development.

#### *Emergency Preparedness*

The Town's Public Safety budget includes expenditures for emergency and disaster preparedness, including but not limited to the Emergency Operations Plan, operation of the Emergency Operation Center (EOC) at the Apple Valley Unified School District's Administration Campus, emergency response training and coordination, and public education and drills. Inclusion of this program places the Town in position to receive Federal Emergency Management Assistance (FEMA) reimbursement funds. In the event of an emergency, the Apple Valley EOC reports directly to the County Office of Emergency Services who can assist the Town with requests for state and federal assistance. Funding for the Emergency Preparedness program is through the Town's General Fund, the Apple Valley Fire Protection District, and a Federal Emergency Management Program Grant (EMPG).

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<sup>14</sup> <http://wp.sbcounty.gov/sheriff/patrol-stations/apple-valley/>, accessed November 12, 2019.

<sup>15</sup> <https://www.applevalley.org/services/economic-development/commercial/demographics>, accessed November 12, 2019.

<sup>16</sup> p. 102, "Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020"

<sup>17</sup> p. 101, "Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020"

<sup>18</sup> "Town of Apple Valley General Plan," adopted August 11, 2009.

<sup>19</sup> 3767 dwelling units x 3.04 persons/household [2013-2017 American Community Survey 5-Year Estimates, average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19)].

<sup>20</sup> p. 27 & 102, "Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020"



Emergency medical services are provided by American Medical Response, AMR, a private company. This is further discussed under Fire Department and Medical Services, below.

## **F. Fire Department**

The Apple Valley Fire Protection District (AVFPD) provides fire protection and emergency response services to a population of nearly 94,000 in a service area covering 206 square miles, including the Town of Apple Valley, the annexation area, and unincorporated land east of Apple Valley.

The District employs 52 full-time and 4 part-time and reserve personnel.<sup>21</sup> In 2018, it responded to more than 13,422 service calls, including fires and medical emergencies.<sup>22</sup> It staffs five fire stations full time, all of which provide paramedic services. The closest station to the annexation area is Station No. 332 at 18857 Highway 18, approximately 4.6 miles to the south. Response times are typically within 6 minutes.<sup>23</sup>

The desired staffing ratio of full-time fire personnel to population is 1:1,500.<sup>24</sup> Based on this guideline, at build out the annexation area will require eight additional full time fire protection staff. AVFPD may also need to obtain new equipment or facilities to serve future development in the annexation area. New fire hydrants and the extension of water mains will also be required. As previously noted, the AVFPD already serves the annexation area, and additional demand will increase incrementally as development builds out in the area. Nonetheless, the increased demand will require funding to ensure the adequate provision of fire protection staffing, equipment, and facilities to serve future development.

The District's 2019-20 budget revenues total \$13.4 million and expenditures total \$12.9 million.<sup>25</sup> Operations are funded through two main revenue sources: property taxes and special tax measures. In 2016, voters approved Measure A, a special tax measure to help fund the District, allowing it to open two previously closed fire stations and reduce response times. The District also receives revenues from Development Impact Fees which are collected by the Town from developers for new development occurring within the District.

## **G. Parks and Recreation**

The annexation area is sparsely developed and has no parks or recreation facilities. Upon annexation, the Town of Apple Valley Parks and Recreation Department would be responsible for planning, operating, and maintaining parks and recreational facilities within the annexation area. There are currently 370 acres of parks and open space within 6 mini parks, 2 neighborhood parks, 3 community parks, 2 special use parks, and 4 undeveloped park properties in Apple Valley.<sup>26</sup> The special use parks include the Apple Valley Golf

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<sup>21</sup> <http://avfpd.org/about-us/>, accessed November 6, 2019.

<sup>22</sup> P. 9, "Apple Valley Fire Protection District 2019-20 Final Budget".

<sup>23</sup> <http://avfpd.org/fireems/ems-unit/>, accessed November 8, 2019.

<sup>24</sup> Town of Apple Valley General Plan, 2009.

<sup>25</sup> "Apple Valley Fire Protection District 2019-20 Final Budget"

<sup>26</sup> "Apple Valley Parks and Recreation Master Plan, Final Plan," MIG, Inc., May 2013.



Course and Horsemen's Center. The closest developed park facilities to the annexation area are the Lenny Brewster Sports Complex and Virginia Park, approximately 3.9 and 3.3 miles, respectively, to the southeast.

The Town's target parkland standard is 4.5 acres of developed parkland per 1,000 residents.<sup>27</sup> To meet the needs of its growing population over the long term, the Town has identified the need for 176.2 acres of additional parkland throughout its incorporated limits. The proposed parks in the annexation area and vicinity are: 1) a neighborhood park near the intersection of Dale Evans Parkway and Stoddard Wells Road (within the annexation area), and 2) a community park near Bell Mountain (1 mile south of the annexation area).<sup>28</sup> A vacant  $\pm$ 5-acre parcel at the northeast corner of Stoddard Wells Road and Short Avenue in the annexation area is owned by the Town and may also be used as a future park and retention basin. At build out, the annexation area is projected to have a population of 11,452 residents. To achieve the target parkland standard of 4.5 acres per 1,000 residents, the annexation area would require approximately 51.5 acres of new parkland.

The Town collects Park fees through its Development Impact Fee schedule based on a per residential unit and per square foot commercial/industrial development basis. As authorized by the Quimby Act of 1975, the Town has adopted an ordinance to require dedications of land or in-lieu fees for development of new, or rehabilitation of existing, park facilities. A portion of the 1% property tax allocation it receives from the County is also allocated to parks and recreation.

## **H. Public Services and Facilities**

The Town is within the service areas of the following public services providers:

- Domestic Water: the Town is served by several water service providers, of which Liberty Utilities has the largest customer base.
- Solid Waste Management: Burrtec Waste Industries
- Electricity: Southern California Edison
- Natural Gas: Southwest Gas Company
- Telecommunications: Frontier, Charter Spectrum
- Public Schools: Apple Valley Unified School District
- Library Services: San Bernardino County Library System
- Medical Services: St. Mary Medical Center, American Medical Response (AMR)

### **Domestic Water**

The annexation area is partially developed and outside the service areas of any of the several water purveyors that serve the area. Domestic water for existing development is provided by private wells.

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<sup>27</sup> Ibid.

<sup>28</sup> Ibid, Map 2.



The Town of Apple Valley is served by several water providers. Liberty Utilities provides water services to the majority (81%) of the Apple Valley population, including areas east and south of the annexation area (see Exhibit 6). Liberty pumps 100% of its water from the Alto subarea of the Mojave River Basin groundwater aquifer from 20 wells. It has approximately 20,000 service connections, 470 miles of water pipelines, 11 reservoirs, and 8 booster pump stations.<sup>29</sup> Liberty's 2015 Urban Water Management Plan concluded that it can meet water demands during normal, single dry, and multiple dry years through the year 2040, and groundwater supplies available to Liberty in the Mojave Basin area are considered reliable over the long term.<sup>30</sup>

The Town will require new development in the annexation area to extend water infrastructure as development occurs. As the annexation area builds out and increased demand warrants, it is expected that it will be annexed into the Liberty Utilities service area for provision of domestic water and associated facilities, including the extension of water lines. Future development in the area will be required to extend water lines and other facilities to the property frontage, and shall be responsible for costs associated with the extension of service.

At build out, implementation of the proposed annexation will facilitate the development of approximately 3,767 dwelling units, 195 acres of commercial development, 437 acres of industrial development, and a population of 11,452 residents.

**Table 1**  
**Estimated Water Demand**  
**at Build Out**

<b>Land Use</b>	<b>Units</b>	<b>Demand Factor<sup>1</sup></b>	<b>Total</b>
	<b>no. of persons</b>	<b>gallons/capita/day</b>	<b>ac-ft/yr</b>
Residential	11,452	208.00	2,668.2
	<b>no. of acres<sup>2</sup></b>	<b>ac-ft/ac/year</b>	<b>ac-ft/yr</b>
Commercial	189.4	1.98	375.0
Industrial	411.4	1.61	662.4
<b>TOTAL:</b>			<b>3,705.6</b>

<sup>1</sup> Demand factors from Table III-35, "Draft Environmental Impact Report, Apple Valley General Plan and Annexations 2008-001 & 2008-002," February 2009.

<sup>2</sup> Does not include street right-of-way acreage.

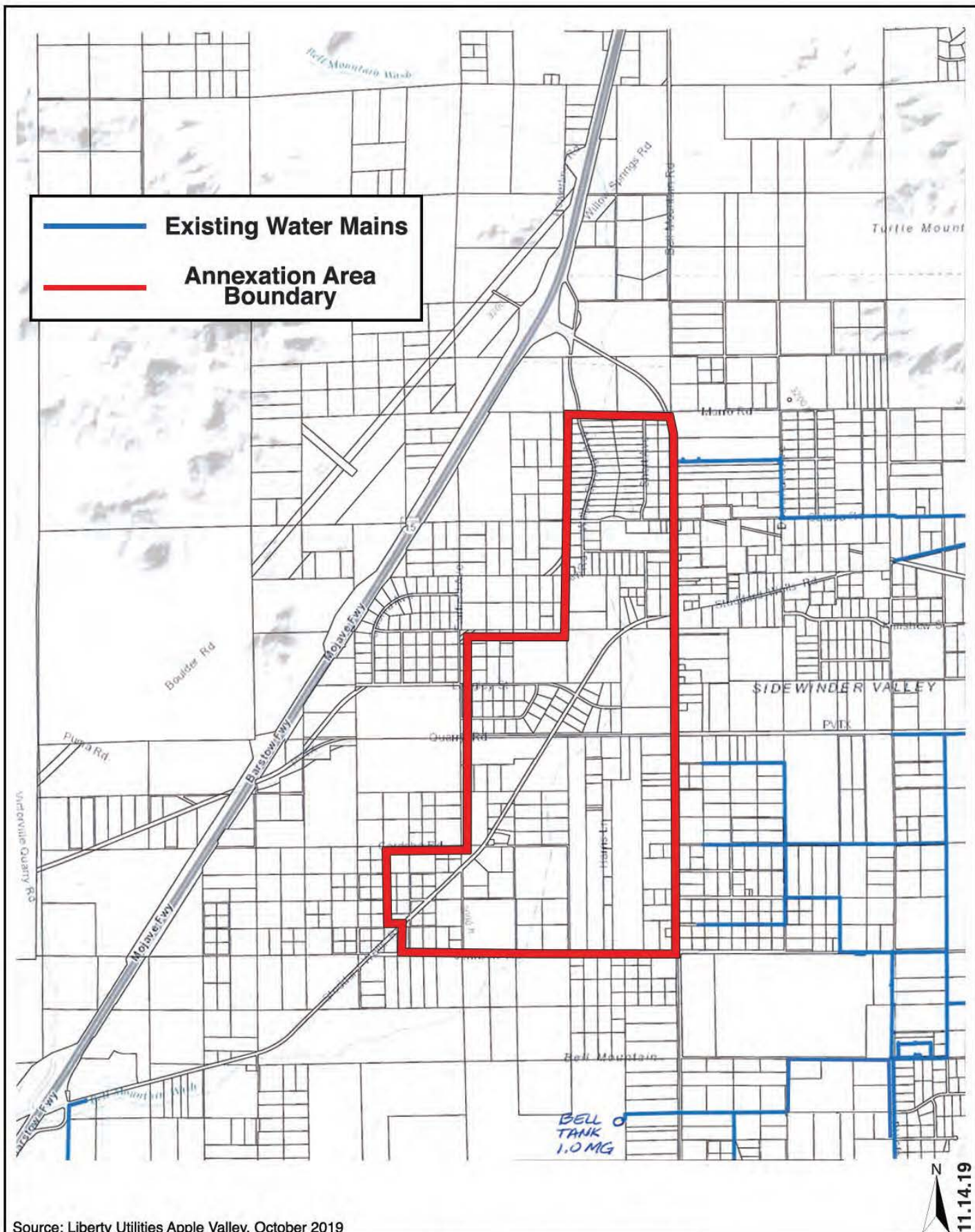
As shown in Table 1, development in the annexation area is projected to consume approximately 3,705.6 acre-feet of water per year at build out. Future demand will depend on actual development levels and types. Major development projects will be required to prepare Water Supply Assessments (WSAs) in compliance with Senate Bills 610 and/or 221, prior to the Town's approval. WSAs will quantify a project's estimated water usage within the context of background demand.

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<sup>29</sup> "Liberty Utilities Celebrates Completion of \$3.5 Million Well Project in Apple Valley," April 16, 2019, California.libertyutilities.com.

<sup>30</sup> "Liberty Utilities – Apple Valley, 2015 Urban Water Management Plan," Stetson Engineers, Inc., June 2016.





**Apple Valley Annexation 2019-001**  
**Plan of Services**  
**Existing Water Mains in the Annexation Area**  
**Apple Valley, California**



### **Solid Waste Management**

The annexation area is partially developed and generates limited solid waste. Upon annexation, the Town of Apple Valley will be responsible for providing solid waste management services to development in the annexation area.

Burrtec Waste Industries provides the Town with solid waste collection and disposal services. Through its contractual agreement with Apple Valley, Burrtec's AVCO Disposal collects non-hazardous solid waste and hauls it to the Victorville Landfill, located at 18600 Stoddard Wells Road, approximately 1 mile southwest of the annexation area. The landfill is operated by San Bernardino County. It has 491 total acres, 341 disposal acres, and is permitted to receive up to 3,000 tons daily.<sup>31</sup> Its remaining capacity is estimated at 81,510,000 cubic yards,<sup>32</sup> and the estimated closing date is October 2047.<sup>33</sup> Solid waste collection and disposal services are provided on a fee basis to residential, commercial, and industrial customers.

AVCO also provides weekly pick up of recyclable materials for residential, commercial and industrial development. Recyclables are sorted at the Victor Valley Materials Recovery Facility (MRF) at 17000 Abbey Lane, approximately 4 miles southwest of the annexation area. The facility is capable of processing 20 tons of material per hour.<sup>34</sup>

Residential household hazardous wastes (HHW), such as pesticides, batteries, medications, paint thinners, electronics, and gasoline and fuels, are accepted at the Apple Valley Public Works Yard at 13450 Nomwaket Road.

The Town participates in the Zero Waste Communities of San Bernardino County (ZWC) collective, as well as the Mojave Desert and Mountain Recycling Joint Powers Authority (JPA) along with Adelanto, Barstow, Big Bear, Needles, Twentynine Palms, Victorville, Yucca Valley, San Bernardino County, and unincorporated areas in the high desert. The JPA addresses solid waste contracts, facilities, issues, and education for its member cities and some unincorporated areas in the County.

Table 2 estimates potential solid waste generated at build out of the annexation area.

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<sup>31</sup> <http://calrecycle.ca.gov/SWFFacilities/Directory/36-AA-0045/Detail/>, accessed November 12, 2019.

<sup>32</sup> Ibid.

<sup>33</sup> County of San Bernardino Solid Waste Facility Permit, Facility Number 36-AA-0045, issued June 2, 2010.

<sup>34</sup> <http://www.applevalley.org/services/solid-waste-trash/materials-recovery-facility-mrf>, accessed November 12, 2019.



**Table 2**  
**Estimated Solid Waste Generated**  
**at Build Out**

<b>Land Use</b>	<b>Generation Factor<sup>1</sup></b>	<b>Unit Type</b>	<b>Build Out Units</b>	<b>Total tons/year</b>
Residential/Single Family	2.0400	tons/du/year	532 du	1,085.28
Residential/Multi Family	1.1700	tons/du/year	3,235 du	3,784.95
Commercial/Retail	0.0024	tons/sf/year	903,380 sf	2,168.11
Commercial/Office	0.0108	tons/sf/year	911,576 sf	9,845.02
Industrial	0.0108	tons/sf/year	3,942,650 sf	42,580.62
<b>Total:</b>				<b>59,463.98</b>

<sup>1</sup> Generation factors from Table III-58, "Draft Environmental Impact Report, Apple Valley General Plan and Annexations 2008-001 & 2008-002," February 2009.

As shown in Table 2, build out of the annexation area is projected to generate 59,463.98 tons of solid waste per year. Actual solid waste generation will depend on development. At least 50% of solid waste is expected to be diverted from the waste stream and recycled. The existing level of solid waste services and landfill capacity available to the Town are expected to adequately serve future development in the annexation area. The Town will coordinate with developers to ensure that recycling containers are included and maintained in compliance with Town and County waste disposal programs.

### **Electricity**

The annexation area currently contains approximately 112 dwelling units and a population of 340, generating a limited demand for electricity.<sup>35</sup> At full build out, the annexation area will contain up to 3,767 dwelling units and a population of 11,452. The annexation area is within the service area of Southern California Edison (SCE), which serves the Town of Apple Valley and High Desert region. SCE has four major SCE 115kV electric transmission corridors in the region, from which power is delivered to local residential, commercial, industrial and institutional customers by means of substations and distribution lines. Substation voltages are 33kV to 115kV. Distribution lines and circuits range from 33kV to 6.9kV.<sup>36</sup> The Town Ordinance No. 14.28.020 requires that all new electric lines of 34.5kV or less in Apple Valley be installed underground.

In the short-term, no immediate increase in demand for electricity is anticipated in the annexation area. Development is expected to occur gradually over time and will contribute to the regional demand for electricity. Developers will be responsible for the cost for extension of electricity facilities in the annexation area. As a publicly traded company, SCE has developed a rate structure that includes the expansion of facilities to accommodate growth. Since development in the annexation area is expected to occur over time, SCE's expansion plans will be adjusted to accommodate it.

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<sup>35</sup> 112 dwelling units x 3.04 persons/household [2013-2017 American Community Survey 5-Year Estimates, average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19)].

<sup>36</sup> Letter of correspondence, Nancy Jackson, Southern California Edison, July 25, 2008.



As shown in Table 3, total electricity usage at build out of the annexation area is estimated at 80,566,877.7 kilowatt-hours per year.

**Table 3**  
**Estimated Electricity Usage**  
**at Build Out**

<b>Land Use</b>	<b>Usage Rate<sup>1</sup></b>	<b>Build Out Units</b>	<b>Total kwh/year</b>
Residential	5,626.5 kwh/unit/year	3,767 du	21,195,025.5
Commercial/Retail	13.55 kwh/sf/year	903,380 sf	12,240,799.0
Commercial/Office	12.95 kwh/sf/year	911,576 sf	11,804,909.2
Industrial	8.96 kwh/sf/year	3,942,650 sf	35,326,144.0
<b>Total:</b>			<b>80,566,877.7</b>

<sup>1</sup> Usage rates from Tables III-7, III-8, and III-9, "Draft Environmental Impact Report, Apple Valley General Plan and Annexations 2008-001 & 2008-002," February 2009.

### **Natural Gas**

The annexation area currently contains approximately 112 dwelling units and a population of 340 and thus generates a low demand for natural gas services. Southwest Gas Company (SWG) provides natural gas service to the Town and its planning area through a series of pipelines of differing sizes and pressure capabilities. Transmission, supply, and distribution lines provide service to most portions of the Town and its Sphere of Influence. Some undeveloped or extremely rural areas within the SWG service area are without facilities. Where natural gas services and facilities are not available, propane is utilized as an alternative source of fuel.

SWG has a network of high-pressure natural gas corridors along: Central Road-Quarry Road to Ottawa Road; Thunderbird Road-Central Road to Highway 18 and Quantico Road; Ottawa Road-Central Road to Kiowa Road; Del Oro Road-Kiowa Road to Tussing Ranch Road; Del Oro Road-Kiowa Road to Joshua Road; Bear Valley Road-Kiowa Road to the Mojave River; and Apple Valley Road-Bear Valley Road to Yucca Loma Road. It also has lines within Dale Evans Parkway on the easterly border of the annexation area.

The high-pressure system consists of a combination of 4-inch, 6-inch, 8-inch, and 12-inch high-pressure lines that operate at 240 pounds per square inch (psi). These lines use 36-inch lines with pressure levels ranging from 400 to 700 psi, with pressure reduced at different limiting stations, which then direct the gas to distribution lines. Distribution lines are 2 to 8 inches in diameter, with pressure levels ranging from 175 to 400 psi, and are located within most public rights-of-way. The pressure is reduced again at regulator stations, which transfer natural gas to distribution lines for transportation to homes and businesses. Distribution lines are 2 to 4-inch diameter steel or plastic pipes that operate at 45 to 55 psi.<sup>37</sup>

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<sup>37</sup> Personal communication, Kevin Lang, Southwest Gas, April 2008.



SWG works closely with developers to accommodate new development through the extension of services and facilities as demand load warrants. New facilities, including natural gas distribution lines, will need to be constructed to serve new development in the annexation area. Build out is expected to occur gradually over time. The Town and SWG coordinate closely to assure the adequate provision of natural gas facilities and services to new development within the SWG service area. SWG's rate structure includes the expansion of facilities to accommodate growth. As development occurs, SWG's expansion plans will be adjusted to accommodate it.

Table 4 estimates that natural gas consumption in the annexation area at build out will be 39,890,656.5 cubic feet per month.

**Table 4**  
**Estimated Natural Gas Usage**  
**at Build Out**

<b>Land Use</b>	<b>Usage Rate<sup>1</sup></b>	<b>Build Out Units</b>	<b>Total cf/month</b>
Residential/single-family	6,665.0 cf/du/month	532 du	3,545,780.0
Residential/multi-family	4011.5 cf/du/month	3,235 du	12,977,202.5
Commercial/Retail	2.9 cf/sf/month	903,380 sf	2,619,802.0
Commercial/Office	2.0 cf/sf/month	911,576 sf	1,823,152.0
Industrial	4.8 cf/sf/month	3,942,650 sf	18,924,720.0
<b>Total:</b>			<b>39,890,656.5</b>

<sup>1</sup> Usage rates from Tables III-10, III-11, and III-12, "Draft Environmental Impact Report, Apple Valley General Plan and Annexations 2008-001 & 2008-002," February 2009.

### **Telecommunications**

The annexation area currently contains approximately 112 dwelling units and a population of 340 and generates a low demand for telecommunications services.

Frontier and Charter Spectrum provide telecommunications services, including telephone, high-speed Internet service, and cable television, to the high desert region, including Apple Valley. Upon annexation, there would be increased demand for Frontier and Charter Spectrum services and facilities in the annexation area. Both companies plan for infrastructure and service extensions throughout the region based on future development. While both of these service providers will need to monitor growth trends in their service areas to ensure the orderly and efficient of services and facilities, development in the annexation area will occur over time, providing them time to plan for expansion and to accommodate growth into their respective rates structures.

### **Public Schools**

Apple Valley Unified School District (AVUSD) provides public education services and facilities to over 13,000 students in the Town of Apple Valley and surrounding area, including the annexation area.<sup>38</sup> The annexation area is within the service boundaries of the following schools: 1) Sycamore Rocks Elementary School (K-6), 4.6± miles to the southeast, 2) Phoenix Academy (K-8), 4.7± miles to the south, and 3) Granite Hills High School (9-12), 6.8± miles to the southeast. The annexation area is currently sparsely developed with 112 dwelling units and generates a small student population.

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<sup>38</sup> <https://www.avusd.org/home>, accessed November 11, 2019.



Build out of the proposed annexation area is expected to result in development of 3,767 dwelling units, including single- and multi-family homes. Table 5 estimates that, based on student generation rates provided by AVUSD, build out of the annexation area will generate a school enrollment of 1,382 students. New development will occur over time, with a gradual increase in the number of students.

**Table 5**  
**Estimated Student Generation**  
**at Build Out**

<b>Grade Level</b>	<b>Potential Build Out Units</b>	<b>Student Generation Rate<sup>1</sup></b>	<b>Estimated Student Generation at Build Out</b>
<b>K-5</b>			
Single-Family	532	0.2650	141
Multi-Family	3,235	0.2120	686
<b>6 - 8</b>			
Single-Family	532	0.0770	41
Multi-Family	3,235	0.0492	160
<b>High School</b>			
Single-Family	532	0.1488	80
Multi-Family	3,235	0.0845	274
<b>TOTAL:</b>			<b>1,382</b>

<sup>1</sup> Source: Table 5, Apple Valley Unified School District Residential Development School Fee Justification Study, March 2018.

Future development in the annexation area will generate revenues to the District from Developer Impact Fees. Development Impact school fees are \$0.61 per square foot for commercial development, and \$3.79 per livable square foot for residential development.<sup>39</sup> AVUSD plans for new school sites as the student population increases based on tract map approvals within the Town. The Town will coordinate closely with AVUSD to ensure the adequate provision of public education services and facilities to students in the Town.

### **Library Services**

The Town is served by the Newton T. Bass Branch Library, which is part of the San Bernardino County Library System. The Bass Library is a 19,000± square foot facility located next to Town Hall at 14901 Dale Evans Parkway. It houses over 71,000 hardcopy books<sup>40</sup> and also provides users with access to an online database containing electronic periodicals, magazines and encyclopedias. The library offers a variety of programs and community events.

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<sup>39</sup> <https://www.applevalley.org/services/building-and-safety/development-impact-fees>, accessed November 11, 2019.

<sup>40</sup> Michael Jimenez, County Librarian, San Bernardino County, October 4, 2017.



The County Master Library Facility Plan<sup>41</sup> indicates that the desirable size of a public library in the County system within communities with populations of between 35,000 and 100,000 persons is 0.5 to 0.6 square feet per capita. The County Plan further indicates that additional library funding would be needed to meet a standard of 0.5 to 0.6 square feet per capita, and addresses expansion of the library in Apple Valley to provide facilities consistent with the national average by year 2021. The standard targeted in the Master Facility Plan is 0.45 square feet of library space per capita in Apple Valley.<sup>42</sup>

At build out the annexation area is expected to have a population of 11,452. Based on the proposed standard of 0.45 that is indicated in the County's Master Plan, the build out population of the annexation areas would be adequately served by approximately 5,153.4 square feet of library facilities. Buildout of the annexation area will occur gradually over time, thus providing the County an opportunity to plan for expansion of library facilities.

Currently, the County collects taxes for the library system through a County Library special district assessment. The Special District includes the unincorporated County and 17 cities, including Apple Valley. The annexation will result in no net change in the total tax revenues to the Special District. The amount currently allocated toward the annexation area for library services will be redistributed to those allocated toward the Town. The Town does not directly receive any revenues associated with the library special district.

## **Medical Services**

### *Hospital Services*

The nearest hospital to the annexation area is St. Mary Medical Center, a licensed 212-bed hospital located at 18300 Highway 18 in Apple Valley (4.5± miles southwest of the annexation area). Its service area includes more than 372,000 residents in the communities of Apple Valley, Heperia, Lucerne Valley, Adelanto, Victorville, Helendale, and surrounding areas. It is staffed by more than 1,751 employees and has professional relationships with more than 300 doctors.<sup>43</sup> Major programs include a fully accredited cardiovascular surgery program, Level II Neonatal Intensive Care Unit, diagnostic imaging, emergency medicine, and obstetrics.

Build out of the annexation area will generate a population of approximately 11,452 residents, which represents 3% of St. Mary's total service area population. It is anticipated that the hospital would be capable of serving the population of the annexation area.

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<sup>41</sup> "San Bernardino County Library Master Facility Master Plan," prepared by Providence Associates, December 2001.

<sup>42</sup> "Apple Valley Branch San Bernardino County Library Planning Recommendations in the San Bernardino County Library Master Facility Master Plan", prepared by Providence Associates, December 2001.

<sup>43</sup> "St. Mary Medical Center 2017 Community Health Assessment Report."



*Emergency Medical Services*

American Medical Response (AMR) Victorville is under contract to San Bernardino County to provide emergency, non-emergency, and stand-by medical services to High Desert communities, including Apple Valley and the annexation area. It responds to approximately 40,000 calls annually and employs an estimated 130 EMTs and Paramedics.<sup>44</sup> Upon annexation, ambulance service would continue to be provided by AMR.

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<sup>44</sup> <http://www.amr.net/home/victorville>, accessed November 11, 2019.



## CERTIFICATION

I hereby certify that the statements furnished above and the documents attached to this Plan of Services present the data and information required to the best of my ability, and that the facts, statements and information presented herein are true and correct to the best of my knowledge.

Prepared by:  Date 6/29/2020  
Lori Lamson  
Assistant Town Manager

Reviewed by:  Date 6/29/2020  
Doug Robertson  
Town Manager



**Appendix A**

**ASSESSOR'S PARCEL NUMBERS WITHIN ANNEXATION 2019-001**

47229227  
47229267  
47229266  
47229258  
47229254  
47229226  
47229255  
47229257  
47227354  
47229241  
47229238  
47229243  
47229239  
47229230  
47229247  
47229229  
47229249  
47229251  
47229250  
47229228  
47229252  
47229246  
47229244  
47229256  
47229245  
47229242  
47229240  
47229248



**FISCAL IMPACT ANALYSIS FOR ANNEXATION NO. 2019-001  
to the TOWN OF APPLE VALLEY**



**Prepared for**

**Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307**

**Prepared by**



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**FISCAL IMPACT ANALYSIS  
for  
ANNEXATION 2019-001  
to the  
TOWN OF APPLE VALLEY**

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# **TOWN OF APPLE VALLEY ANNEXATION NO. 2019-001**

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## **FISCAL IMPACT ANALYSIS**

### **I. INTRODUCTION, PROJECT DESCRIPTION AND DEMOGRAPHICS**

#### **Background**

In June 2011, the Town of Apple Valley prepared a Fiscal Impact Analysis to evaluate potential fiscal impacts associated with buildout of Annexation No. 2008-001 (also known as the Golden Triangle). The annexation area consisted of 2,774.6± acres adjacent to the western Town limits and under the jurisdiction of San Bernardino County. Annexation 2008-001 was not completed.

In 2018, the Town proposed Annexation 2018-001, consisting of 1,304± acres within the Annexation 2008-001 area. The annexation was approved in 2019. The balance of the 2008-001 annexation area remained part of the County.

The Town now proposes Annexation 2019-001 consisting of 1,424± acres that are the remaining balance of the 2008-001 Annexation Area (Golden Triangle). This document evaluates the potential fiscal impacts associated with buildout of Annexation No. 2019-001. It uses the same methodologies and assumptions of the 2011 and 2018 documents but is based on updated fiscal and demographic data, tax rates, Town fees, and other information to reflect current conditions in the project area.

#### **Introduction**

The County of San Bernardino Local Agency Formation Commission (LAFCO) does not prescribe format or content for the fiscal impact analyses required as part of annexation actions. Neither does the County of San Bernardino have guidelines for these documents. As a result, this fiscal impact analysis is based on previously prepared fiscal impact analyses for annexations in San Bernardino and Riverside counties. It addresses the costs and revenues which can be expected to be generated through build out of the annexation area, in five (5) year increments, and assuming a twenty (20)-year build out, although it is likely that build out of the annexation will occur over a longer period of time.



Revenue and cost factors were obtained from a variety of sources, including the Town of Apple Valley Fiscal Year July 1, 2019- June 30, 2020 Budget and Apple Valley staff, San Bernardino County, San Bernardino County Association of Governments (SANBAG), and the State of California.

The analysis applies the appropriate revenue and cost factors to the proposed land use designations assigned in the Apple Valley General Plan Land Use Map and Zoning Map to the annexation area. The revenue and cost categories used to develop this fiscal analysis are described in Sections II and III of this document, respectively. Assumptions associated with each land use category are described in Section IV. The cost/revenue analysis is shown in Section V.

Both costs and revenues throughout this analysis are calculated in current dollars. No inflation adjustment has been made. Although costs and revenues will rise over the build out period of the annexation area, the ratio of costs to revenues is not expected to significantly change. As a result, the analysis in constant dollars is representative of the framework of costs and revenues likely to be experienced by the Town throughout the life of the annexation.

### **Project Description**

The purpose of this fiscal analysis is to consider the potential financial impacts to the Town of Apple Valley from the annexation of 1,424± acres of land that are currently under the jurisdiction of San Bernardino County. Annexation No. 2019-001, referred to herein as “the annexation,” is comprised of an “island” of unincorporated land in the northwesterly portion of Apple Valley, west of Dale Evans Parkway and between Morro Road and Johnson Road. The annexation area is bounded by the Town’s corporate limits on the north, south, east and west. It is within the Town’s Sphere of Influence, as defined by the LAFCO.

Table 1 shows the proposed land use designations in the annexation area, which include lands designated for residential, commercial, mixed use, industrial, and public facility uses. The proposed land use assignments could result in up to 3,767 residential dwelling units; 1,814,956 square feet of commercial space; 3,893,407 square feet of industrial space, and 49,242 square feet of public facility space. There are no projects currently planned within the annexation area. The annexation area is sparsely developed with residential, commercial, and industrial uses, but is largely comprised of vacant desert land. The annexation area currently contains approximately 112 dwelling units and a population of 340.<sup>1</sup>

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<sup>1</sup> 112 dwelling units x 3.04 persons/household [2013-2017 American Community Survey 5-Year Estimates, average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19)].



**Table 1**  
**Annexation No. 2019-001**  
**Vacant and Developed Acreage by Land Use Designation**

<b>Land Use Designation</b>	<b>Developed Acres</b>	<b>Vacant Acres</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential Units</b>	<b>Total Units</b>
<b><u>Residential Designations</u></b>						
Estate Residential (RE)	73.85	447.76	521.61	84	448	532
Street Rights-of-Way*	4.53	27.50	32.03			
Subtotal			553.64			
Medium Density Res. (RM)	51.35	169.40	220.75	28	2,541	2,569
Street Rights-of-Way*	3.15	10.40	13.56			
Subtotal			234.31			
Mixed Use (MU)	0.00	95.12	95.12	0	666	666
Street Rights-of-Way*	0.00	5.84	5.84			
Subtotal			100.96			
<b>Total Residential</b>	<b>132.89</b>	<b>756.02</b>	<b>888.92</b>	<b>112</b>	<b>3,655</b>	<b>3,767</b>
				<b>Existing Sq Ft</b>	<b>Potential Sq Ft</b>	<b>Total Sq Ft</b>
<b><u>Commercial Designations</u></b>						
General Commercial (CG)	2.41	49.03	51.45	23,140	469,911	493,050
Street Rights-of-Way*	0.15	3.01	3.16			
Subtotal			54.61			
Regional Commercial (CR)	2.45	40.37	42.82	23,484	386,846	410,330
Street Rights-of-Way*	0.15	2.48	2.63			
Subtotal			45.45			
Mixed Use (MU)	0.00	95.12	95.12	0	911,576	911,576
Street Rights-of-Way*						
(calc'd in Res.)	0.00	0.00	0.00			
Subtotal			95.12			
<b>Total Commercial</b>	<b>5.16</b>	<b>190.01</b>	<b>195.18</b>	<b>46,624</b>	<b>1,768,332</b>	<b>1,814,956</b>
<b><u>Industrial Designations</u></b>						
Planned Industrial (IP)	60.28	346.00	406.27	577,656	3,315,752	3,893,407
Street Rights-of-Way*	3.70	21.25	24.95			
Subtotal			431.22			
Public Facilities (PF)	0.00	5.14	5.14	0	49,242	49,242
Street Rights-of-Way*	0.00	0.32	0.32			
Subtotal			5.45			
<b>Total Industrial</b>	<b>63.98</b>	<b>372.70</b>	<b>436.68</b>	<b>577,656</b>	<b>3,364,994</b>	<b>3,942,650</b>
<b>Land Use Total Acreage:</b>			<b>1,343.17</b>			
<b>Street ROW Total Acreage:</b>	<b>11.69</b>	<b>64.95</b>	<b>82.48</b>			
<b>Grand Total (ac):</b>	<b>202.04</b>	<b>1,223.61</b>	<b>1,425.65</b>			

\*2009 FIA ratio of 5.4 miles for every 1 square mile, 60 ft avg width roadway



### **Demographic Profile**

The population in the Town of Apple Valley increased from 46,079 in 1990 to 54,239 by 2000, according to U.S. Census data. This represents an increase of approximately 17.7%. The 2010 Census reported a population of 69,135, representing an increase of 27.5% between 2000 and 2010. The California Department of Finance estimates that the Town's 2019 population was 73,464.<sup>2</sup>

The median age in Apple Valley in 1990 was 30.8 years, which increased to 35.4 years in 2000 and 37.0 years in 2010.<sup>3</sup> The number of housing units in the Town was 20,163 in 2000 and 26,117 in 2010; this figure was estimated at 26,047 in 2017.<sup>4</sup>

In 2000 there were an average of 2.90 persons per household in the Town; by 2010 this had increased to 2.91, and by 2017 it had increased to 3.04.<sup>5</sup>

The median household income in Apple Valley was \$40,421 in 2000, \$50,066 in 2010, and \$50,907 in 2017.<sup>6</sup>

The median price for an existing home in Apple Valley was \$269,928 in 2019, an increase of 9.8% over the 2018 figure.<sup>7</sup> The median price for a new home was \$297,500 in 2019, a decrease of 0.2% from 2018.

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<sup>2</sup> Department of Finance, Demographic Research Unit, City/County Population Estimates with Annual Percent Change, January 1, 2018 and 2019.

<sup>3</sup> 1990, 2000, and 2010 U.S. Census.

<sup>4</sup> 2000 and 2010 U.S. Census; 2013-2017 American Community Survey 5-Year Estimates.

<sup>5</sup> 2000 and 2010 U.S. Census; 2013-2017 American Community Survey 5-Year Estimates. 2017 persons per household is not available; figure shown is the average of Average Household Size of Owner-occupied Unit (2.88) and Average Household Size of Renter-occupied Unit (3.19).

<sup>6</sup> 2000 U.S. Census; 2006-2010 American Community Survey 5-Year Estimates; 2013-2017 American Community Survey 5-Year Estimates.

<sup>7</sup> "Inland Empire Quarterly Economic Report," John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.



# **TOWN OF APPLE VALLEY ANNEXATION NO. 2019-001**

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## **FISCAL IMPACT ANALYSIS**

### **II. POTENTIAL REVENUES FROM ANNEXATION NO. 2019-001**

Existing and future development in the annexation area has the potential to generate revenues to the Town of Apple Valley. The following describes potential revenue sources to the Town.

#### **A. Potential Revenue Sources to the Town of Apple Valley**

Revenue sources to the Town include annual revenues and one-time fees. Annual revenues consist of those that flow into the Town's General Fund and funds that are restricted for specific uses. General Fund revenues estimated in this analysis include property tax, property transfer tax, and sales tax. Restricted funds include Measure I transportation funds and highway users gas tax.

The analysis also considers projected one-time revenues which will occur as a direct result of new development within the annexation area. These include Developer Impact Fees paid to the Town at the time of construction. These revenues have been quantified in this analysis, but are not included in the annual revenues shown in Table 5.

The annexation area includes a ±5-acre parcel designated for Public Facility (PF) at the northeast corner of Stoddard Wells Road and Short Avenue. It is owned by the Town of Apple Valley and may be used as a future park and retention basin. No development-related revenues or costs are anticipated and, therefore, no revenues or costs are projected in this fiscal analysis.

#### **Annual Revenues**

##### Property Tax

The County of San Bernardino collects property tax annually at a rate of one percent (1%) of assessed valuation. Property tax revenues are allocated between the County, the jurisdiction in which the land is located (if any), and a variety of other public agencies. Of the one percent (1%) collected by the County, the Town receives approximately 9.5%, of which 5.6% goes to the Town General Fund.<sup>8</sup> In accordance with the County's "Share the Pain" revenue-sharing policy

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<sup>8</sup> Finance Director, Town of Apple Valley, April 2018.



for annexed lands, 50% of these revenues will be distributed to the Town and 50% will be distributed to the County when the annexation is completed. Table 5 shows revenues to the Town under General Fund revenues.

The fiscal model assumes that all properties are taxed at a rate of one percent (1%) of valuation, and the collection rate is 100%. Annexation 2019-001 proposes Estate Residential (R-E), Medium Density Residential (R-M), and Mixed Use (M-U) residential land uses, which allow single- and multi-family dwelling units. The value of existing and new residential units is based on the third quarter, year 2019 median home prices for the Town of Apple Valley, as shown in the “Inland Empire Quarterly Economic Report.”<sup>9</sup> The median value of existing units is \$269,928, and the median value of new units is \$297,500.

The value of new commercial and industrial development is assumed to be \$55 per square foot, based on building permit data for years 2015-2019 provided by the Town Building and Safety Division.<sup>10</sup>

#### Property Transfer Tax

Property Transfer Tax revenues are generated when a change of property ownership occurs. For analysis purposes, estimated Property Transfer Tax revenues are calculated according to the instructions provided in the Riverside County “Guide to Preparing Fiscal Impact Reports.” Factors set forth in the Guide include a tax rate of \$1.10 per \$1,000 (or 0.11%) of the unencumbered property value. This analysis further assumes that for a transfer within an incorporated jurisdiction, the revenue is divided evenly between the County (50%) and the jurisdiction (50%). This tax rate (0.11%) and the 50/50 split between the County and Town are also confirmed in the Town budget.<sup>11</sup>

Upon the sale of a new unit, 100% of the unit’s market value is subject to the property transfer tax. Upon change of ownership of an existing unit, the unencumbered value (average 80%) of the property is subject to the property transfer tax. Change in ownership is assumed to begin in the fourth year of the project, and ten percent (10%) of existing residential properties are assumed to change ownership per year. Property values are stated in year 2019 dollars, and the same property values used in the property tax revenue evaluation, above, are used in this analysis. A resale rate of one percent (1%) is assumed for single-family attached development. As discussed in Section III, this analysis assumes no resales during the twenty (20)-year buildout period for commercial and industrial development, as such sales are infrequent and sporadic. As a result, the analysis is conservative, and revenues to the Town from property transfer tax are likely to be higher than represented herein.

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<sup>9</sup> “Inland Empire Quarterly Economic Report,” John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>10</sup> Based on Year 2015-2019 Commercial/Industrial (new structures) building permit data, Town of Apple Valley Building Division.

<sup>11</sup> p. 63, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020.



### Sales Tax

Sales tax in San Bernardino County is collected at a rate of 7.75% by the State of California. The table below describes how sales tax revenues are allocated among public agencies.

**Table 2**  
**Components of the 7.75% Sales and Use Tax**

<b>Rate</b>	<b>Jurisdiction</b>
5.00%	State General Fund
1.00%	City/County Local Tax
0.25%	Countywide Transportation Tax
0.50%	County Mental Health
0.50%	Public Safety Augmentation Fund (Prop 172)
0.50%	County Transactions Tax (Measure I)
<b>7.75%</b>	<b>TOTAL RATE</b>

Source: p. 64, "Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020."

Of the sales tax collected by the State, one percent (1.0%) is allocated to the jurisdiction in which the sale occurred. The fiscal analysis estimates total taxable sales that could be generated at buildout of the proposed annexation area, then calculates 1% of taxable sales to determine how much sales tax revenue would be generated to the Town.

The fiscal impact model projects potential sales tax revenue generated on all commercial lands proposed for annexation. It assumes that future development of commercial lands will result in twenty-two percent (22%) lot coverage. It also assumes that ninety percent (90%) of the net floor space of General Commercial, Regional Commercial, and Mixed Use commercial development will be dedicated to the sale of taxable goods. Average annual sales estimators from the Urban Land Institute's (ULI) 2008 "Dollars and Cents of Shopping Centers" are applied to the number of square feet dedicated to taxable sales. The fiscal analysis calculates sales tax generation from three types of commercial development, based on ULI definitions:

- "Neighborhood Commercial" development: includes neighborhood scale shopping centers conveniently located near residential areas, and a variety of smaller commercial centers, specialty retail shops and personal service businesses. This type of development generates an annual average of \$326.13 per square foot in taxable sales.
- "Community Commercial" development: includes larger, community scale shopping centers and malls that may be anchored by several department stores. This type of development generates an annual average of \$286.10 per square foot in taxable sales.
- "Regional Commercial" development: includes larger, regional scale shopping centers and malls that may include a variety of general merchandise, apparel, and home furnishings as well as services and recreational facilities that may be anchored by department stores. This type of development generates an annual average of \$275.41 per square foot in taxable sales.



Although small amounts of sales tax revenue are likely to be generated in the industrial development which will occur in the annexation area, the amount is expected to be negligible. As a result, industrial development is assumed to generate no taxable sales in this analysis.

#### Transient Occupancy Tax (TOT)

Transient Occupancy Tax is collected from individuals when they occupy a hotel or motel room. The Annexation No. 2019-001 area does not include existing hotels and is not expected to include future hotels; therefore, no TOT revenue is estimated in this analysis.

#### Highway User Gas Tax

The State of California imposes a per gallon tax on all gasoline purchases. A portion of these revenues is allocated to counties and cities throughout the state. Gas tax monies can only be used for construction and maintenance of streets and highways. The anticipated per capita apportionment for Fiscal Year 2019-2020 for the Town is \$25.18.<sup>12</sup>

#### Measure I Funds

Of the 7.75% sales tax collected in San Bernardino County, 0.50% (or .005 cent on the dollar) is contributed to the Measure I fund for regional and local transportation projects. These revenues are managed and distributed by the San Bernardino Association of Governments (SANBAG). For purposes of Measure I distributions, the Town is a part of the Victor Valley sub-area of the Mountain/Desert Subregion. Of Measure I funds collected in the sub-area, seventy percent (70%) is allocated to the sub-area Local Streets program. Of this, two percent (2%) is set aside for the Project Development and Traffic Management Systems projects. The remainder (68%) is allocated to each jurisdiction in the sub-area, based on a formula that accounts for the jurisdiction's population and total taxable sales.<sup>13</sup> Based on sales tax data for Apple Valley for previous years,<sup>14</sup> compared with Measure I receipts,<sup>15</sup> Apple Valley receives an average of five (5%) annually of the total Victor Valley sub-area allocation. Although the actual allocations change annually, the review of sales tax and Measure I data indicates that the five percent (5%) average may be expected to remain consistent over project buildout. Therefore, this analysis assumes the same allocation amount for each phase of the twenty (20)-year buildout.

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<sup>12</sup> p. 148, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020. Gas Tax (Sections 2103, 2105, 2106, 2107, 2107.5) estimated revenues (\$1,849,808) ÷ population (73,464) = \$25.18 per capita.

<sup>13</sup> p. A-9, Appendix A, "Measure I 2010-2040 Strategic Plan," April 1, 2009.

<sup>14</sup> Taxable Sales in the 272 Largest Cities, by Type of Business, prepared by California State Board of Equalization.

<sup>15</sup> San Bernardino Associated Governments Measure I Actual Distribution Summary Mountain/Desert Jurisdictions, Victor Valley Subarea.



### Investment Income

The fiscal analysis assumes that the Town will also receive investment earnings on new revenues. To project potential investment earnings, the fiscal model applies the historical average interest rate of the ninety (90)-Day Treasury Bill. During the twenty-five (25)-year period from 1994 through 2018, the average interest earned on the ninety (90)-Day Treasury Bill was 2.39%.<sup>16</sup> The fiscal model calculates investment income for all annual revenues included in this report.

### **One-Time Revenues**

#### Development Impact Fees

As vacant lands in the annexation area develop, the Town will collect developer impact fees (DIF) based on its adopted fee schedule. These are one-time fees collected at the time that new residential units and commercial and industrial square footage are constructed. This analysis estimates total DIF fees for General Government Facilities, Transportation Impacts, and Law Enforcement Facilities. Because these are one-time rather than annual fees, they are not included in Table 5, but are summarized separately in Table 6.

**Table 3**  
**Development Impact Fees**

<b>Development Type</b>	<b>General Government Facilities Fee</b>	<b>Law Enforcement Facilities Fee</b>	<b>Transportation Impacts Fee</b>
Single-Family Residential	\$407.07/unit	\$147.64/unit	\$6,745.00/unit
Multi-Family Residential	\$407.07/unit	\$182.44/unit	\$3,912.00/unit
Commercial	\$0.03/sq. ft.	\$0.20/sq. ft.	varies based on development type and size <sup>1</sup>
Industrial	\$0.03/sq. ft.	\$0.001/sq. ft.	varies based on development type and size <sup>1</sup>

<sup>1</sup> The following Transportation Impact Fees were used in this analysis based on anticipated commercial and industrial development in the annexation area:

General Commercial: 100,001 to 400,000 sq.ft. = \$1.99315/sq.ft.

Regional Commercial: 100,001 to 400,000 sq.ft. = \$1.99315/sq.ft.

Mixed-Use, commercial portion: 10,000 sq.ft. or less = \$2.94419/sq.ft.

Planned Industrial: Industrial Parks = \$1.63566/sq.ft.

Sources: Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019.

<sup>16</sup> Average historical interest rate determined using data from Table B.3, "Riverside County Guide to Preparing Fiscal Impact Reports," January 1995 and "3-Month Treasury Constant Maturity Rates," from the Federal Reserve Board of Governors, as provided by The Financial Forecast Center.



# **TOWN OF APPLE VALLEY ANNEXATION NO. 2019-001**

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## **FISCAL IMPACT ANALYSIS**

### **III. POTENTIAL COSTS FROM ANNEXATION NO. 2019-001**

#### **A. Potential Costs to the Town of Apple Valley**

Existing and future development of lands in the annexation area will not only generate additional revenues, but will also generate additional municipal costs. There will be expenditures for general government services as well as the expansion and/or extension of infrastructure, utilities, roads and other public services, particularly public safety. The fiscal model projects the Town's costs of providing general government services, public safety, and transportation/roadway maintenance to existing and future development on lands in the annexation area.

##### Costs of General Government

Costs of General Government are funded through the Town's General Fund. Costs to the Town associated with general government include Town-wide services, such as employee salaries and benefits, postage, printing, travel, equipment maintenance and repairs, contract services, computers, vehicles and other items necessary for the day-to-day functioning of government. It includes public and community services, such as code compliance and animal control, as well as municipal and support services. These are further described in the Plan of Services. The Town also allocates General Fund monies annually to support programs and services provided by the Apple Valley Parks and Recreation Department.

For residential development, this analysis uses information provided in the Town's FY 2019-2020 budget to translate costs into a per capita factor for General Fund expenditures. It applies that amount to the anticipated buildout population. The result is the estimated cost of providing general government services to current and future residents.

General Government costs for Fiscal Year 2019/20 are shown in Table 4. As shown, approximately \$17.1 million are budgeted for General Government expenditures for Fiscal Year 2019/20. Based on the 2019 population of 73,464 residents, this equals \$233/capita. The fiscal model applies the \$233/capita to the projected annexation area buildout population.



**Table 4**  
**General Governments Costs, Fiscal Year 2019/20**

<b>Service</b>	<b>Cost</b>
General Government <sup>1</sup>	\$12,455,126
Public/Municipal Services <sup>2</sup>	\$3,236,345
Community/Economic Development <sup>3</sup>	\$1,455,584
<b>Total:</b>	<b>\$17,147,055</b>

<sup>1</sup> includes Town Council, Attorney, Manager, Clerk, Finance, Public Info., Human Resources, Information Technology, General Govt., and Public Facilities

<sup>2</sup> includes Animal Services and Shelter, Code Enforcement, Building & Safety

<sup>3</sup> includes Community Development, Engineering, Economic Development

Source: p. 70-134, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020.

For residential development, the analysis also projects costs of providing parks and recreational services to existing and future residents. Parks and Recreation expenditures are budgeted at \$3,083,781 or \$41.98 per capita (based on 2019 population of 73,464).<sup>17</sup> This factor is applied to the projected buildout population of the annexation area.

In order to capture costs for provision of General Government to commercial and industrial development, it was necessary to derive factors based on a per acre or per square foot basis. No such factors were available through the Town. The per acre rate used in this analysis is extrapolated from the Town Budget and based on factors provided in the Riverside County Guide to Preparing Fiscal Impact Reports, adjusted for inflation (\$119.45 per acre).<sup>18</sup>

The costs of General Government do not include expenditures for public safety or roadway maintenance. Those costs have been calculated separately and are discussed below.

#### Costs of Public Safety Services

The same method used to calculate general government costs has been used to project costs of providing public safety services to existing and future residents in the annexation area. In Apple Valley, these costs include provision of law enforcement services and emergency preparedness. Public safety expenditures in Apple Valley are primarily those associated with the contract the Town maintains with the San Bernardino Sheriff's Department. Additional costs associated with facilities used by the department, and those associated with emergency preparedness activities are included in this calculation.

For residential development, the fiscal model translates these expenditures (\$15,226,496<sup>19</sup>) into a per capita factor (\$207/capita, based on 2019 population of 73,464) and applies this factor to the anticipated buildout population of the annexation area.

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<sup>17</sup> p. 135-142, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020.

<sup>18</sup> Table A.2, Guide to Preparing Fiscal Impact Reports, Riverside County Administrative Office, January 1995.

<sup>19</sup> Public Safety Expenditures, p. 100-105, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020.



For commercial and industrial development, cost factors for the provision of public safety services have been extrapolated from the Town Budget and based on factors provided in the Riverside County Guide to Preparing Fiscal Impact Reports, adjusted to year 2019 dollars (\$470.15/acre).<sup>20</sup>

#### Costs of Roadway Maintenance

Costs associated with repairing and maintaining existing and future public roads in the annexation area are projected using a per road mile cost factor. There are 78 square miles and 423 public street lane miles<sup>21</sup> in Apple Valley's incorporated limits. This equates to 5.4 road miles per square mile.

The annexation area encompasses approximately 2.2 square miles. Using the average of 5.4 public road miles per square mile of land area in Apple Valley, the proposed annexation area could potentially include 11.9 miles of public roadways at build out. This does not include commercial driveways, interior parking lots, or other paved facilities which could occur in the area, but they would be located on private property, and therefore would be privately maintained.

The fiscal model divides the Town's total annual roadway maintenance costs (\$2,311,763<sup>22</sup>) by the number of paved road miles in the Town (423) to determine an annual per road mile cost factor (\$5,465/mile), and applies this factor to the number of potential paved road miles in the annexation area.

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<sup>20</sup> Table A.2, Guide to Preparing Fiscal Impact Reports, Riverside County Administrative Office, January 1995.

<sup>21</sup> p. 230, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020.

<sup>22</sup> p. 148-149, Street Maintenance Fund Total Budget, Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019 – June 30, 2020.



# **TOWN OF APPLE VALLEY ANNEXATION NO. 2019-001**

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## **FISCAL IMPACT ANALYSIS**

### **IV. BUILDOUT ASSUMPTIONS**

#### **Introduction**

The buildout assumptions used to calculate the costs and revenues associated with Annexation No. 2019-001 are presented in this section. As previously noted, there are no specific projects currently proposed within the annexation area. Therefore, the analysis is based on general assumptions regarding build out of the annexation lands, consistent with the Apple Valley General Plan land use designations.

#### **A. Buildout Assumptions**

This analysis assumes a twenty (20)-year buildout of the annexation area. Depending on market conditions, growth and development in the Town and the annexation area will rise and fall. An even distribution of development has been assumed for the twenty (20)-year buildout period. As the analysis has been conducted in constant 2019 dollars, the relative costs and revenues will be as calculated at build out of the annexation area, regardless of when this occurs. That is to say that although inflationary and recessionary factors will affect the Town's revenues and costs over time, the relative cost of providing services, the relative amount of revenues generated within the annexation area, and the surplus or shortfall to the Town, are represented in this analysis.

Assumptions used to calculate buildout units and square footage are based on the Town's zoning standards as well as typical land use intensities for building coverage in commercial and industrial projects. The following assumptions have been made regarding residential, commercial and industrial land use intensities.



### Residential

The Estate Residential designation allows for up to one dwelling unit per 1 to 2.5 gross acres. It has been assumed that future development in this land use category would be 1 dwelling unit per acre (du/ac). The Medium Density Residential designation allows 4 to 20 du/ac; this analysis assumes future development of 15 du/ac. The Mixed Use designation allows 4 to 30 du/ac; this analysis assumes future development of 7 du/ac.

There are approximately 112 existing dwelling units in the annexation area. The proposed land use plan could result in an additional 3,655 units. At buildout, therefore, the annexation area could contain a total of 3,767 units. Applying the Town's average household size of 3.04 persons per household yields an estimated buildout population of 11,452 residents.

### Commercial

The General Commercial, Regional Commercial, and Mixed Use (commercial portion) designations assume twenty-two percent (22%) building coverage. This accounts for driveways, parking lots, stormwater retention/detention facilities, and similar ancillary facilities.

### Industrial

The Planned Industrial designation assumes buildout of industrial lands at twenty-two percent (22%) lot coverage.

### Public Facility

The ±5-acre parcel designated for Public Facility (PF) at the northeast corner of Stoddard Wells Road and Short Avenue is owned by the Town of Apple Valley and may be used as a future park and retention basin. The parcel is not expected to generate development-related revenues or costs and, therefore, no revenues or costs are projected in this fiscal analysis.

The following sub-sections summarize assumptions used to calculate various revenues that could be generated by build out of the annexation area.

#### 1. Residential

##### **Estate Residential**

- 84 existing single-family units
- 112 future single-family units constructed in each of Phases I, II, III, and IV, for a total of 448 new single-family units at build out
- Existing dwelling unit value = \$269,928<sup>23</sup>
- New dwelling unit value = \$297,500<sup>24</sup>

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<sup>23</sup> "Inland Empire Quarterly Economic Report," John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>24</sup> Ibid.



### **Medium Density Residential**

- 28 existing multi-family units
- 636 future multi-family units constructed in each of Phases I, II, III, and IV, for a total of 2,541 new multi-family units at build out
- Existing dwelling unit value = \$269,928<sup>25</sup>
- New dwelling unit value = \$297,500<sup>26</sup>

### **Mixed Use, residential portion**

- 0 existing units
- 167 future multi-family units constructed in each of Phases I, II, III, and IV, for a total of 666 new multi-family units at build out
- Existing dwelling unit value = \$269,928<sup>27</sup>
- New dwelling unit value = \$297,500<sup>28</sup>

### **Property Transfers**

For residential property transfers, an annual resale rate of one percent (1%) change of ownership figures have been applied to residential units. These represent statistical averages that may be assumed to occur over the life of the annexation area, well beyond the build out year. This analysis also assumes that property transfer tax will begin in the fourth year of development (no resales in the first three years). No resales have been assumed for any of the rental units during the twenty (20)- year build out period.

## **2. Commercial**

### **General Commercial**

- 23,140 existing square feet
- 117,478 new square feet developed in each of Phases I, II, III, and IV, for a total of 469,911 new square feet at build out
- Per square foot value of \$55, based on 2015-2019 Town building permits for new commercial/industrial construction
- 90% leasable space for generating sales tax revenue

### **Regional Commercial**

- 23,484 existing square feet
- 96,712 new square feet developed in each of Phases I, II, III, and IV, for a total of 386,846 new square feet at build out.
- Per square foot value of \$55, based on 2015-2019 Town building permits for new commercial/industrial construction
- 90% leasable space for generating sales tax revenue

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<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.



**Mixed Use, commercial portion**

- 0 existing square feet
- 227,894 new square feet developed in each of Phases I, II, III, and IV, for a total of 911,576 new square feet at build out
- Per square foot value of \$55, based on 2015-2019 Town building permits for new commercial/industrial construction
- 85% of square footage would develop as retail, 15% of square footage would develop as office, institutional, or other non-retail uses
- 90% of retail square footage would be leasable space for generating sales tax revenue

**Property Transfers**

The analysis assumes no revenues from transfer of commercial properties in the annexation area. This assumption provides for a more conservative analysis of projected revenues.

3. Industrial

**Planned Industrial**

- 577,656 existing square feet
- 828,938 new square feet developed in each of Phases I, II, III, and IV, for a total of 3,315,752 new square feet at build out
- Per square foot value of \$55, based on 2015-2019 new commercial/industrial construction valuation in the Town of Apple Valley

**Property Transfers**

As with commercial development, this analysis assumes no revenues from transfer of industrial properties in the annexation area.



# **TOWN OF APPLE VALLEY ANNEXATION NO. 2019-001**

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## **FISCAL IMPACT ANALYSIS**

### **V. COST/REVENUE ANALYSIS**

#### **A. Cost/Revenue Summaries**

The following conclusions are based on the assumptions described above. It should be noted that all amounts are in Year 2019 dollars and are subject to rounding.

##### **1. Town of Apple Valley**

Projected total annual costs and revenues to the Town over each five-year phase of the twenty (20)-year build out period are shown in Table 5. As shown, build out of the annexation area according to the proposed land use plan is projected to result in annual revenues of approximately \$14,500 at the end of Phase I, and deficits at the end of Phases II, III, and IV reaching a deficit of approximately \$106,000 by the end of Phase IV. Deficits are largely attributable to the costs of providing government services to an increasing population as the annexation area develops. This does not account for all possible revenues and costs that could be generated, but includes those described and analyzed in this study.

It should be noted that Table 5 does not include revenues from developer impact fees (DIF), which are one-time fees that occur at the time of construction. This analysis projects that the Town could receive DIF revenues of approximately \$7 million during each of Phases I, II, III, and IV. These revenues are shown separately in Table 6.

Tables 5 and 6 summarize detailed calculations that have been prepared for each revenue and cost category, and DIF revenues, associated with the annexation. Appendix A presents the individual tables, showing the detailed calculations for each revenue and cost category.

It is expected that the annexation area's primary revenue source will be sales tax during all phases since, with the exception of some grocery store sales, all retail sales generate sales tax. At build out, the annexation area could generate approximately \$4.5 million in sales tax annually to the Town.

The second largest revenue source is expected to be property taxes, which are projected to total \$400,802 in General Fund revenue annually at build out.



**Table 5**  
**Annexation 2019-001**  
**Potential Costs and Revenues at Build Out**

	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>ANNUAL REVENUES</b>				
General Fund:				
Property Tax	\$113,760	\$209,440	\$305,121	\$400,802
Property Transfer Tax	\$159,225	\$215,837	\$275,528	\$335,087
Local Sales Tax	\$1,218,991	\$2,316,020	\$3,413,049	\$4,510,079
Transient Occupancy Tax	\$0	\$0	\$0	\$0
Restricted Funds:				
Highway Users Gas Tax	\$78,511	\$148,448	\$218,385	\$288,323
Measure I	\$21,332	\$40,530	\$59,728	\$78,926
<b>ANNUAL COSTS</b>				
General Fund:				
General Government Costs				
General Government/Town-wide Services	\$5,860	\$9,790	\$13,720	\$17,649
General Government/Residential	\$726,488	\$1,373,645	\$2,020,802	\$2,667,958
General Government/Parks and Recreation	\$109,691	\$205,047	\$300,403	\$395,758
General Government/Municipal Services	\$435	\$727	\$1,019	\$1,310
General Government/Support Services	\$17,329	\$28,950	\$40,571	\$52,192
Subtotal:	\$859,804	\$1,618,159	\$2,376,514	\$3,134,869
Restricted Funds:				
Public Safety Costs				
Town-wide Public & Police Protection Services	\$728,137	\$1,358,701	\$1,989,265	\$2,619,828
Town-wide Services, Emergency Preparedness	\$156	\$295	\$434	\$573
Municipal Services, Public Protection Services	\$10,953	\$18,298	\$25,643	\$32,988
Subtotal:	\$739,246	\$1,377,294	\$2,015,341	\$2,653,389
Roadway Maintenance Costs	\$16,301	\$32,602	\$48,903	\$65,204
<b>SUMMARY OF REVENUES/COSTS:</b>				
Revenues:				
Total Annual General Fund Revenues	\$1,491,975	\$2,741,298	\$3,993,698	\$5,245,968
Total Annual Restricted Fund Revenues	\$99,843	\$188,978	\$278,114	\$367,249
Subtotal:	\$1,591,818	\$2,930,276	\$4,271,812	\$5,613,217
Historic Ave. Interest Rate on 90-Day Treasury Bills	2.39%	2.39%	2.39%	2.39%
Anticipated Interest Earned on Revenues	\$38,044	\$70,034	\$102,096	\$134,156
<b>Total Annual Revenues at Phase Buildout</b>	<b>\$1,629,863</b>	<b>\$3,000,310</b>	<b>\$4,373,908</b>	<b>\$5,747,373</b>
Costs:				
Total Annual General Fund Costs	\$859,804	\$1,618,159	\$2,376,514	\$3,134,869
Total Annual Restricted Fund Costs	\$755,547	\$1,409,895	\$2,064,244	\$2,718,592
<b>Total Annual Costs at Phase Buildout</b>	<b>\$1,615,350</b>	<b>\$3,028,054</b>	<b>\$4,440,757</b>	<b>\$5,853,461</b>
<b>ANNUAL CASHFLOW AT PHASE BUILDOUT</b>	<b>\$14,512</b>	<b>-\$27,744</b>	<b>-\$66,849</b>	<b>-\$106,088</b>



**Table 6**  
**Annexation 2019-001**  
**Potential Development Impact Fee Revenue**  
**(one time only)**

General Government Facilities Fees	\$410,050	\$410,050	\$410,050	\$410,050
Transportation Impacts Fees	\$6,345,049	\$6,345,049	\$6,345,049	\$6,345,049
Law Enforcement Facilities Fees	\$252,034	\$252,034	\$252,034	\$252,034
<b>Total Developer Impact Fee Revenues</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>

## **B. Conclusion**

As shown in Tables 5 and 6, based on the underlying assumptions presented herein, development of lands in Annexation No. 2019-001 based on land use designations set forth by the Town is expected to result in short-term revenues, but mid- and long-term deficits.

Development may occur at differing rates during the buildout period, and market conditions may fluctuate. Costs and revenues are expected to vary annually based on actual phasing of development.



**Appendix A**  
**Detailed Cost and Revenue Tables**



<b>Property Tax Revenue from Residential Development</b>				
<b>Land Use Designation: Estate Residential (1 du/1-2.5 gross ac)</b> <b>Total No. Acres: 553.64</b> <b>No. of Potential Buildout Units: 532</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs. 1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of existing units at phase buildout	84	84	84	84
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Total Value	\$22,673,952	\$22,673,952	\$22,673,952	\$22,673,952
<b>Future Development</b>				
Number of acres developed during phase	111.94	111.94	111.94	111.94
Average density (units/acre)	1	1	1	1
Maximum potential units constructed during this phase	112	112	112	112
Number of total potential units constructed at phase buildout	112	224	336	448
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Total Value	\$33,302,150	\$66,604,300	\$99,906,450	\$133,208,600
<b>Existing + Future Development</b>				
Total Value (existing + future development)	\$55,976,102	\$89,278,252	\$122,580,402	\$155,882,552
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at phase buildout	\$559,761	\$892,783	\$1,225,804	\$1,558,826
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$15,673	\$24,998	\$34,323	\$43,647

<sup>1</sup>Source: Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup>Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.

<b>Land Use Designation: Medium Density Residential (4-20 du/ac)</b> <b>Total No. Acres: 234.31</b> <b>No. of Potential Buildout Units: 2,569</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs. 1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of existing units at phase buildout	28	28	28	28
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Total Value	\$7,557,984	\$7,557,984	\$7,557,984	\$7,557,984
<b>Future Development</b>				
Number of acres developed during phase	42.35	42.35	42.35	42.35
Average density (units/acre)	15	15	15	15
Maximum potential units constructed during this phase	635	635	635	635
Number of total potential units constructed at phase buildout	635	1271	1906	2541
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Total Value	\$188,986,875	\$377,973,750	\$566,960,625	\$755,947,500
<b>Existing + Future Development</b>				
Total Value (existing + future development)	\$196,544,859	\$385,531,734	\$574,518,609	\$763,505,484
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at phase buildout	\$1,965,449	\$3,855,317	\$5,745,186	\$7,635,055
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$55,033	\$107,949	\$160,865	\$213,782

<sup>1</sup>Source: Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup>Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.



<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b> <b>Total No. Acres: 100.96</b> <b>No. of Potential Buildout Units: 666</b>	Buildout Phase			
	Phase I (Yrs. 1-5)	Phase II (Yrs. 6-10)	Phase III (Yrs. 11-15)	Phase IV (Yrs. 16-20)
<b>Existing Development</b>				
Number of existing units at phase buildout	0	0	0	0
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Total Value	\$0	\$0	\$0	\$0
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Average density (units/acre)	7	7	7	7
Maximum potential units constructed during this phase	166	166	166	166
Number of total potential units constructed at phase buildout	166	333	499	666
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Total Value	\$49,521,850	\$99,043,700	\$148,565,550	\$198,087,400
<b>Existing + Future Development</b>				
Total Value (existing + future development)	\$49,521,850	\$99,043,700	\$148,565,550	\$198,087,400
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at phase buildout	\$495,219	\$990,437	\$1,485,656	\$1,980,874
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$13,866	\$27,732	\$41,598	\$55,464

<sup>1</sup> Source: Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup> Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.

<b>Property Tax Revenue from Commercial Development</b>				
<b>Land Use Designation: General Commercial</b> <b>Total No. Acres: 54.61</b> <b>Potential Square Feet at Buildout: 493,050</b>	Buildout Phase			
	Phase I (Yrs. 1-5)	Phase II (Yrs. 6-10)	Phase III (Yrs. 11-15)	Phase IV (Yrs. 16-20)
<b>Existing Development</b>				
Number of existing square feet at phase buildout	23,140	23,140	23,140	23,140
<b>Future Development</b>				
Number of acres developed during phase	12.26	12.26	12.26	12.26
Number of square feet constructed during this phase	117,490	117,490	117,490	117,490
Total square feet constructed at phase buildout	117,490	234,980	352,470	469,960
<b>Existing + Future Development</b>				
Total square feet constructed at phase buildout	140,630	258,120	375,610	493,100
Average value per square foot	\$55	\$55	\$55	\$55
Total average value	\$7,734,652	\$14,196,604	\$20,658,555	\$27,120,507
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at Phase Buildout	\$77,347	\$141,966	\$206,586	\$271,205
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$2,166	\$3,975	\$5,784	\$7,594

<sup>1</sup> Based on Year 2015-19 Commercial/Industrial (new construction) building permit data, Town of Apple Valley Building Division.

<sup>2</sup> Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.



<b>Land Use Designation: Regional Commercial</b> <b>Total No. Acres: 45.45</b> <b>Potential Square Feet at Buildout: 410,330</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs. 1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of existing square feet at phase buildout	23,484	23,484	23,484	23,484
<b>Future Development</b>				
Number of acres developed during phase	10.09	10.09	10.09	10.09
Number of square feet constructed during this phase	96,694	96,694	96,694	96,694
Total square feet constructed at phase buildout	96,694	193,389	290,083	386,778
<b>Existing + Future Development</b>				
Total square feet constructed at phase buildout	120,178	216,873	313,567	410,262
Average value per square foot <sup>1</sup>	\$55	\$55	\$55	\$55
Total average value	\$6,609,817	\$11,928,014	\$17,246,211	\$22,564,407
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at Phase Buildout	\$66,098	\$119,280	\$172,462	\$225,644
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$1,851	\$3,340	\$4,829	\$6,318

<sup>1</sup> Based on Year 2015-19 Commercial/Industrial (new construction) building permit data, Town of Apple Valley Building Division.

<sup>2</sup> Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.

<b>Land Use Designation: Mixed Use, commercial portion</b> <b>Total No. Acres: 95.12</b> <b>Potential Square Feet at Buildout: 911,576</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs. 1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of existing square feet at phase buildout	0	0	0	0
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Number of square feet constructed during this phase	227,888	227,888	227,888	227,888
Total square feet constructed at phase buildout	227,888	455,777	683,665	911,554
<b>Existing + Future Development</b>				
Total square feet constructed at phase buildout	227,888	455,777	683,665	911,554
Average value per square foot <sup>1</sup>	\$55	\$55	\$55	\$55
Total average value	\$12,533,867	\$25,067,735	\$37,601,602	\$50,135,469
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at Phase Buildout	\$125,339	\$250,677	\$376,016	\$501,355
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$3,509	\$7,019	\$10,528	\$14,038

<sup>1</sup> Based on Year 2015-19 Commercial/Industrial (new construction) building permit data, Town of Apple Valley Building Division.

<sup>2</sup> Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.

<b>Property Tax Revenue from Industrial Development</b>				
<b>Land Use Designation: Planned Industrial</b> <b>Total No. Acres: 431.22</b> <b>Potential Square Feet at Buildout: 3,893,407</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs. 1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of existing square feet at phase buildout	577,656	577,656	577,656	577,656
<b>Future Development</b>				
Number of acres developed during phase	86.50	86.50	86.50	86.50
Number of square feet constructed during this phase	828,947	828,947	828,947	828,947
Total square feet constructed at phase buildout	828,947	1,657,894	2,486,840	3,315,787
<b>Existing + Future Development</b>				
Total square feet constructed at phase buildout	1,406,603	2,235,550	3,064,496	3,893,443
Average value per square foot <sup>1</sup>	\$55	\$55	\$55	\$55
Total average value	\$77,363,154	\$122,955,228	\$168,547,302	\$214,139,376
Property Tax Rate	1%	1%	1%	1%
Total Property Tax Collected at Phase Buildout	\$773,632	\$1,229,552	\$1,685,473	\$2,141,394
Percent of Property Tax Allocated to Town of Apple Valley General Fund <sup>2</sup>	2.8%	2.8%	2.8%	2.8%
Total Amount Allocated to Apple Valley General Fund at phase buildout	\$21,662	\$34,427	\$47,193	\$59,959

<sup>1</sup> Based on Year 2015-19 Commercial/Industrial (new construction) building permit data, Town of Apple Valley Building Division.

<sup>2</sup> Source: Town of Apple Valley Budget (5.6% to General Fund), reduced by 50% per County's "Share the Pain" revenue-sharing policy.



Property Tax Revenue Summary Table				
	Buildout Phase			
	Phase I	Phase II	Phase III	Phase IV
Total property tax revenue from residential development	\$84,572	\$160,679	\$236,786	\$312,893
Total property tax revenue from commercial development	\$7,526	\$14,334	\$21,142	\$27,950
Total property tax revenue from industrial development	\$21,662	\$34,427	\$47,193	\$59,959
<b>Total property tax revenue from all development</b>	<b>\$113,760</b>	<b>\$209,440</b>	<b>\$305,121</b>	<b>\$400,802</b>



<b>Property Transfer Tax Revenue from Residential Development</b>				
<b>Land Use Designation: Estate Residential (1 du/1-2.5 gross ac)</b> <b>Total No. Acres: 553.64</b> <b>No. of Potential Buildout Units: 532</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs.1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of Existing Units	84	84	84	84
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	84	84	84	84
Number of units changing ownership in 1st year of this phase	Ø	8	8	8
Number of units existing in 2nd year of this phase	84	84	84	84
Number of units changing ownership in 2nd year of this phase	Ø	8	8	8
Number of units existing in 3rd year of this phase	84	84	84	84
Number of units changing ownership in 3rd year of this phase	Ø	8	8	8
Number of units existing in 4th year of this phase	84	84	84	84
Number of units changing ownership in 4th year of this phase	8	8	8	8
Number of units existing in 5th year of this phase	84	84	84	84
Number of units changing ownership in 5th year of this phase	8	8	8	8
Total number of units changing ownership during this phase	17	42	42	42
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Unencumbered Value per unit (80% of market value)	\$215,942	\$215,942	\$215,942	\$215,942
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$3,627,832	\$9,069,581	\$9,069,581	\$9,069,581
<b>Future Development</b>				
<b>New Units Sold for First Time</b> (100% of market value is subject to tax)				
Number of acres developed during phase	111.94	111.94	111.94	111.94
Average Density (units/acre)	1	1	1	1
Number of units sold during this phase	112	112	112	112
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Amount subject to Property Transfer Tax for all units sold	\$33,302,150	\$33,302,150	\$33,302,150	\$33,302,150
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	22	22	22	22
Number of units changing ownership in 1st year of this phase	Ø	7	18	29
Number of units existing in 2nd year of this phase	22	22	22	22
Number of units changing ownership in 2nd year of this phase	Ø	9	20	31
Number of units existing in 3rd year of this phase	22	22	22	22
Number of units changing ownership in 3rd year of this phase	Ø	11	22	33
Number of units existing in 4th year of this phase	22	22	22	22
Number of units changing ownership in 4th year of this phase	2	13	24	35
Number of units existing in 5th year of this phase	22	23	23	23
Number of units changing ownership in 5th year of this phase	4	15	27	38
Total number of units existing during this phase	110	111	111	111
Total number of units changing ownership during this phase	6	55	111	166
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Unencumbered Value per unit (80% of market value)	\$238,000	\$238,000	\$238,000	\$238,000
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$1,428,000	\$13,090,000	\$26,418,000	\$39,508,000
<b>Existing + Future Development</b>				
Total amount subject to Property Transfer Tax (includes all new units sold for first time & all existing units changing ownership)	\$38,357,982	\$55,461,731	\$68,789,731	\$81,879,731
Property Transfer Tax Rate <sup>2</sup>	0.11%	0.11%	0.11%	0.11%
Total Property Transfer Tax Collected at phase buildout	\$42,194	\$61,008	\$75,669	\$90,068
Percent of Property Transfer Tax allocated to Apple Valley <sup>2</sup>	50%	50%	50%	50%
Total Property Transfer Tax Allocated to Apple Valley at phase buildout	\$21,097	\$30,504	\$37,834	\$45,034

<sup>1</sup> Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup> California City Documentary and Property Transfer Tax Rates, California Local Government Finance Almanac, www.CaliforniaCityFinance.com, (sponsored by League of California Cities); and Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2018-June 30, 2019.



<b>Land Use Designation: Medium Density Residential (4-20 du/ac)</b> <b>Total No. of Acres: 234.31</b> <b>No. of Potential Buildout Units: 2,569</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs.1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of Existing Units	28	28	28	28
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	28	28	28	28
Number of units changing ownership in 1st year of this phase	Ø	3	3	3
Number of units existing in 2nd year of this phase	28	28	28	28
Number of units changing ownership in 2nd year of this phase	Ø	3	3	3
Number of units existing in 3rd year of this phase	28	28	28	28
Number of units changing ownership in 3rd year of this phase	Ø	3	3	3
Number of units existing in 4th year of this phase	28	28	28	28
Number of units changing ownership in 4th year of this phase	3	3	3	3
Number of units existing in 5th year of this phase	28	28	28	28
Number of units changing ownership in 5th year of this phase	3	3	3	3
Total number of units changing ownership during this phase	6	14	14	14
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Unencumbered Value per unit (80% of market value)	\$215,942	\$215,942	\$215,942	\$215,942
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$1,209,277	\$3,023,194	\$3,023,194	\$3,023,194
<b>Future Development</b>				
<b>New Units Sold for First Time</b> (100% of market value is subject to tax)				
Number of acres developed during phase	42.35	42.35	42.35	42.35
Average Density (units/acre)	15	15	15	15
Number of units sold during this phase	635	635	635	635
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Amount subject to Property Transfer Tax for all units sold	\$188,986,875	\$188,986,875	\$188,986,875	\$188,986,875
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	127	127	127	127
Number of units changing ownership in 1st year of this phase	Ø	38	102	165
Number of units existing in 2nd year of this phase	127	127	127	127
Number of units changing ownership in 2nd year of this phase	Ø	51	114	178
Number of units existing in 3rd year of this phase	127	127	127	127
Number of units changing ownership in 3rd year of this phase	Ø	64	127	191
Number of units existing in 4th year of this phase	127	127	127	127
Number of units changing ownership in 4th year of this phase	13	76	140	203
Number of units existing in 5th year of this phase	127	128	128	128
Number of units changing ownership in 5th year of this phase	25	89	153	216
Total number of units existing during this phase	635	636	636	636
Total number of units changing ownership during this phase	38	318	636	953
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Unencumbered Value per unit (80% of market value)	\$238,000	\$238,000	\$238,000	\$238,000
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$9,044,000	\$75,684,000	\$151,368,000	\$226,814,000
<b>Existing + Future Development</b>				
Total amount subject to Property Transfer Tax (includes all new units sold for first time & all existing units changing ownership)	\$199,240,152	\$267,694,069	\$343,378,069	\$418,824,069
Property Transfer Tax Rate <sup>2</sup>	0.11%	0.11%	0.11%	0.11%
Total Property Transfer Tax Collected at phase buildout	\$219,164	\$294,463	\$377,716	\$460,706
Percent of Property Transfer Tax allocated to Apple Valley <sup>2</sup>	50%	50%	50%	50%
Total Property Transfer Tax Allocated to Apple Valley at phase buildout	\$109,582	\$147,232	\$188,858	\$230,353

<sup>1</sup> Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup> California City Documentary and Property Transfer Tax Rates, California Local Government Finance Almanac, www.CaliforniaCityFinance.com, (sponsored by League of California Cities); and Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2018-June 30, 2019.



<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b> <b>Total No. of Acres: 100.96</b> <b>No. of Potential Buildout Units: 666</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs.1-5)</b>	<b>Phase II (Yrs. 6-10)</b>	<b>Phase III (Yrs. 11-15)</b>	<b>Phase IV (Yrs. 16-20)</b>
<b>Existing Development</b>				
Number of Existing Units	0	0	0	0
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	0	0	0	0
Number of units changing ownership in 1st year of this phase	0	0	0	0
Number of units existing in 2nd year of this phase	0	0	0	0
Number of units changing ownership in 2nd year of this phase	0	0	0	0
Number of units existing in 3rd year of this phase	0	0	0	0
Number of units changing ownership in 3rd year of this phase	0	0	0	0
Number of units existing in 4th year of this phase	0	0	0	0
Number of units changing ownership in 4th year of this phase	0	0	0	0
Number of units existing in 5th year of this phase	0	0	0	0
Number of units changing ownership in 5th year of this phase	0	0	0	0
Total number of units changing ownership during this phase	0	0	0	0
Median housing value, existing construction <sup>1</sup>	\$269,928	\$269,928	\$269,928	\$269,928
Unencumbered Value per unit (80% of market value)	\$215,942	\$215,942	\$215,942	\$215,942
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$0	\$0	\$0	\$0
<b>Future Development</b>				
<b>New Units Sold for First Time</b> (100% of market value is subject to tax)				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Average Density (units/acre)	7	7	7	7
Number of units sold during this phase	166	166	166	166
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Amount subject to Property Transfer Tax for all units sold	\$49,521,850	\$49,521,850	\$49,521,850	\$49,521,850
<b>Existing Units Being Sold</b> (80% of market value is subject to tax)				
Number of units existing in 1st year of this phase	33	33	33	33
Number of units changing ownership in 1st year of this phase	0	10	26	43
Number of units existing in 2nd year of this phase	33	33	33	33
Number of units changing ownership in 2nd year of this phase	0	13	30	46
Number of units existing in 3rd year of this phase	33	33	33	33
Number of units changing ownership in 3rd year of this phase	0	17	33	50
Number of units existing in 4th year of this phase	33	33	33	33
Number of units changing ownership in 4th year of this phase	3	20	36	53
Number of units existing in 5th year of this phase	33	34	34	34
Number of units changing ownership in 5th year of this phase	7	23	40	56
Total number of units existing during this phase	165	166	166	166
Total number of units changing ownership during this phase	10	83	165	248
Median housing value, new construction <sup>1</sup>	\$297,500	\$297,500	\$297,500	\$297,500
Unencumbered Value per unit (80% of market value)	\$238,000	\$238,000	\$238,000	\$238,000
Amount subject to Property Transfer Tax for all units changing ownership during this phase	\$2,380,000	\$19,754,000	\$39,270,000	\$59,024,000
<b>Existing + Future Development</b>				
Total amount subject to Property Transfer Tax (includes all new units sold for first time & all existing units changing ownership)	\$51,901,850	\$69,275,850	\$88,791,850	\$108,545,850
Property Transfer Tax Rate <sup>2</sup>	0.11%	0.11%	0.11%	0.11%
Total Property Transfer Tax Collected at phase buildout	\$57,092	\$76,203	\$97,671	\$119,400
Percent of Property Transfer Tax allocated to Apple Valley <sup>2</sup>	50%	50%	50%	50%
Total Property Transfer Tax Allocated to Apple Valley at phase buildout	\$28,546	\$38,102	\$48,836	\$59,700

<sup>1</sup> Inland Empire Quarterly Economic Report, John Husing, Ph.D., Economics & Politics, Inc., Year 31, October 2019.

<sup>2</sup> California City Documentary and Property Transfer Tax Rates, California Local Government Finance Almanac, www.CaliforniaCityFinance.com, (sponsored by League of California Cities); and Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2018-June 30, 2019.



Property Transfer Tax Revenue Summary Table				
	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
Total property transfer tax revenue	\$159,225	\$215,837	\$275,528	\$335,087



<b>Sales Tax and Measure I Revenue from Commercial Development</b>				
<b>Land Use Designation: General Commercial</b> <b>Total No. Acres: 54.61</b> <b>Potential Square Feet at Buildout: 493,050</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing square feet at phase buildout	23,140	23,140	23,140	23,140
<b>Future Development</b>				
Number of acres developed during phase	12.26	12.26	12.26	12.26
Number of square feet constructed during this phase	117,490	117,490	117,490	117,490
Total square feet constructed at phase buildout	117,490	234,980	352,470	469,960
<b>Calculation of Total Leasable Square Feet</b>				
Percent leasable space	90%	90%	90%	90%
No. of leasable square feet at phase buildout	126,567	232,308	338,049	443,790
<b>"Neighborhood Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Neighborhood Commercial	50%	50%	50%	50%
No. of leasable sq. ft. considered Neighborhood Commercial	63,284	116,154	169,025	221,895
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$326.13	\$326.13	\$326.13	\$326.13
Total annual sales from Neighborhood Commercial development	\$20,638,653	\$37,881,313	\$55,123,974	\$72,366,635
<b>"Community Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Community Commercial	50%	50%	50%	50%
No. of leasable sq. ft. considered Community Commercial	63,284	116,154	169,025	221,895
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$286.10	\$286.10	\$286.10	\$286.10
Total annual sales from Community Commercial development	\$18,105,413	\$33,231,668	\$48,357,922	\$63,484,176
<b>"Regional Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Regional Commercial	0%	0%	0%	0%
No. of leasable sq. ft. considered Regional Commercial	0	0	0	0
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$275.41	\$275.41	\$275.41	\$275.41
Total annual sales from Regional Commercial development	\$0	\$0	\$0	\$0
<b>Calculation of Total Sales Tax Revenues</b>				
Total annual sales at phase buildout	\$38,744,066	\$71,112,981	\$103,481,896	\$135,850,811
Local sales tax rate	1%	1%	1%	1%
Annual sales tax revenue collected by Town at phase buildout	\$387,441	\$711,130	\$1,034,819	\$1,358,508
<b>Calculation of Measure I Revenues</b>				
Measure I tax rate	0.50%	0.50%	0.50%	0.50%
Annual Measure I revenue collected in annexation area at phase buildout	\$193,720	\$355,565	\$517,409	\$679,254
Percent allocated to Victor Valley Sub-Area	70.0%	70.0%	70.0%	70.0%
Annual amount allocated to Victor Valley Sub-Area	\$135,604	\$248,895	\$362,187	\$475,478
Percent allocated to Apple Valley	5%	5%	5%	5%
Annual amount allocated to Apple Valley	\$6,780	\$12,445	\$18,109	\$23,774

<sup>1</sup> Based on definitions provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008

<sup>2</sup> Based on average sales volumes for U.S. Neighborhood Shopping Centers (Table 6-1), U.S. Super Community/Community Shopping Centers (Table 5-1), and U.S. Regional Shopping Centers (Table 4-1) provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008.



Land Use Designation: Regional Commercial Total No. Acres: 45.45 Potential Square Feet at Buildout: 410,330	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Existing Development</b>				
Number of existing square feet at phase buildout	23,484	23,484	23,484	23,484
<b>Future Development</b>				
Number of acres developed during phase	10.09	10.09	10.09	10.09
Number of square feet constructed during this phase	96,694	96,694	96,694	96,694
Total square feet constructed at phase buildout	96,694	193,389	290,083	386,778
<b>Calculation of Total Leasable Square Feet</b>				
Percent leasable space	90%	90%	90%	90%
No. of leasable square feet at phase buildout	108,161	195,186	282,211	369,236
<b>"Neighborhood Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Neighborhood Commercial	0%	0%	0%	0%
No. of leasable sq. ft. considered Neighborhood Commercial	0	0	0	0
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$326.13	\$326.13	\$326.13	\$326.13
Total annual sales from Neighborhood Commercial development	\$0	\$0	\$0	\$0
<b>"Community Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Community Commercial	0%	0%	0%	0%
No. of leasable sq. ft. considered Community Commercial	0	0	0	0
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$286.10	\$286.10	\$286.10	\$286.10
Total annual sales from Community Commercial development	\$0	\$0	\$0	\$0
<b>"Regional Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Regional Commercial	100%	100%	100%	100%
No. of leasable sq. ft. considered Regional Commercial	108161	195186	282211	369236
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$275.41	\$275.41	\$275.41	\$275.41
Total annual sales from Regional Commercial development	\$29,788,522	\$53,756,088	\$77,723,654	\$101,691,220
<b>Calculation of Total Sales Tax Revenues</b>				
Total annual sales at phase buildout	\$29,788,522	\$53,756,088	\$77,723,654	\$101,691,220
Local sales tax rate	1%	1%	1%	1%
Annual sales tax revenue collected by Town at phase buildout	\$297,885	\$537,561	\$777,237	\$1,016,912
<b>Calculation of Measure I Revenues</b>				
Measure I tax rate	0.50%	0.50%	0.50%	0.50%
Annual Measure I revenue collected in annexation area at phase buildout	\$148,943	\$268,780	\$388,618	\$508,456
Percent allocated to Victor Valley Sub-Area	70.0%	70.0%	70.0%	70.0%
Annual amount allocated to Victor Valley Sub-Area	\$104,260	\$188,146	\$272,033	\$355,919
Percent allocated to Apple Valley	5%	5%	5%	5%
Annual amount allocated to Apple Valley	\$5,213	\$9,407	\$13,602	\$17,796

<sup>1</sup> Based on definitions provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008

<sup>2</sup> Based on average sales volumes for U.S. Neighborhood Shopping Centers (Table 6-1), U.S. Super Community/Community Shopping Centers (Table 5-1), and U.S. Regional Shopping Centers (Table 4-1) provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008.



Land Use Designation: Mixed Use, commercial portion Total No. Acres: 95.12 Potential Square Feet at Buildout: 911,576	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Existing Development</b>				
Number of existing square feet at phase buildout	0	0	0	0
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Number of square feet constructed during this phase	227,888	227,888	227,888	227,888
Total square feet constructed at phase buildout	227,888	455,777	683,665	911,554
<b>Calculation of Total Leasable Square Feet</b>				
Percent leasable space <sup>3</sup>	76.5%	76.5%	76.5%	76.5%
No. of leasable square feet at phase buildout	174,335	348,669	523,004	697,339
<b>"Neighborhood Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Neighborhood Commercial	50%	50%	50%	50%
No. of leasable sq. ft. considered Neighborhood Commercial	87,167	174,335	261,502	348,669
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$326.13	\$326.13	\$326.13	\$326.13
Total annual sales from Neighborhood Commercial development	\$28,427,888	\$56,855,776	\$85,283,663	\$113,711,551
<b>"Community Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Community Commercial	50%	50%	50%	50%
No. of leasable sq. ft. considered Community Commercial	87,167	174,335	261,502	348,669
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$286.10	\$286.10	\$286.10	\$286.10
Total annual sales from Community Commercial development	\$24,938,579	\$49,877,158	\$74,815,736	\$99,754,315
<b>"Regional Commercial" Development<sup>1</sup></b>				
Percent of leasable sq. ft. considered Regional Commercial	0%	0%	0%	0%
No. of leasable sq. ft. considered Regional Commercial	0	0	0	0
Ave. annual sales volume per sq. ft. <sup>2</sup>	\$275.41	\$275.41	\$275.41	\$275.41
Total annual sales from Regional Commercial development	\$0	\$0	\$0	\$0
<b>Calculation of Total Sales Tax Revenues</b>				
Total annual sales at phase buildout	\$53,366,467	\$106,732,933	\$160,099,400	\$213,465,866
Local sales tax rate	1%	1%	1%	1%
Annual sales tax revenue collected by Town at phase buildout	\$533,665	\$1,067,329	\$1,600,994	\$2,134,659
<b>Calculation of Measure I Revenues</b>				
Measure I tax rate	0.50%	0.50%	0.50%	0.50%
Annual Measure I revenue collected in annexation area at phase buildout	\$266,832	\$533,665	\$800,497	\$1,067,329
Percent allocated to Victor Valley Sub-Area	70.0%	70.0%	70.0%	70.0%
Annual amount allocated to Victor Valley Sub-Area	\$186,783	\$373,565	\$560,348	\$747,131
Percent allocated to Apple Valley	5%	5%	5%	5%
Annual amount allocated to Apple Valley	\$9,339	\$18,678	\$28,017	\$37,357

<sup>1</sup> Based on definitions provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008

<sup>2</sup> Based on average sales volumes for U.S. Neighborhood Shopping Centers (Table 6-1), U.S. Super Community/Community Shopping Centers (Table 5-1), and U.S. Regional Shopping Centers (Table 4-1) provided in "Dollars and Cents of Shopping Centers," Urban Land Institute, 2008.

<sup>3</sup> For the Mixed Use (commercial portion) land use designation: assumes 85% of all square footage would develop as retail, and 15% would develop as office, institutional, or other non-retail uses. Of the retail square footage, 90% would be leasable space capable of generating sales tax revenue.



<b>Sales Tax Revenue Summary Table</b>				
<b>Buildout Phase</b>				
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Total sales tax revenue from all development</b>	\$1,218,991	\$2,316,020	\$3,413,049	\$4,510,079

<b>Measure I Revenue Summary Table</b>				
<b>Buildout Phase</b>				
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Total Measure I revenue from all development</b>	\$21,332	\$40,530	\$59,728	\$78,926



Transient Occupancy Tax Revenue				
Land Use Designation: N/A Total No. Acres: N/A Potential Rooms at Buildout: N/A	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
Land Use Buildout Data				
Number of acres developed during phase	0.00	0.00	0.00	0.00
Maximum potential rooms constructed during this phase	0	0	0	0
Number of total potential rooms existing at phase buildout	0	0	0	0
Calculation of TOT Revenue				
*Average room rate (\$ per night)	\$0.00	\$0.00	\$0.00	\$0.00
*Average occupancy rate	0%	0%	0%	0%
Annual revenue from all rooms at phase buildout	\$0	\$0	\$0	\$0
Transient Occupancy Tax Rate	7%	7%	7%	7%
Annual TOT revenues at phase buildout	\$0	\$0	\$0	\$0

\*Estimates based on local conditions

Transient Occupancy Tax Revenue Summary Table				
	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
Total Transient Occupancy Tax Revenue from all development	\$0	\$0	\$0	\$0



<b>Highway Users Gas Tax Revenue</b>				
<b>Land Use Designation: Estate Residential (1 du/1-2.5 gross ac)</b> <b>Total No. Acres: 553.64</b> <b>No. of Potential Buildout Units: 532</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing dwelling units	84	84	84	84
<b>Future Development</b>				
Number of acres developed during phase	111.94	111.94	111.94	111.94
Maximum density permitted (units/acre)	1.0	1.0	1.0	1.0
Maximum potential units constructed during this phase	112	112	112	112
Number of total potential units constructed at phase buildout	112	224	336	448
<b>Calculation of Annual Gas Tax Revenue</b>				
Average Persons Per Household <sup>1</sup>	3.04	3.04	3.04	3.04
Potential Population at Phase Buildout	596	936	1,276	1,617
Anticipated Annual Per Capita Revenue <sup>2</sup>	\$25.18	\$25.18	\$25.18	\$25.18
Annual Gas Tax Revenue at phase buildout	\$14,999	\$23,567	\$32,136	\$40,705

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020.

<b>Land Use Designation: Medium Density Residential (4-20 du/ac)</b> <b>Total No. Acres: 234.31</b> <b>No. of Potential Buildout Units: 2,569</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing dwelling units	28	28	28	28
<b>Future Development</b>				
Number of acres developed during phase	42.35	42.35	42.35	42.35
Maximum density permitted (units/acre)	15.0	15.0	15.0	15.0
Maximum potential units constructed during this phase	635	635	635	635
Number of total potential units constructed at phase buildout	635	1,271	1,906	2,541
<b>Calculation of Annual Gas Tax Revenue</b>				
Average Persons Per Household <sup>1</sup>	3.04	3.04	3.04	3.04
Potential Population at Phase Buildout	2,016	3,947	5,879	7,810
Anticipated Annual Per Capita Revenue <sup>2</sup>	\$25.18	\$25.18	\$25.18	\$25.18
Annual Gas Tax Revenue at phase buildout	\$50,770	\$99,397	\$148,023	\$196,650

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020.

<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b> <b>Total No. Acres: 100.96</b> <b>No. of Potential Buildout Units: 666</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing dwelling units	0	0	0	0
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Maximum density permitted (units/acre)	7.0	7.0	7.0	7.0
Maximum potential units constructed during this phase	166	166	166	166
Number of total potential units constructed at phase buildout	166	333	499	666
<b>Calculation of Annual Gas Tax Revenue</b>				
Average Persons Per Household <sup>1</sup>	3.04	3.04	3.04	3.04
Potential Population at Phase Buildout	506	1,012	1,518	2,024
Anticipated Annual Per Capita Revenue <sup>2</sup>	\$25.18	\$25.18	\$25.18	\$25.18
Annual Gas Tax Revenue at phase buildout	\$12,742	\$25,484	\$38,226	\$50,968

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020.



Highway Users Gas Tax Revenue				
	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
Total Gas Tax Revenue from all development	\$78,511	\$148,448	\$218,385	\$288,323



<b>Development Impact Fees from Residential Development</b>				
<b>Land Use Designation: Estate Residential</b> <b>Total No. Acres: 553.64</b> <b>No. of Potential Buildout Units: 532</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during phase	111.94	111.94	111.94	111.94
Maximum density permitted (units/acre)	1	1	1	1
Maximum potential units constructed during this phase	112	112	112	112
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per unit General Government Facilities Fee <sup>1</sup>	\$407.07	\$407.07	\$407.07	\$407.07
Total revenues from General Government Facilities Fees at phase buildout	\$45,567	\$45,567	\$45,567	\$45,567
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per unit Transportation Impact Fee <sup>1</sup>	\$6,745.00	\$6,745.00	\$6,745.00	\$6,745.00
Total revenues from Transportation Impact Fees at phase buildout	\$755,035	\$755,035	\$755,035	\$755,035
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per unit Law Enforcement Facilities Fee <sup>1</sup>	\$147.64	\$147.64	\$147.64	\$147.64
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$16,527	\$16,527	\$16,527	\$16,527

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019

<b>Land Use Designation: Medium Density Residential (4-20 du/ac)</b> <b>Total No. Acres: 234.31</b> <b>No. of Potential Buildout Units: 2,569</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during phase	42.35	42.35	42.35	42.35
Maximum density permitted (units/acre)	15	15	15	15
Maximum potential units constructed during this phase	635	635	635	635
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per unit General Government Facilities Fee <sup>1</sup>	\$407.07	\$407.07	\$407.07	\$407.07
Total revenues from General Government Facilities Fees at phase buildout	\$258,591	\$258,591	\$258,591	\$258,591
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per unit Transportation Impact Fee <sup>1</sup>	\$3,912.00	\$3,912.00	\$3,912.00	\$3,912.00
Total revenues from Transportation Impact Fees at phase buildout	\$2,485,098	\$2,485,098	\$2,485,098	\$2,485,098
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per unit Law Enforcement Facilities Fee <sup>1</sup>	\$182.44	\$182.44	\$182.44	\$182.44
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$115,895	\$115,895	\$115,895	\$115,895

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019



<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b> <b>Total No. Acres: 100.96</b> <b>No. of Potential Buildout Units: 666</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Maximum density permitted (units/acre)	7	7	7	7
Maximum potential units constructed during this phase	166	166	166	166
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per unit General Government Facilities Fee <sup>1</sup>	\$407.07	\$407.07	\$407.07	\$407.07
Total revenues from General Government Facilities Fees at phase buildout	\$67,761	\$67,761	\$67,761	\$67,761
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per unit Transportation Impact Fee <sup>1</sup>	\$3,912.00	\$3,912.00	\$3,912.00	\$3,912.00
Total revenues from Transportation Impact Fees at phase buildout	\$651,192	\$651,192	\$651,192	\$651,192
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per unit Law Enforcement Facilities Fee <sup>1</sup>	\$182.44	\$182.44	\$182.44	\$182.44
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$30,369	\$30,369	\$30,369	\$30,369

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019

<b>Development Impact Fees from Commercial Development</b>				
<b>Land Use Designation: General Commercial</b> <b>Total No. Acres: 54.61</b> <b>Potential Square Feet at Buildout: 493,050</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during this phase	12.26	12.26	12.26	12.26
Number of square feet developed at phase buildout	117,490	117,490	117,490	117,490
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per square foot General Government Facilities Fee <sup>1</sup>	\$0.03	\$0.03	\$0.03	\$0.03
Total revenues from General Government Facilities Fees at phase buildout	\$3,525	\$3,525	\$3,525	\$3,525
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per Square Foot Transportation Impact Fee <sup>1</sup>	\$1.99315	\$1.99315	\$1.99315	\$1.99315
Total revenues from Transportation Impact Fees at phase buildout	\$234,175	\$234,175	\$234,175	\$234,175
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per square foot Law Enforcement Facilities Fee <sup>1</sup>	\$0.20	\$0.20	\$0.20	\$0.20
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$23,498	\$23,498	\$23,498	\$23,498

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019



<b>Land Use Designation: Regional Commercial</b> <b>Total No. Acres: 45.45</b> <b>Potential Square Feet at Buildout: 410,330</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during this phase	10.09	10.09	10.09	10.09
Number of square feet developed at phase buildout	96,694	96,694	96,694	96,694
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per square foot General Government Facilities Fee <sup>1</sup>	\$0.03	\$0.03	\$0.03	\$0.03
Total revenues from General Government Facilities Fees at phase buildout	\$2,901	\$2,901	\$2,901	\$2,901
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per Square Foot Transportation Impact Fee <sup>1</sup>	\$1.99315	\$1.99315	\$1.99315	\$1.99315
Total revenues from Transportation Impact Fees at phase buildout	\$192,727	\$192,727	\$192,727	\$192,727
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per square foot Law Enforcement Facilities Fee <sup>1</sup>	\$0.20	\$0.20	\$0.20	\$0.20
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$19,339	\$19,339	\$19,339	\$19,339

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019

<b>Land Use Designation: Mixed Use, commercial portion</b> <b>Total No. Acres: 95.12</b> <b>Potential Square Feet at Buildout: 911,576</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during this phase	23.78	23.78	23.78	23.78
Number of square feet developed at phase buildout	227,888	227,888	227,888	227,888
<b>Calculation of DIF Revenues from General Government Facilities Fees</b>				
Per square foot General Government Facilities Fee <sup>1</sup>	\$0.03	\$0.03	\$0.03	\$0.03
Total revenues from General Government Facilities Fees at phase buildout	\$6,837	\$6,837	\$6,837	\$6,837
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per Square Foot Transportation Impact Fee <sup>1</sup>	\$2.94419	\$2.94419	\$2.94419	\$2.94419
Total revenues from Transportation Impact Fees at phase buildout	\$670,947	\$670,947	\$670,947	\$670,947
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per square foot Law Enforcement Facilities Fee <sup>1</sup>	\$0.20	\$0.20	\$0.20	\$0.20
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$45,578	\$45,578	\$45,578	\$45,578

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019



<b>Development Impact Fees from Industrial Development</b>				
<i>Land Use Designation: Planned Industrial</i> <i>Total No. Acres: 431.22</i> <i>Potential Square Feet at Buildout: 3,893,407</i>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Future Development</b>				
Number of acres developed during this phase	86.50	86.50	86.50	86.50
Number of square feet developed at phase buildout	828,947	828,947	828,947	828,947
<b>Calculation of DIF Revenues from General Government Facilities fees</b>				
Per square foot General Government Facilities Fee <sup>1</sup>	\$0.03	\$0.03	\$0.03	\$0.03
Total revenues from General Government Facilities Fees at phase buildout	\$24,868	\$24,868	\$24,868	\$24,868
<b>Calculation of DIF Revenues from Transportation Impact Fees</b>				
Per square foot Transportation Impact Fee <sup>1</sup>	\$1.63566	\$1.63566	\$1.63566	\$1.63566
Total revenues from Transportation Impact Fees at phase buildout	\$1,355,875	\$1,355,875	\$1,355,875	\$1,355,875
<b>Calculation of DIF Revenues from Law Enforcement Facilities Fees</b>				
Per square foot Law Enforcement Facilities Fee <sup>1</sup>	\$0.001	\$0.001	\$0.001	\$0.001
Total revenues from Law Enforcement Facilities Fees at phase buildout	\$829	\$829	\$829	\$829

<sup>1</sup> Town of Apple Valley 2018-19 Municipal Fee Schedule, Schedule J: Development Impact Fees; and Transportation Impact Fees Summary Sheet, March 21, 2019



<b>Development Impact Fees Summary Table</b>				
	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>General Government Facilities Fees</b>				
Total Revenues from Residential Development at phase buildout	\$371,920	\$371,920	\$371,920	\$371,920
Total Revenues from Commercial Development at phase buildout	\$13,262	\$13,262	\$13,262	\$13,262
Total Revenues from Industrial Development at phase buildout	\$24,868	\$24,868	\$24,868	\$24,868
Subtotal	<b>\$410,050</b>	<b>\$410,050</b>	<b>\$410,050</b>	<b>\$410,050</b>
<b>Transportation Impact Fees</b>				
Total Revenues from Residential Development at phase buildout	\$3,891,325	\$3,891,325	\$3,891,325	\$3,891,325
Total Revenues from Commercial Development at phase buildout	\$1,097,849	\$1,097,849	\$1,097,849	\$1,097,849
Total Revenues from Industrial Development at phase buildout	\$1,355,875	\$1,355,875	\$1,355,875	\$1,355,875
Subtotal	<b>\$6,345,049</b>	<b>\$6,345,049</b>	<b>\$6,345,049</b>	<b>\$6,345,049</b>
<b>Law Enforcement Facilities Fees</b>				
Total Revenues from Residential Development at phase buildout	\$162,791	\$162,791	\$162,791	\$162,791
Total Revenues from Commercial Development at phase buildout	\$88,415	\$88,415	\$88,415	\$88,415
Total Revenues from Industrial Development at phase buildout	\$829	\$829	\$829	\$829
Subtotal	<b>\$252,034</b>	<b>\$252,034</b>	<b>\$252,034</b>	<b>\$252,034</b>
<b>TOTAL DIF REVENUE from all development</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>



<b>Costs of General Government from Residential Development</b>				
<b>Land Use Designation: Estate Residential (1 du/1-2.5 gross ac)</b> <b>Total No. Acres: 553.64</b> <b>No. of Potential Buildout Units: 532</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing units at phase buildout	84	84	84	84
<b>Future Development</b>				
Number of acres developed during phase	111.94	111.94	111.94	111.94
Maximum density permitted (units/acre)	1	1	1	1
Maximum potential units constructed during this phase	112	112	112	112
Number of total potential units constructed at phase buildout	112	224	336	448
<b>Existing + Future Development</b>				
Average number of persons per household <sup>1</sup>	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	596	936	1,276	1,617
<b>Calculation of Annual Costs of Parks/Rec</b>				
Per capita cost of Parks/Recreation <sup>2</sup>	\$41.98	\$41.98	\$41.98	\$41.98
Total costs of Parks/Recreation at phase buildout	\$25,006	\$39,291	\$53,577	\$67,863
<b>Calculation of Annual Costs of General Government</b>				
Per capita cost of General Government <sup>2</sup>	\$233.00	\$233.00	\$233.00	\$233.00
Total cost of General Government at phase buildout	\$138,788	\$218,078	\$297,367	\$376,656

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, FY July 1, 2019-June 30, 2020.

<b>Land Use Designation: Medium Density Residential (4-20 du/ac)</b> <b>Total No. Acres: 234.31</b> <b>No. of Potential Buildout Units: 2,569</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing units at phase buildout	28	28	28	28
<b>Future Development</b>				
Number of acres developed during phase	42.35	42.35	42.35	42.35
Maximum density permitted (units/acre)	15	15	15	15
Maximum potential units constructed during this phase	635	635	635	635
Number of total potential units constructed at phase buildout	635	1,271	1,906	2,541
<b>Existing + Future Development</b>				
Average number of persons per household <sup>1</sup>	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	2,016	3,947	5,879	7,810
<b>Calculation of Annual Costs of Parks/Rec</b>				
Per capita cost of Parks/Recreation <sup>2</sup>	\$41.98	\$41.98	\$41.98	\$41.98
Total costs of Parks/Recreation at phase buildout	\$84,643	\$165,714	\$246,784	\$327,854
<b>Calculation of Annual Costs of General Government</b>				
Per capita cost of General Government <sup>2</sup>	\$233.00	\$233.00	\$233.00	\$233.00
Total cost of General Government at phase buildout	\$469,793	\$919,754	\$1,369,714	\$1,819,674

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, FY July 1, 2019-June 30, 2020.



<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b> <b>Total No. Acres: 100.96</b> <b>No. of Potential Buildout Units: 666</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of existing units at phase buildout	0	0	0	0
<b>Future Development</b>				
Number of acres developed during phase	23.78	23.78	23.78	23.78
Maximum density permitted (units/acre)	7	7	7	7
Maximum potential units constructed during this phase	166	166	166	166
Number of total potential units constructed at phase buildout	166	333	499	666
<b>Existing + Future Development</b>				
Average number of persons per household <sup>1</sup>	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	506	1,012	1,518	2,024
<b>Calculation of Annual Costs of Parks/Rec</b>				
Per capita cost of Parks/Recreation <sup>2</sup>	\$41.98	\$41.98	\$41.98	\$41.98
Total costs of Parks/Recreation at phase buildout	\$21,243	\$42,487	\$63,730	\$84,974
<b>Calculation of Annual Costs of General Government</b>				
Per capita cost of General Government <sup>2</sup>	\$233.00	\$233.00	\$233.00	\$233.00
Total cost of General Government at phase buildout	\$117,907	\$235,814	\$353,721	\$471,628

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Town of Apple Valley Adopted Budget, FY July 1, 2019-June 30, 2020.

<b>Costs of General Government from Commercial Development</b>				
<b>Land Use Designation: General Commercial</b> <b>Total No. Acres: 54.61</b> <b>Potential Square Feet at Buildout: 493,050</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of acres developed at phase buildout	2.41	2.41	2.41	2.41
<b>Future Development</b>				
Number of acres developed during this phase	12.26	12.26	12.26	12.26
Number of acres developed at phase buildout	12.26	24.52	36.78	49.04
<b>Existing + Future Development</b>				
Total acres developed at phase buildout	14.67	26.93	39.19	51.45
<b>Calculation of Annual Costs of General Government (Town-wide Service)</b>				
Per acre cost of General Government <sup>1</sup>	\$29.63	\$29.63	\$29.63	\$29.63
Total cost at phase buildout	\$435	\$798	\$1,161	\$1,525
<b>Calculation of Annual Costs of General Government (Municipal Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$2.20	\$2.20	\$2.20	\$2.20
Total cost at phase buildout	\$32	\$59	\$86	\$113
<b>Calculation of Annual Costs of General Government (Support Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$87.62	\$87.62	\$87.62	\$87.62
Total cost at phase buildout	\$1,286	\$2,360	\$3,434	\$4,508

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.



<b>Land Use Designation: Regional Commercial</b> <b>Total No. Acres: 45.45</b> <b>Potential Square Feet at Buildout: 410,330</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of acres developed at phase buildout	2.45	2.45	2.45	2.45
<b>Future Development</b>				
Number of acres developed during this phase	10.09	10.09	10.09	10.09
Number of acres developed at phase buildout	10.09	20.18	30.27	40.36
<b>Existing + Future Development</b>				
Total acres developed at phase buildout	12.54	22.63	32.72	42.81
<b>Calculation of Annual Costs of General Government (Town-wide Service)</b>				
Per acre cost of General Government <sup>1</sup>	\$29.63	\$29.63	\$29.63	\$29.63
Total cost at phase buildout	\$372	\$671	\$970	\$1,268
<b>Calculation of Annual Costs of General Government (Municipal Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$2.20	\$2.20	\$2.20	\$2.20
Total cost at phase buildout	\$28	\$50	\$72	\$94
<b>Calculation of Annual Costs of General Government (Support Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$87.62	\$87.62	\$87.62	\$87.62
Total cost at phase buildout	\$1,099	\$1,983	\$2,867	\$3,751

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.

<b>Land Use Designation: Mixed Use, commercial portion</b> <b>Total No. Acres: 95.12</b> <b>Potential Square Feet at Buildout: 911,576</b>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of acres developed at phase buildout	0.00	0.00	0.00	0.00
<b>Future Development</b>				
Number of acres developed during this phase	23.78	23.78	23.78	23.78
Number of acres developed at phase buildout	23.78	47.56	71.34	95.12
<b>Existing + Future Development</b>				
Total acres developed at phase buildout	23.78	47.56	71.34	95.12
<b>Calculation of Annual Costs of General Government (Town-wide Service)</b>				
Per acre cost of General Government <sup>1</sup>	\$29.63	\$29.63	\$29.63	\$29.63
Total cost at phase buildout	\$705	\$1,409	\$2,114	\$2,818
<b>Calculation of Annual Costs of General Government (Municipal Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$2.20	\$2.20	\$2.20	\$2.20
Total cost at phase buildout	\$52	\$105	\$157	\$209
<b>Calculation of Annual Costs of General Government (Support Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$87.62	\$87.62	\$87.62	\$87.62
Total cost at phase buildout	\$2,084	\$4,167	\$6,251	\$8,334

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.



<b>Costs of General Government from Industrial Development</b>				
<i>Land Use Designation: Planned Industrial</i> <i>Total No. Acres: 431.22</i> <i>Potential Square Feet at Buildout: 3,873,407</i>	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of acres developed at phase buildout	60.28	60.28	60.28	60.28
<b>Future Development</b>				
Number of acres developed during this phase	86.50	86.50	86.50	86.50
Number of acres developed at phase buildout	86.50	173.00	259.50	346.00
<b>Existing + Future Development</b>				
Total acres developed at phase buildout	146.78	233.28	319.78	406.28
<b>Calculation of Annual Costs of General Government (Town-wide Service)</b>				
Per acre cost of General Government <sup>1</sup>	\$29.63	\$29.63	\$29.63	\$29.63
Total cost at phase buildout	\$4,349	\$6,912	\$9,475	\$12,038
<b>Calculation of Annual Costs of General Government (Municipal Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$2.20	\$2.20	\$2.20	\$2.20
Total cost at phase buildout	\$323	\$513	\$704	\$894
<b>Calculation of Annual Costs of General Government (Support Services)</b>				
Per acre cost of General Government <sup>1</sup>	\$87.62	\$87.62	\$87.62	\$87.62
Total cost at phase buildout	\$12,861	\$20,440	\$28,019	\$35,598

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.



<b>Costs of General Government Summary Table</b>				
	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Total Annual Costs of Parks/Rec (Residential)</b>	\$109,691	\$205,047	\$300,403	\$395,758
<b>Total Annual Costs of General Government (Residential)</b>	\$726,488	\$1,373,645	\$2,020,802	\$2,667,958
<b>Total Annual Costs of General Government (Town-wide Services)</b>				
Total Annual Cost from Commercial Development at phase buildout	\$1,511	\$2,878	\$4,245	\$5,611
Total Annual Cost from Industrial Development at phase buildout	\$4,349	\$6,912	\$9,475	\$12,038
Subtotal	\$5,860	\$9,790	\$13,720	\$17,649
<b>Total Annual Costs of General Government (Municipal Services)</b>				
Total Annual Cost from Commercial Development at phase buildout	\$112	\$214	\$315	\$417
Total Annual Cost from Industrial Development at phase buildout	\$323	\$513	\$704	\$894
Subtotal	\$435	\$727	\$1,019	\$1,310
<b>Total Annual Costs of General Government (Support Services)</b>				
Total Annual Cost from Commercial Development at phase buildout	\$4,468	\$8,510	\$12,552	\$16,594
Total Annual Cost from Industrial Development at phase buildout	\$12,861	\$20,440	\$28,019	\$35,598
Subtotal	\$17,329	\$28,950	\$40,571	\$52,192
<b>Total Cost for all General Government</b>	<b>\$859,804</b>	<b>\$1,618,159</b>	<b>\$2,376,514</b>	<b>\$3,134,869</b>



<b>Public Safety Costs for Residential Development</b>				
	<b>Buildout Phase</b>			
<i>Land Use Designation: Estate Residential (1 du/1-2.5 gross ac)</i> <i>Total No. Acres: 553.64</i> <i>No. of Potential Buildout Units: 532</i>	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of units at phase buildout	84	84	84	84
<b>Future Development</b>				
Number of acres developed during this phase	111.94	111.94	111.94	111.94
Maximum density permitted (units/acre)	1.0	1.0	1.0	1.0
Maximum potential units constructed during this phase	112	112	112	112
Number of total potential units constructed at phase buildout	112	224	336	448
<b>Existing + Future Development</b>				
Average persons per household <sup>1</sup>	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	596	936	1,276	1,617
<b>Calculation of Annual Public Safety Costs (Police/Sheriff Services)</b>				
Per capita cost for Police/Sheriff Services <sup>2</sup>	\$207.22	\$207.22	\$207.22	\$207.22
Total costs of Police/Sheriff Services at phase buildout	\$123,432	\$193,949	\$264,465	\$334,982
<b>Calculation of Annual Public Safety Costs (Emergency Preparedness)</b>				
Per capita cost for Emergency Preparedness <sup>2</sup>	\$0.05	\$0.05	\$0.05	\$0.05
Total costs of Emergency Preparedness at phase buildout	\$30	\$47	\$64	\$81

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Cost factors based on Town of Apple Valley population and Town Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020

	<b>Buildout Phase</b>			
<i>Land Use Designation: Medium Density Residential (4-20du/ ac)</i> <i>Total No. Acres: 234.31</i> <i>No. of Potential Buildout Units: 2,569</i>	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Existing Development</b>				
Number of units at phase buildout	28	28	28	28
<b>Future Development</b>				
Number of acres developed during this phase	42.35	42.35	42.35	42.35
Maximum density permitted (units/acre)	15.0	15.0	15.0	15.0
Maximum potential units constructed during this phase	635	635	635	635
Number of total potential units constructed at phase buildout	635	1,271	1,906	2,541
<b>Existing + Future Development</b>				
Average persons per household <sup>1</sup>	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	2,016	3,947	5,879	7,810
<b>Calculation of Annual Public Safety Costs (Police/Sheriff Services)</b>				
Per capita cost for Police/Sheriff Services <sup>2</sup>	\$207.22	\$207.22	\$207.22	\$207.22
Total costs of Police/Sheriff Services at phase buildout	\$417,814	\$817,989	\$1,218,163	\$1,618,338
<b>Calculation of Annual Public Safety Costs (Emergency Preparedness)</b>				
Per capita cost for Emergency Preparedness <sup>2</sup>	\$0.05	\$0.05	\$0.05	\$0.05
Total costs of Emergency Preparedness at phase buildout	\$101	\$197	\$294	\$390

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Cost factors based on Town of Apple Valley population and Town Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020



	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Land Use Designation: Mixed Use, residential portion (4-30 du/ac)</b>				
<b>Total No. Acres: 100.96</b>				
<b>No. of Potential Buildout Units: 666</b>				
<b>Existing Development</b>				
Number of units at phase buildout	0	0	0	0
<b>Future Development</b>				
Number of acres developed during this phase	23.78	23.78	23.78	23.78
Maximum density permitted (units/acre)	7.0	7.0	7.0	7.0
Maximum potential units constructed during this phase	166	166	166	166
Number of total potential units constructed at phase buildout	166	333	499	666
<b>Existing + Future Development</b>				
Average persons per household	3.04	3.04	3.04	3.04
Total no. of potential residents at phase buildout	506	1,012	1,518	2,024
<b>Calculation of Annual Public Safety Costs (Police/Sheriff Services)</b>				
Per capita cost for Police/Sheriff Services <sup>2</sup>	\$207.22	\$207.22	\$207.22	\$207.22
Total costs of Police/Sheriff Services at phase buildout	\$104,861	\$209,723	\$314,584	\$419,445
<b>Calculation of Annual Public Safety Costs (Emergency Preparedness)</b>				
Per capita cost for Emergency Preparedness <sup>2</sup>	\$0.05	\$0.05	\$0.05	\$0.05
Total costs of Emergency Preparedness at phase buildout	\$25	\$51	\$76	\$101

<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates

<sup>2</sup> Cost factors based on Town of Apple Valley population and Town Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020

### Public Safety Costs for Commercial Development

	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Land Use Designation: General Commercial</b>				
<b>Total No. Acres: 54.61</b>				
<b>Potential Square Feet at Buildout: 493,050</b>				
<b>Existing Development</b>				
Number of acres developed at phase buildout	2.41	2.41	2.41	2.41
<b>Future Development</b>				
Number of acres developed during this phase	12.26	12.26	12.26	12.26
Number of acres developed at phase buildout	12.26	24.52	36.78	49.04
<b>Calculation of Annual Public Safety Costs (Town-wide Services, Police &amp; Public Protection)</b>				
Per acre cost of Police & Public Protection <sup>1</sup>	\$414.77	\$414.77	\$414.77	\$414.77
Total cost of Police & Public Protection at phase buildout	\$6,087	\$11,172	\$16,257	\$21,342
<b>Calculation of Annual Municipal Services (Police Patrol and Public Protection)</b>				
Per capita cost of Police Patrol and Public Protection <sup>1</sup>	\$55.38	\$55.38	\$55.38	\$55.38
Total costs of Police Patrol and Public Protection at phase buildout	\$813	\$1,492	\$2,171	\$2,850

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.



Land Use Designation: Regional Commercial Total No. Acres: 45.45 Potential Square Feet at Buildout: 410,330	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Existing Development</b>				
Number of acres developed at phase buildout	2.45	2.45	2.45	2.45
<b>Future Development</b>				
Number of acres developed during this phase	10.09	10.09	10.09	10.09
Number of acres developed at phase buildout	10.09	20.18	30.27	40.36
<b>Calculation of Annual Public Safety Costs (Town-wide Services, Police &amp; Public Protection)</b>				
Per acre cost of Police & Public Protection <sup>1</sup>	\$414.77	\$414.77	\$414.77	\$414.77
Total cost of Police & Public Protection at phase buildout	\$5,201	\$9,386	\$13,571	\$17,757
<b>Calculation of Annual Municipal Services (Police Patrol and Public Protection)</b>				
Per capita cost of Police Patrol and Public Protection <sup>1</sup>	\$55.38	\$55.38	\$55.38	\$55.38
Total costs of Police Patrol and Public Protection at phase buildout	\$694	\$1,253	\$1,812	\$2,371

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.

Land Use Designation: Mixed Use, commercial portion Total No. Acres: 95.12 Potential Square Feet at Buildout: 911,576	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Existing Development</b>				
Number of acres developed at phase buildout	0.00	0.00	0.00	0.00
<b>Future Development</b>				
Number of acres developed during this phase	23.78	23.78	23.78	23.78
Number of acres developed at phase buildout	23.78	47.56	71.34	95.12
<b>Calculation of Annual Public Safety Costs (Town-wide Services, Police &amp; Public Protection)</b>				
Per acre cost of Police & Public Protection <sup>1</sup>	\$414.77	\$414.77	\$414.77	\$414.77
Total cost of Police & Public Protection at phase buildout	\$9,863	\$19,726	\$29,590	\$39,453
<b>Calculation of Annual Municipal Services (Police Patrol and Public Protection)</b>				
Per capita cost of Police Patrol and Public Protection <sup>1</sup>	\$55.38	\$55.38	\$55.38	\$55.38
Total costs of Police Patrol and Public Protection at phase buildout	\$1,317	\$2,634	\$3,951	\$5,268

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.

## Public Safety Costs for Industrial Development

Land Use Designation: Planned Industrial Total No. Acres: 431.22 Potential Square Feet at Buildout: 3,893,407	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Existing Development</b>				
Number of acres developed at phase buildout	60.28	60.28	60.28	60.28
<b>Future Development</b>				
Number of acres developed during this phase	86.50	86.50	86.50	86.50
Number of acres developed at phase buildout	86.50	173.00	259.50	346.00
<b>Calculation of Annual Public Safety Costs (Town-wide Services, Police &amp; Public Protection)</b>				
Per acre cost of Police & Public Protection <sup>1</sup>	\$414.77	\$414.77	\$414.77	\$414.77
Total cost of Police & Public Protection at phase buildout	\$60,879	\$96,757	\$132,634	\$168,512
<b>Calculation of Annual Municipal Services (Police Patrol and Public Protection)</b>				
Per capita cost of Police Patrol and Public Protection <sup>1</sup>	\$55.38	\$55.38	\$55.38	\$55.38
Total costs of Police Patrol and Public Protection at phase buildout	\$8,129	\$12,919	\$17,709	\$22,500

<sup>1</sup> Cost factors extrapolated from Town Budget and based on Riverside County Guide General Fund Net Cost Multipliers for Commercial/Industrial uses, Table A.2, adjusted for inflation.



<b>Public Safety Costs Summary Table</b>				
	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>Total Annual Public Safety Costs (Town-wide Services, Police &amp; Public Protection)</b>				
Total Annual Cost from Residential Development at phase buildout	\$646,107	\$1,221,660	\$1,797,212	\$2,372,765
Total Annual Cost from Commercial Development at phase buildout	\$21,151	\$40,285	\$59,418	\$78,551
Total Annual Cost from Industrial Development at phase buildout	\$60,879	\$96,757	\$132,634	\$168,512
Subtotal	\$728,137	\$1,358,701	\$1,989,265	\$2,619,828
<b>Total Annual Public Safety Costs (Town-wide Services, Emergency Preparedness)</b>				
Total Annual Cost from Residential Development at phase buildout	\$156	\$295	\$434	\$573
Subtotal	\$156	\$295	\$434	\$573
<b>Total Annual Public Safety Costs (Municipal Services, Police Patrol and Public Protection)</b>				
Total Annual Cost from Commercial Development at phase buildout	\$2,824	\$5,379	\$7,933	\$10,488
Total Annual Cost from Industrial Development at phase buildout	\$8,129	\$12,919	\$17,709	\$22,500
Subtotal	\$10,953	\$18,298	\$25,643	\$32,988
<b>Total Annual Cost for Public Safety</b>	<b>\$736,422</b>	<b>\$1,377,294</b>	<b>\$2,015,341</b>	<b>\$2,653,389</b>



Roadway Maintenance Costs				
	Buildout Phase			
	Phase I (Yrs 1-5)	Phase II (Yrs 6-10)	Phase III (Yrs 11-15)	Phase IV (Yrs 16-20)
<b>Roadway Data</b>				
Total square miles in Town	78	78	78	78
Miles of public roads in Town	423	423	423	423
Miles of public roads per square mile in Town	5.4	5.4	5.4	5.4
Total square miles in annexation area	2.2	2.2	2.2	2.2
Projected public road miles in annexation area	11.9	11.9	11.9	11.9
Projected public road miles in annex. area at phase buildout	3.0	6.0	8.9	11.9
<b>Calculation of Annual Roadway Maintenance Costs</b>				
Total Annual Roadway Maintenance Expenditures <sup>1</sup>	\$2,311,763	\$2,311,763	\$2,311,763	\$2,311,763
Number of road miles in Town	423	423	423	423
Annual Cost of Roadway Maintenance Per Road Mile	\$5,465	\$5,465	\$5,465	\$5,465
<b>Annual Cost of Roadway Maintenance at Phase Buildout</b>	<b>\$16,301</b>	<b>\$32,602</b>	<b>\$48,903</b>	<b>\$65,204</b>

<sup>1</sup> Town of Apple Valley Adopted Budget, Fiscal Year July 1, 2019-June 30, 2020.



<b>Total Potential Costs/Revenues Associated with Buildout of Annexation Area</b>				
<b>Summary Table - Town of Apple Valley</b>				
	<b>Buildout Phase</b>			
	<b>Phase I (Yrs 1-5)</b>	<b>Phase II (Yrs 6-10)</b>	<b>Phase III (Yrs 11-15)</b>	<b>Phase IV (Yrs 16-20)</b>
<b>ANNUAL REVENUES</b>				
General Fund:				
Property Tax	\$113,760	\$209,440	\$305,121	\$400,802
Property Transfer Tax	\$159,225	\$215,837	\$275,528	\$335,087
Local Sales Tax	\$1,218,991	\$2,316,020	\$3,413,049	\$4,510,079
Transient Occupancy Tax	\$0	\$0	\$0	\$0
Restricted Funds:				
Highway Users Gas Tax	\$78,511	\$148,448	\$218,385	\$288,323
Measure I	\$21,332	\$40,530	\$59,728	\$78,926
<b>ANNUAL COSTS</b>				
General Fund:				
General Government Costs				
General Government/Town-wide Services	\$5,860	\$9,790	\$13,720	\$17,649
General Government/Residential	\$726,488	\$1,373,645	\$2,020,802	\$2,667,958
General Government/Parks and Recreation	\$109,691	\$205,047	\$300,403	\$395,758
General Government/Municipal Services	\$435	\$727	\$1,019	\$1,310
General Government/Support Services	\$17,329	\$28,950	\$40,571	\$52,192
Subtotal:	\$859,804	\$1,618,159	\$2,376,514	\$3,134,869
Restricted Funds:				
Public Safety Costs				
Town-wide Public & Police Protection Services	\$728,137	\$1,358,701	\$1,989,265	\$2,619,828
Town-wide Services, Emergency Preparedness	\$156	\$295	\$434	\$573
Municipal Services, Public Protection Services	\$10,953	\$18,298	\$25,643	\$32,988
Subtotal:	\$739,246	\$1,377,294	\$2,015,341	\$2,653,389
Roadway Maintenance Costs	\$16,301	\$32,602	\$48,903	\$65,204
<b>SUMMARY OF REVENUES/COSTS:</b>				
Revenues:				
Total Annual General Fund Revenues	\$1,491,975	\$2,741,298	\$3,993,698	\$5,245,968
Total Annual Restricted Fund Revenues	\$99,843	\$188,978	\$278,114	\$367,249
Subtotal:	\$1,591,818	\$2,930,276	\$4,271,812	\$5,613,217
Historic Ave. Interest Rate on 90-Day Treasury Bills	2.39%	2.39%	2.39%	2.39%
Anticipated Interest Earned on Revenues	\$38,044	\$70,034	\$102,096	\$134,156
<b>Total Annual Revenues at Phase Buildout</b>	<b>\$1,629,863</b>	<b>\$3,000,310</b>	<b>\$4,373,908</b>	<b>\$5,747,373</b>
Costs:				
Total Annual General Fund Costs	\$859,804	\$1,618,159	\$2,376,514	\$3,134,869
Total Annual Restricted Fund Costs	\$755,547	\$1,409,895	\$2,064,244	\$2,718,592
<b>Total Annual Costs at Phase Buildout</b>	<b>\$1,615,350</b>	<b>\$3,028,054</b>	<b>\$4,440,757</b>	<b>\$5,853,461</b>
<b>ANNUAL CASHFLOW AT PHASE BUILDOUT</b>	<b>\$14,512</b>	<b>-\$27,744</b>	<b>-\$66,849</b>	<b>-\$106,088</b>
<b>DEVELOPER IMPACT FEES REVENUES (One time only)</b>				
General Government Facilities Fees	\$410,050	\$410,050	\$410,050	\$410,050
Transportation Impacts Fees	\$6,345,049	\$6,345,049	\$6,345,049	\$6,345,049
Law Enforcement Facilities Fees	\$252,034	\$252,034	\$252,034	\$252,034
<b>Total Developer Impact Fee Revenues</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>	<b>\$7,007,133</b>



**Environmental Response from Tom  
Dodson and the Town's Addendum  
to the Environmental Impact Report  
(SCH#2008091077) for the Apple  
Valley 2009 General Plan and  
Annexation 2008-001 Including  
Links to the Environmental  
Documents Related to the Town of  
Apple Valley's Approval of the  
Apple Valley General Plan And  
Annexations 2008-001**

**Attachment 3**



## TOM DODSON & ASSOCIATES

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December 21, 2020

Mr. Samuel Martinez, Executive Officer  
Local Agency Formation Commission  
1170 West 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

Dear Sam:

I have completed the California Environmental Quality Act (CEQA) review of LAFCO 3244 for the Commission. LAFCO 3244 consists of a proposed Reorganization to include Annexation to the Town of Apple Valley and Detachment from County Service Area (CSA) 70 (Annexation No. 2019-001). In 2009 the Town of Apple Valley (Town) adopted its General Plan and certified the Environmental Impact Report (EIR) for the General Plan and Annexation 2008-001 (SCH#2008091077). In June 2020 the Town prepared and adopted an Addendum to the EIR (SCH#2008091077) for Town of Apple Valley Project No. 2019-001. This Addendum evaluates the approximate 1,424 acres of land proposed for Annexation (refer to Addendum Exhibit 4 attached to this letter) and the proposed land uses (refer to Addendum Exhibit 6 attached to this letter) that will be assigned to the proposed Reorganization/Annexation area if LAFCO 3244 is approved.

As you are aware an Addendum is compiled when only minor technical changes are proposed to an action, which in this instance consists of annexing the 1,424 acres to the Town and assigning the General Plan Land Use designations shown in attached Exhibit 6. Based on my review of the original environmental document, EIR-SCH#2008091077, and the recently compiled and adopted Addendum, the Commission can make its decision as a Responsible Agency in accordance with Section 15096 of the CEQA. In this case it is my conclusion that the EIR certified by the Town of Apple Valley when combined with the Addendum demonstrates that LAFCO 3244 will not alter the potential environmental effects addressed in these environmental documents. Thus, based on my independent review of the CEQA documentation for LAFCO 3244, the Commission can approve the Annexation relying on these environmental documents.

Based on my review of the environmental documents, they adequately evaluate the overall and cumulative impacts associated Annexation and ultimate development of the 1,424 acres under the Town's jurisdiction. I have concluded that it is appropriate for the Commission's CEQA environmental determination to rely on and cite the Town's EIR and Addendum as adequate in accordance with the Commission's Responsible Agency status, if the Commission chooses to approve LAFCO 3244. Under this circumstance, I recommend that the Commission take the following steps if it chooses to approve LAFCO 3244, acting as a CEQA Responsible Agency:

1. Indicate that the Commission, LAFCO Staff and environmental consultant have independently reviewed the Town's EIR and Addendum, and found them adequate for the Reorganization decision.



2. The Commission needs to indicate that it has considered the Town's EIR/Addendum and the environmental effects, as outlined in these documents, prior to reaching a decision on the Reorganization project and finds the information substantiating the environmental document findings adequate.
3. The Commission should indicate that it does not intend to adopt alternatives or mitigation measures for this project. All mitigation measures will be implemented under the Town's jurisdiction.
4. File a new Notice of Determination as a Responsible Agency with the County Clerk of the Board.

If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dodson".

Tom Dodson

TD/cmc

Attachments



**NOTICE OF DETERMINATION**

CLERK OF THE  
BOARD OF SUPERVISORS

**TO:** X County Clerk  
County of San Bernardino,  
222 W. Hospitality Lane, 1<sup>st</sup> floor  
San Bernardino, CA. 92415-0022

**FROM:** Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307  
Contact: Orlando Acevedo  
Phone: 760-240-7000

2020 JUL -6 PM 2: 05

COUNTY OF SAN BERNARDINO  
CALIFORNIA

X Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

**Subject:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (If submitted to Clearinghouse)	Contact Person	Telephone Number
2008091077	Lori Lamson, Assistant Town Manager	760-240-7000

**Project Title:** Annexation 2019-001

**Project Description:** The Town of Apple Valley proposes to annex 1,423± acres into its corporate limits. The area is mostly vacant, and contains approximately 84 single family homes scattered through the area. The annexation of this property was analyzed in the Town's General Plan EIR. Addendum #2 was prepared to consider the impacts of the annexation, and determined that the impacts would be equivalent to or less than the impacts analyzed in the General Plan EIR.

**Project Location** (Include County): Annexation 2019-001 encompasses 1,423± acres of land bounded by Dale Evans Parkway on the east, Johnson Road on the south, Fairfield, Choco and Vega Roads on the west, and Morro Road on the north, in the County of San Bernardino.

**Applicant:** Town of Apple Valley

This is to certify that the Town of Apple Valley approved the above described project on June 23, 2020 and made the following determinations:

1. The project X will \_\_\_ will not have a significant effect on the environment.
2. X An Addendum to the General Plan Amendment No. 2008-001, Annexation 2008-001 and Annexation 2008-002 Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA.  
\_\_\_ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  
\_\_\_ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures X were \_\_\_ were not made a condition of the approval of the project.
4. A statement of Overriding Considerations X was \_\_\_ was not adopted for this project.
5. Findings X were \_\_\_ were not made pursuant to the provisions of CEQA.



Assistant Town Manager

June 24, 2020

Signature

Title

Date

THIS IS TO CERTIFY THAT THE ADDENDUM, FINAL EIR (WITH COMMENTS AND RESPONSES) OR NEGATIVE DECLARATION AND RECORD OF PROJECT APPROVAL IS AVAILABLE TO THE GENERAL PUBLIC AND MAY BE EXAMINED AT:

Town of Apple Valley Community Development Department  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

Date Received for Filing at OPR

DATE FILED & POSTED  
Posted On: 07-07-2020  
Removed On: 08-24-2020  
Receipt No: 3607072020  
3604



# **Addendum to the Environmental Impact Report for the Apple Valley 2009 General Plan and Annexation 2008-001**

Town of Apple Valley Project No. 2019-001

State Clearinghouse No. 2008091077



**Prepared for:**

Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

**Prepared by:**



Terra Nova Planning & Research, Inc.<sup>®</sup>  
42635 Melanie Place, Suite #101  
Palm Desert, California 92211

**June 2020**



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## **I. INTRODUCTION AND PROJECT BACKGROUND**

### **A. Summary**

This document is an Addendum to the Town of Apple Valley's 2009 General Plan Environmental Impact Report (EIR). This Addendum has been prepared to evaluate the potential environmental impacts of an amendment to Annexation 2008-001, also known as the Golden Triangle. Annexation 2008-001 was undertaken for 2,774± acres of land under the jurisdiction of San Bernardino County. In 2018, the Town undertook, and the Local Formation Commission (LAFCo) approved Annexation 2018-001, which covered the western 1,304± acres of the Golden Triangle Area. The proposed amendments to Annexation 2008-001, referred to herein as the 2019-001 Annexation, covers the remaining eastern portion of Annexation 2008-001, which is approximately 1,424± acres (please see Section I.C., Project History and Current Proposal).

In this document, Section I provides the detailed description of the Town of Apple Valley's planning procedures and environmental review process under the California Environmental Quality Act (CEQA). Section II describes the proposed 2019-001 Annexation. Section III describes the potential environmental impacts of the proposed 2019-001 Annexation in the context of the 2009 General Plan EIR.

### **B. Project Location**

The 2019-001 Annexation consists of 1,424± acres located in the northwest portion of the current Town limits. It is generally bounded by Morro Road to the north; portions of Johnson Road, Cordova Road and Langley Street to the south; portions of Fairfield Avenue to the west, and Bell Mountain Road and Dale Evans Parkway to the east. Regional location and project vicinity maps are provided in Exhibits 1 through 3.

### **C. Project History and Current Proposal**

The Apple Valley 2009 General Plan EIR included analysis of Annexation 2008-001, which was comprised of 2,774± acres of land under the jurisdiction of San Bernardino County, and located immediately west of the current Town limits, along U.S. Interstate 15 (I-15) (Exhibit 4). The EIR, including Annexation 2008-001, was certified on April 27, 2010.

In the 2009 General Plan EIR, the proposed annexation was fully analyzed as Annexation 2008-001 which had the potential to result in as much as 7,135,369 square feet of commercial space, 7,782,275 square feet of industrial space, and a total of 4,236 residential units at build out under the 2009 General Plan EIR.

In 2017, the Town proposed revisions to the annexation boundaries resulting in a reduction in total acreage, buildout square footage, and units. The 2018-001 Annexation is wholly comprised of undeveloped lands. The 2018-001 Annexation area consists of the 2008-001 Annexation's western 1,304± acres and has the potential to result in 5,657,059 square feet of commercial space, 3,646,216 square feet of industrial space, and a total of 247 residential units at build out.



The 2019-001 Annexation consists of the 2008-001 Annexation's eastern 1,424± acres and has the potential to result in 1,815,817 square feet of commercial space, 3,942,649 square feet of industrial space, and a total of 3,767 residential units at build out. It must be noted that the acreage associated with the 2018 and 2019 annexations is 44 acres less than that considered in 2008. The difference is attributed to improvements and refinements in geographic information systems (GIS) data in the intervening years.

This Addendum evaluates the remaining 1,424± acres of Annexation 2008-001, and whether the proposed modifications would result in new or substantially more significant environmental impacts compared to the impacts described in the certified EIR.

#### **D. Purpose of an EIR Addendum**

In accordance with CEQA Guidelines Section 15164, a Lead Agency is required to prepare an EIR Addendum to a previously certified EIR if some changes or additions to a project are necessary, but the proposed project modifications do not require preparation of a subsequent EIR, as provided in Guidelines Section 15162. In addition, the proposed modifications cannot result in new or substantially more significant environmental impacts compared with the impacts disclosed in the previously certified EIR.

CEQA Guidelines Section 15162 states that a subsequent EIR would be required for a project if any of the following conditions exist:

1. Substantial changes to the project require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or
3. The availability of new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows that the project will have one or more significant effects not discussed in the previous EIR, significant effects previously examined will be substantially more severe than shown in the previous EIR, or mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

Based on the evaluation of information provided in this EIR Addendum, no new significant impacts would occur as a result of the proposed 2019-001 Annexation, nor would there be any substantial increase in the severity of any previously identified adverse environmental impacts.



Therefore, none of the conditions described in Section 15162 of the CEQA Guidelines has occurred. For this reason, an EIR addendum is the appropriate document to comply with CEQA requirements for the proposed project.

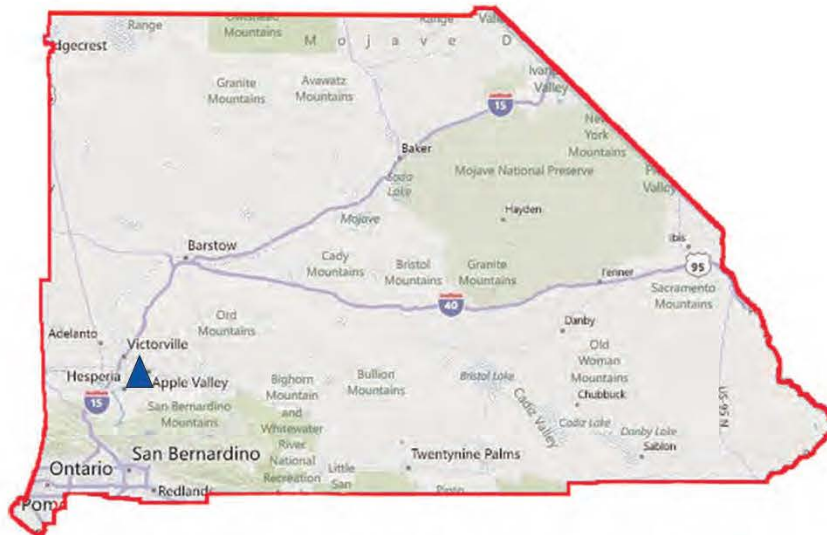




**CALIFORNIA**

**PACIFIC  
OCEAN**

**MEXICO**

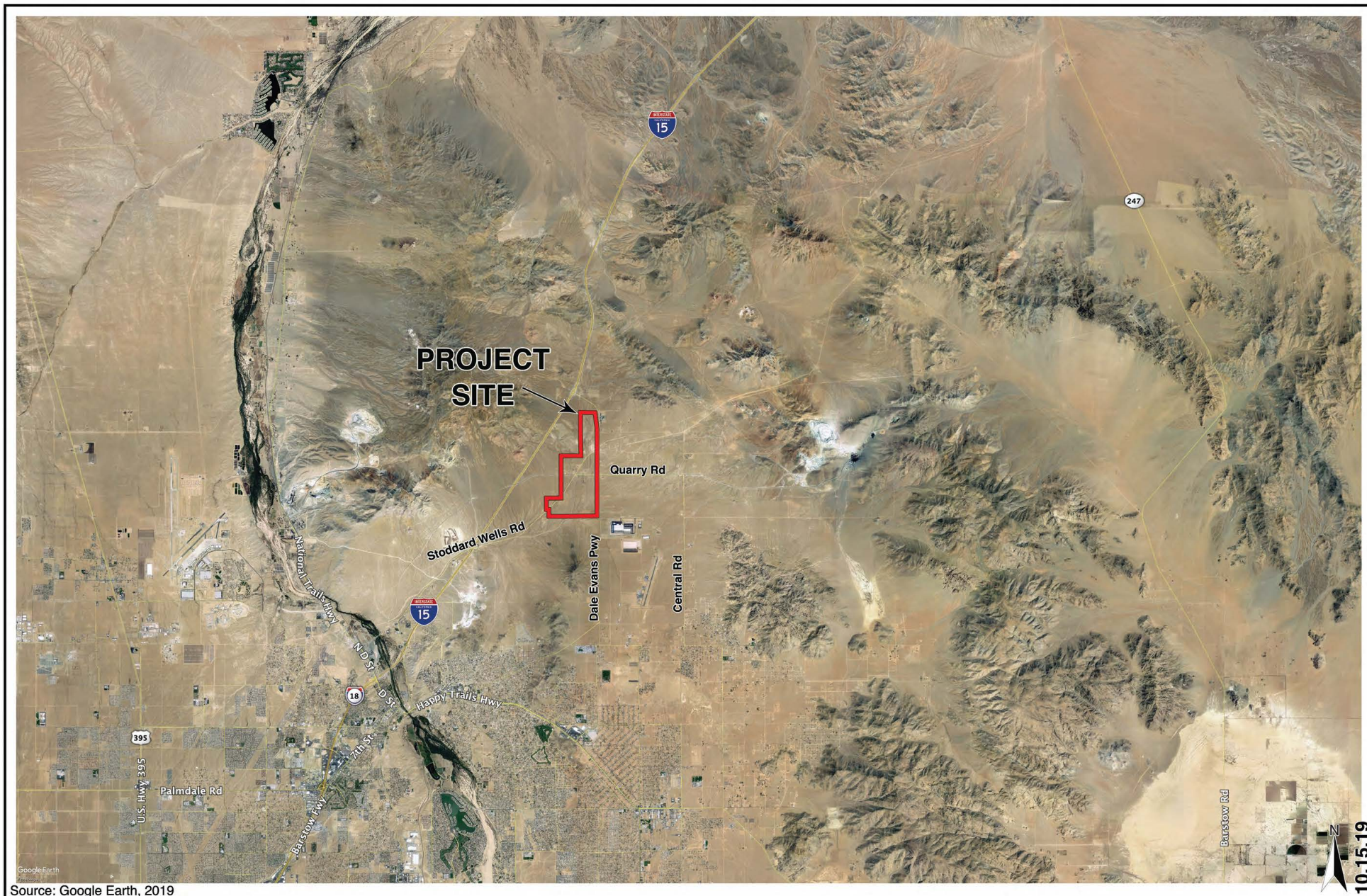


**SAN BERNARDINO COUNTY**



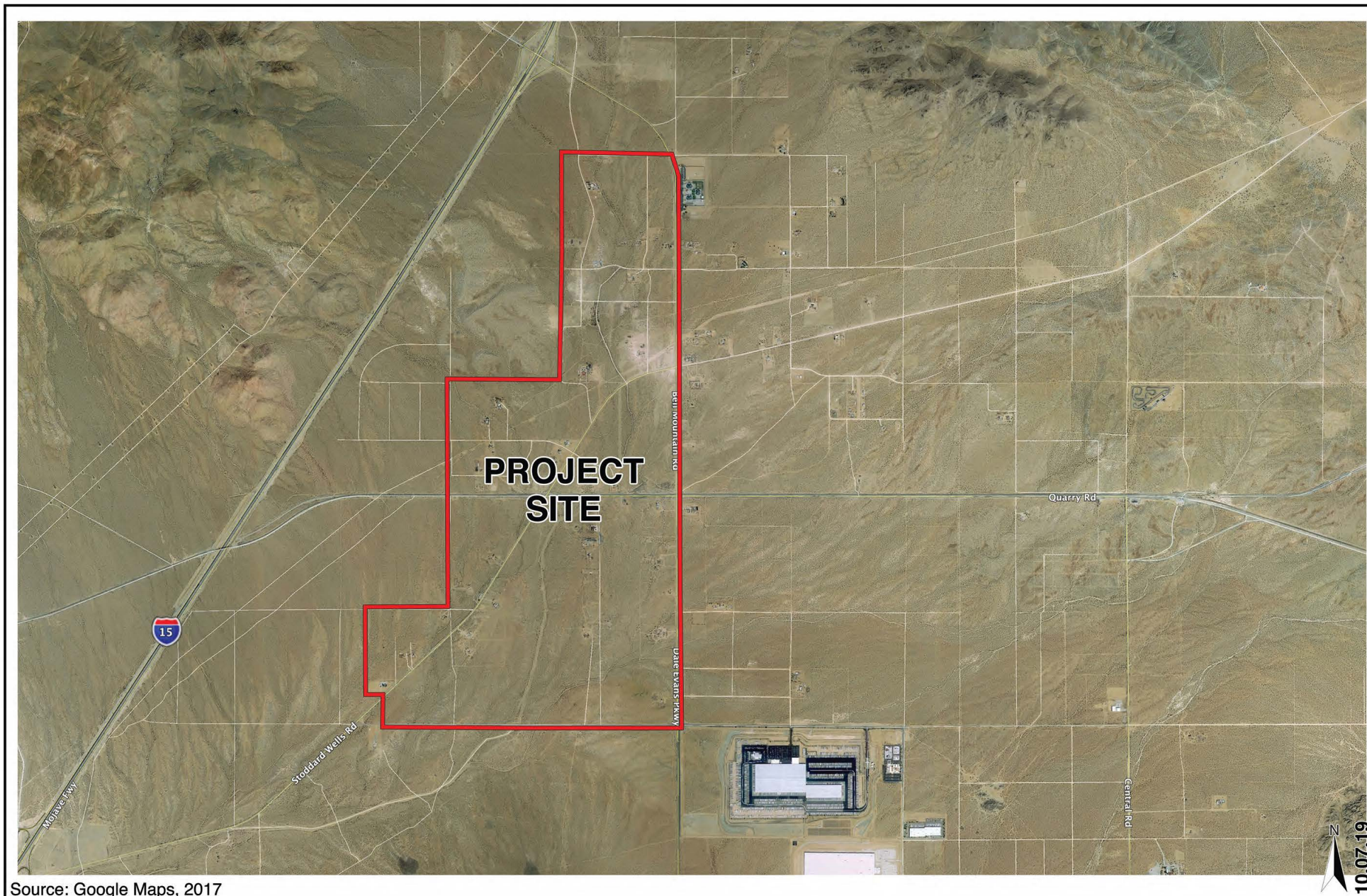
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**Addendum to the EIR for the Apple Valley General Plan  
and Annexations 2008-001 & -002  
Vicinity Map  
Apple Valley, California**

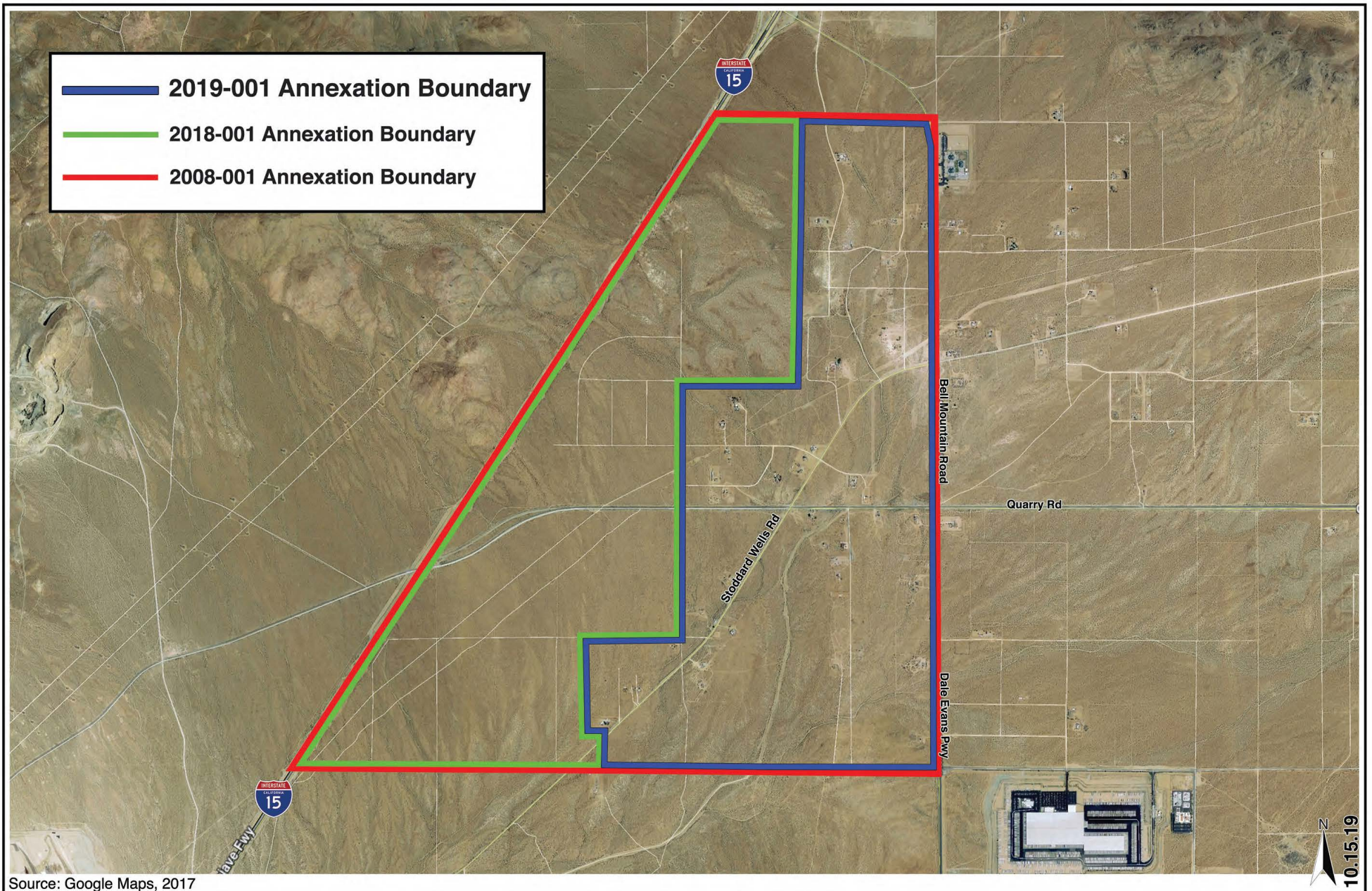




Source: Google Maps, 2017

**Addendum to the EIR for the Apple Valley General Plan  
and Annexations 2008-001 & -002  
Project Location Map  
Apple Valley, California**







## **II. PROPOSED 2019-001 ANNEXATION AMENDMENTS**

The 2019-001 Annexation proposes amendments to Annexation 2008-001 that has the potential to result in 1,815,817 square feet of commercial space, 3,942,649 square feet of industrial space, and a total of 3,767 residential units at build out. Currently, the proposed annexation area is sparsely developed with scattered single-family residences. Exhibit 5 shows the adopted 2009 General Plan land use map, and Exhibit 6 shows the proposed 2019-001 Annexation area land use map.

As previously discussed, the 2018-001 Annexation amended the western half of the 2008-001 Annexation area, and the 2019-001 Annexation proposed amendments to the eastern half of the 2008-001 Annexation area. Combined, the 2018-001 and 2019-001 Annexation areas encompass the entire 2008-001 Annexation area (see Exhibit 4)

Throughout this document, the 2018-001 Annexation land uses are considered, where necessary, as part of the 2019-00 Annexation analysis in order to provide a consistent “apples to apples” representation of environmental impacts of the two amended annexation areas at buildout versus the original 2008-001 Annexation at build out.

The proposed land uses are generally consistent with those proposed in Annexation 2008-001; however, the combination of the 2018-001 and 2019-001 Annexation areas will result in a decrease in overall residential units and industrial square footage, and an increase in overall commercial square footage. Those amendments and their associated potential environmental impacts are the subject of this addendum.

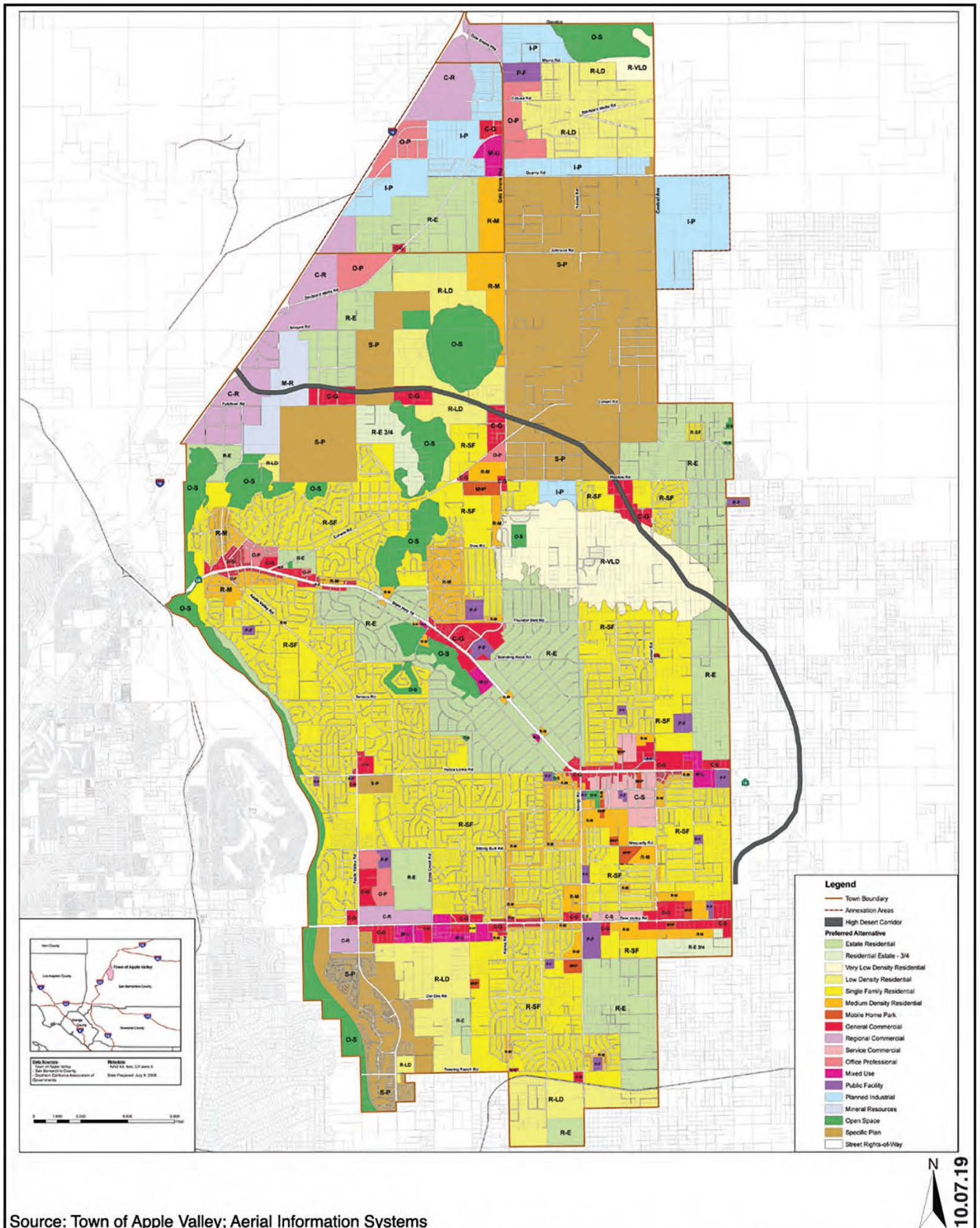
The following table provides a summary comparison of the 2008-001 Annexation land uses to the 2018-001 and proposed 2019-001 Annexation amendments.



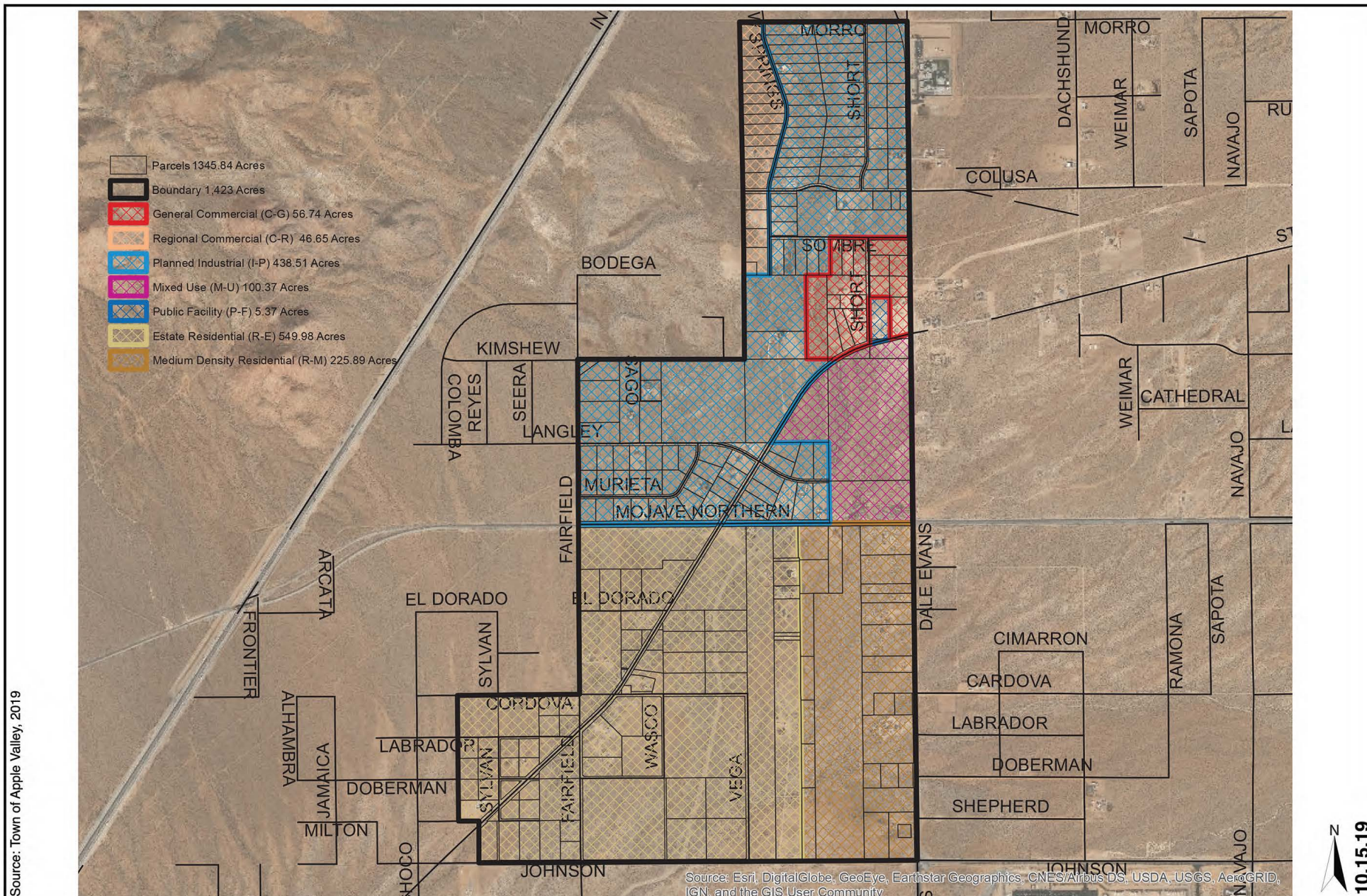
**Table 1**  
**Buildout Land Use Summary Comparison**  
**2008-001 Annexation vs 2018-001 Plus 2019-001 Annexations**

<b>Land Use Designation</b>	<b>Annexation 2008-001</b>	<b>2018-001 Annexation Amendments</b>	<b>2019-001 Annexation Amendments</b>	<b>Diff. between 2008 vs 2018+2019</b>
<b>RESIDENTIAL</b>				
Estate Residential	722 Units	247 Units	532 Units	+57 Units
Medium Density Residential	2,659 Units	0 Units	2,569 Units	-90 Units
Mixed Use Residential	854 Units	0 Units	666 Units	-188 Units
<b>Residential Difference</b>				<b>-221 Units</b>
<b>COMMERCIAL</b>				
Mixed Use Commercial	636,612 SF	0 SF	911,576 SF	+274,964 SF
General Commercial	503,617 SF	134,069 SF	493,050 SF	+123,502 SF
Regional Commercial	4,240,502 SF	3,655,032 SF	410,330 SF	-175,140 SF
Office Professional	1,754,639 SF	1,867,957 SF	0 SF	+113,318 SF
<b>Commercial Difference</b>				<b>+ 336,644 SF</b>
<b>INDUSTRIAL</b>				
Public Facilities	0 SF	0 SF	49,242 SF	+49,242 SF
Planned Industrial	7,782,275 SF	3,646,216 SF	3,893,407 SF	-242,652 SF
<b>Industrial Difference</b>				<b>- 193,410 SF</b>
<b>Total Acreage</b>	<b>2,774 AC</b>	<b>1,304 AC</b>	<b>1,424 AC</b>	<b>-46 AC<sup>1</sup></b>
1. Differences in acreage is attributable to refinements in GIS mapping accuracy between 2008 and 2019.				











### III. IMPACT ANALYSIS

#### A. Aesthetics and Visual Resources

##### Summary of Findings in the EIR

The EIR described that the Town of Apple Valley and Annexation 2008-001 are located primarily on alluvial slopes of the Mojave River floodplain, at the southern edge of the Mojave Desert. Elevations in the Town range from approximately 2,800 feet above sea level near the Mojave River, to approximately 3,200 feet above sea level at the northeast corner of Town. The topography gradually inclines towards the Juniper Flats foothills of the San Bernardino Mountains to the south, as well as to the scattered knolls and mountains to the north and east of the Town. The Turtle and Black Mountains are located to the north of the General Plan planning area, Fairview Mountain to the northeast, and the Granite Mountains to the southeast. From these elevated topographical features, panoramic vistas exist across Apple Valley.

Uninterrupted expanses of 'wide skies' and panoramic vistas of distant mountains are natural visual resources for the region. The low-lying landscape surrounding the Town allows unobstructed, distant views in all directions, and these create a prevailing sense of openness and spaciousness.

The EIR established that the visual character of most parts of the General Plan planning area has been impacted to some extent by residential, commercial, and industrial development; however, many acres of undeveloped desert lands remain.

##### *Annexation 2008-001*

The EIR determined that the proposed land use plan for Annexation 2008-001 was designed to integrate into surrounding lands within the Town's urban environment. However, build out of the Annexation Area would be expected to have some impact on visual and aesthetic resources, particularly because the area consisted of vacant desert land. Although these potential impacts were not expected to affect the visual character of the annexation area in the immediate future, they were expected to accumulate over time as new development takes place.

The EIR concluded that the conversion of rural land uses to residential, commercial, and industrial uses in the annexation area would transform the open, semi-rural character of the area to that of a developed urban community. Existing viewsheds would be partially obstructed by buildings and other structures, and the sense of open space would be diminished. Other elements of the built environment, including signage, utility infrastructure, and paved surfaces would also alter the existing visual character.

The EIR stated that the policies, programs, and regulatory constraints applicable to all development in Town would be applied to Annexation 2008-001, thereby limiting building coverage and height to one and two-story structures which would have limited impacts on viewsheds in the proposed annexation area.



The EIR determined that land that was previously undeveloped has been designated for residential, commercial and industrial uses. The EIR analyzed the potential impacts associated with light and glare for these lands, and found that future development would generate lighting levels consistent with that of the Town's urban development, and would be controlled by the Town's lighting standards, which include shielding and limitation of light spillage. All future development proposals in Annexation 2008-001 would be subject to review by Town staff to determine compliance with General Plan dark sky and lighting policies, as well as Development Code standards and requirements designed to control light spillage and preserve night skies. In addition, the Town has established development performance standards for exterior lighting in Chapter 9.70.020.H of the Town's Municipal Code, and these would be enforced to effectively reduce lighting and glare impacts to less than significant levels.

The EIR determined that the proposed Annexation 2008-001 would have a less than significant impact on scenic vistas because of the development policies and design performance standards included in the General Plan and Town Municipal Code. Nonetheless, several mitigation measures were set forth in the EIR to ensure impacts would be reduced to less than significant levels.

#### Analysis of the Proposed 2019-001 Annexation

The proposed 2019-001 Annexation consists of the eastern 1,424 acres of Annexation 2008-001, which is currently rural and largely vacant with the exception of approximately 200 acres that are sparsely developed with a mix of residential, commercial, and industrial uses.

##### *Scenic Vistas and Scenic Resources*

The annexation area is in a low-lying and relatively flat desert valley bounded by the Turtle Mountains on the north, Silver Mountains on the west and northwest, Fairview Mountains and Granite Mountains on the east, and the Ord Mountains on the south. These mountains have a significant rise over the valley floor. The area is still generally rural, undeveloped, and has unobstructed, distant views of the aforementioned mountains. Middle and foreground views include scattered low-density residential development, paved and unpaved roads, and vacant land.

The proposed annexation area is visible from local roadways (Morro Road, Dale Evans Parkway, Fairfield Road, Quarry Road, Stoddard Wells Road, and Johnson Road) and Interstate 15. The proposed annexation would not result in a substantial adverse visual effect for passing motorists on any roads in the project vicinity because potential future development would be visually consistent with other development in the Town and vicinity, and would be subject to the same development standards and height restrictions as those analyzed in the EIR. The 2019-001 Annexation would allow for a similar mix of land uses, patterns of development, and range of building heights in the project area, with comparable landscaping, architectural features, and other amenities and improvements to those previously proposed under Annexation 2008-001.

The 2019-001 Annexation would not create any new impacts associated with views, and any impacts would be comparable to those identified in the EIR. Thus, potential impacts to scenic vistas and views associated with the 2019-001 Annexation would be less than significant. Although no additional mitigation is required, implementation of those mitigation measures provided in the EIR would further reduce impacts in and around the project area.



*Light and Glare*

The 2019-001 Annexation area is sparsely developed and is generating limited amounts of light and glare associated with scattered single-family residences. Buildout of these lands would result in up to 3,767 single- and multi-family residential units, 1,814,956 square feet of commercial space, and 3,942,649 square feet of industrial space. The proposed land uses would increase the levels of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the area. The types and sources of lighting under the 2019-001 Annexation would be similar as those anticipated under Annexation 2008-001.

Under the 2019-001 Annexation, lighting and glare levels are not expected to exceed typical levels for an urban environment, and will be regulated by the Town's lighting standards (Municipal Code, Chapter 9.70.020.H). Impacts associated with light and glare will be less than significant, and consistent with the conclusion of the EIR. Implementation of the mitigation measures provided in the EIR will assure that potential impacts are further reduced.



## **B. Agricultural Resources**

### Summary of Findings in the EIR

Historically, agricultural activities in the Town of Apple Valley have ranged from ranching to crop farming. However, in the last 50 years, agricultural activities have diminished considerably, due in part to a limited supply of irrigation water and the pressures of urbanization in the community.

The EIR determined that four areas of land in Apple Valley are designated as Farmland of Statewide Importance, according to the California Department of Conservation. Two areas are located north of Yucca Loma Road and west of Apple Valley Road. Two areas are located south of Yucca Loma Road; one immediately east of Apple Valley Road, and one south of Bear Valley Road, in the Deep Creek area. Altogether, these lands represent approximately 130 acres.

There is one Williamson Act contract in effect in the Town, on the south side of Chickasaw Lane, east of Camber Lane, and consisting of 1.8 acres. The parcel is owned by Liberty Utilities (previously Apple Valley Ranchos Water Company (AVR)).

At the time the EIR was prepared, several approved development projects were located on lands identified as farmland by the State Department of Conservation. They included approved Tentative Tract Maps for 37.5 acres at the southeast corner of Camber Lane and Chickasaw Lane; 42.3 acres at the southwest corner of Choco Road and Yucca Loma Road; and 37 acres at the southeast corner of Wren Road and Mockingbird Road. The EIR stated that these approvals affect almost all of the lands designated by the State as farmland, and the approvals occurred prior to the 2009 General Plan update on lands designated for residential land uses in the General Plan.

### *Annexation 2008-001*

In the EIR, Annexation 2008-001 was considered as part of the General Plan area for purposes of analyzing the potential impacts to agricultural resources. The EIR determined that the General Plan, including Annexation 2008-001, had the potential to convert the lands designated by the State as Farmland of Statewide Importance to residential development. About 15 acres were committed to development under the existing General Plan, although development had not occurred. These lands were on relatively small parcels of 40 acres or less, and not conducive to the long-term production of agriculture. None of these lands occurred within the boundaries of Annexation 2008-001.

The EIR determined that the General Plan allows ranching and agricultural activities in the Very Low Density Residential, Low Density Residential, Estate Residential, and Estate Residential  $\frac{3}{4}$  land use designations. It was anticipated that, at buildout, about 100 acres of land designated by the State as Farmland of Statewide Importance would be lost to development. None of the parcels represented viable long-term agricultural production lands for Apple Valley or the region. The more likely agricultural, ranching, and equestrian areas in Town were located around the most southerly designated Farmland of Statewide Importance, in the Deep Creek area. These lands were designated to allow agricultural and ranching activities, and were able to support such activities through the policies of the General Plan.



According to EIR Table III-42, 778 acres of land were designated as Estate Residential in the Annexation 2008-001 area; they were generally located in the southern portion of the annexation area. Ranching and agricultural activities would have been allowed on these lands.

Overall, the EIR determined that the impacts associated with agricultural activities were less than significant. In order to preserve agricultural and equestrian activities in Town, two mitigation measures were included in the EIR.

#### Analysis of the Proposed 2019-001 Annexation

Lands within the 2019-001 Annexation area are sparsely developed with single-family residences and would result in increased densities of residential, commercial, and industrial land uses. No land within the 2019-001 Annexation is designated for agricultural activities on California Department of Conservation agricultural maps. Therefore, there would be less than significant impact to agricultural resources associated with buildout of the 2019-001 Annexation.

According to the Land Use Element of the General Plan, ranching and agricultural activities are allowed in the Estate Residential land use designation. Therefore, there would be the potential for ranching and agricultural activities to occur on 522 acres of Estate Residential lands in the proposed annexation area. This represents 256 fewer acres of Estate Residential than proposed under Annexation 2008-001, and 9 fewer acres when combined with the 2018-001 Annexation. Thus, proposed Estate Residential land uses are comparable to those analyzed under the EIR.

No forest land exists in the vicinity of the 2019-001 Annexation that could be converted to non-forest uses, and no lands in the annexation area are designated for forest land production. Therefore, the 2019-001 Annexation would not involve changes to the existing environment that could result in conversion of forest land to non-forest uses.

The proposed annexation will not result in any new significant environmental effects, or substantial increases in the severity of previously identified significant effects. Impacts will be less than significant. The mitigation measures included in the EIR, which would be applied to the 2019-001 Annexation area, will assure that agricultural activities in the annexation area are further protected.



## **C. Air Quality and Greenhouse Gas**

### Summary of Findings in the EIR

The Town of Apple Valley and the previous and current annexation areas lie within the Mojave Desert Air Basin (MDAB). Local development and population growth, traffic, construction activities, and various site disturbances in the Town contribute to air quality emissions. Although air pollution is emitted from various sources locally, some of the degradation of air quality can be attributed to sources outside of the MDAB, including air basins to the west in Los Angeles County, to the southwest in Riverside County, and regionally in San Bernardino County.

The Mojave Desert Air Basin exceeds state and federal standards for fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone. State and federal standards for carbon monoxide, nitrogen oxides, sulfur dioxide, and lead are in attainment within the Town and the MDAB.

#### *Ozone*

The MDAB, which has a history of exceeding state and federal ozone standards, was designated as a “moderate” ozone non-attainment area under the federal Clean Air Act during the preparation of the General Plan EIR. The 2008 MDAQMD Ozone Attainment Plan was intended to assure that the Basin achieved attainment of the federal 8-hour NAAQS for ozone by 2021.

#### *PM<sub>10</sub> Emissions*

The region has a history of elevated PM<sub>10</sub> emissions, which are the result of both human activities, such as vehicle use and construction activity, and natural occurrences, such as windstorms. The Town relies on applicable state code and AQMD Rules, including rules intended to control fugitive dust, for authority to enforce compliance as needed, since it does not have its own fugitive dust ordinance. The Town’s Municipal Code does include provisions for Off-Road dust generation by prohibiting nuisance dust or dirt emissions (Chapter 11.30, Section 020).

#### *PM<sub>2.5</sub> Emissions*

The MDAB and the Town were classified as being in non-attainment for PM<sub>2.5</sub>, based on the 2007 State Area Designations. Although the region was classified as being in non-attainment for the state standard, the region was classified as being in attainment/unclassifiable for the national standard, based on 2006 national area designations, despite the air quality monitoring data from the Victorville station that shows zero (0) exceedances for either the state or federal 24-hour standard from 2000 through 2007.

#### *Climate Change and Greenhouse Gases*

Air quality is a concern due to human health issues, and because air pollutants are thought to be contributing to global warming and climate change. Air pollution is defined as a chemical, physical, or biological process that modifies the characteristics of the atmosphere. Some air polluting agents are also greenhouse gases (GHG), such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases (hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride), which are released into the atmosphere through natural processes and human activities. Carbon dioxide is the primary greenhouse gas of concern due to current and projected levels, and the highly correlated temperature regression curve; temperatures rise as carbon dioxide levels rise.



California was the first state to establish regulations that require the reduction of emissions from motor vehicles. On September 24, 2004, the California Air Resources Board adopted a bill that requires all 2009 and later vehicles to reduce their greenhouse gas emissions by about 30% by the year 2016<sup>1</sup>. In addition, the California Global Warming Solutions Act of 2006 has been passed in order to comprehensively limit GHG emissions at the state level by establishing an annual reporting program of GHG emissions for significant sources and sets emissions limits to cut the state's GHG emissions to 1990 levels by 2020.

#### *Annexation 2008-001*

The EIR determined that Annexation 2008-001 would generate significant air quality emissions at build out due to operational use of electricity and natural gas and moving source emissions. In addition to these ongoing emissions, build out of Annexation 2008-001 would also generate temporary air quality emissions from grading, construction, and equipment deliveries. Temporary impacts were not quantified, since they would be dependent on project specific parameters which were unknown at the time. However, as required, each project within the annexation area would be required to prepare the appropriate CEQA compliant document, which would quantify all emissions associated with development, including temporary and ongoing air emissions.

The URBEMIS 2007 model (version 9.2.4, February 2008) was used to project air quality emissions for buildout of Annexation 2008-001. Table 6, reproduced from the EIR, quantifies the maximum daily air quality emissions for all criteria pollutants at build out of Annexation 2008-001. Using the factors set forth in the CEQA Handbook prepared by SCAQMD, on which MDAQMD relied, the following demands were estimated: total annual electricity demand of 220.7 million kilo-watt hours; total annual natural gas demand of 914.5 million cubic feet. In addition, build out was projected to result in 1.46 million miles a day traveled, assuming an average trip length of 8.06 miles. The build out population within Annexation 2008-001, 13,238 persons, had the potential to generate 226.4 pounds per day of ROG emissions from the use of consumer products.

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<sup>1</sup> [http://www.ucsusa.org/clean\\_vehicles/vehicles\\_health/californias-global-warming-vehicle-law.html](http://www.ucsusa.org/clean_vehicles/vehicles_health/californias-global-warming-vehicle-law.html)

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**Table 2**  
**Projected Daily Emissions within Annexation 2008-001**  
**at General Plan Build Out**  
**(Lbs./day)**

Pollutant	Stationary Source Emissions			Moving Source Emissions	Total Project Emissions	Threshold Criteria*
	Consumer Products	Power Plant	Natural Gas	All Vehicles	Lbs./Day	Lbs./Day
<b>CO</b>	-	121	183	5,068	<b>5,372</b>	<b>548</b>
<b>NO<sub>x</sub></b>	-	696	247	591	<b>1,534</b>	<b>137</b>
<b>SO<sub>x</sub></b>	-	73	0.003	649	<b>721</b>	<b>137</b>
<b>PM<sub>10</sub></b>	-	24	0.45	16	<b>41</b>	<b>82</b>
<b>PM<sub>2.5</sub></b>	-	-	0.45	146	<b>147</b>	<b>55</b>
<b>ROGs</b>	226.4	6	18	98	<b>348.4</b>	<b>137</b>
<b>CO<sub>2</sub></b>	-	-	300,664	1,670,120	<b>1,670,120</b>	<b>N/A</b>

\*Threshold criteria offered by the Mojave Desert Air Quality Management District for determining the significance of air quality impacts. Source: "CEQA and Federal Conformity Guidelines," MDAQMD, June 2007 and Urbemis 2007 Version 9.2.4 default emissions.

Air quality emissions associated with stationary and moving source emitters would have significantly exceeded established thresholds for all criteria pollutants, as shown in Table 2 above. Although mitigation measures included in the EIR would have somewhat offset emissions, impacts associated with build out of the annexation area would have resulted in significant and unavoidable air quality impacts. As a result, Findings and a Statement of Overriding Considerations were prepared and adopted by the Town Council concurrent with certification of the EIR in 2009.

#### *Greenhouse Gas Emissions*

The total carbon dioxide equivalent emissions in the entire State of California for the year 1990 were estimated to be 427 million metric tons. Table 3, reproduced from the EIR, illustrates the GHG emissions anticipated to occur as a result of build out of Annexation 2008-001. At build out, the Annexation would contribute approximately 0.088% of the total California GHG emissions limits established by ARB for year 2020. In 2005, total carbon dioxide equivalent emissions for the United States were estimated at 7,260.4 million metric tons. The Annexation represented 0.005% of the total emissions for the U. S. as estimated in year 2005. In order to reduce GHG emissions, the Town prepared and adopted a Climate Action Plan immediately following the adoption of the General Plan. That Plan included a number of community and municipal measures designed to reduce GHG emissions to meet State mandates.



**Table 3**  
**Annual GHG Summary within Annexation 2008-001**  
**at Build Out of the General Plan**

<b>Emission Source</b>	<b>CO2 Equivalent Metric Tons</b>	<b>CO2 Equivalent Million Metric Tons</b>	<b>Million Pounds Per Day</b>
Electricity	80,671.16	0.081	487,258.81
Natural Gas	50,067.67	0.050	302,411.83
Moving Source	244,952.74	0.245	1,479,529.74
<b>Total</b>	<b>375,691.58</b>	<b>0.376</b>	<b>2,269,200.38</b>
Source: Emission factors for electricity usage and moving source emissions for CH <sub>4</sub> and N <sub>2</sub> O are from "California Climate Action Registry General Reporting Protocol: Tables C5 and C6," version 3.0 prepared by California Climate Action Registry, April 2008. Natural gas emission factors for CO <sub>2</sub> and Moving Source emissions CO <sub>2</sub> are from "Calculations and References," of the Greenhouse Gas Equivalencies Calculator, prepared by EPA and last updated on August 4, 2008, and for CH <sub>4</sub> and N <sub>2</sub> O emission factors are from "California Climate Action Registry General Reporting Protocol: Equations III.8d," version 3.0 prepared by California Climate Action Registry, April 2008. Note that CO <sub>2</sub> Equivalent figures are based on SAR (1996) global warming potential of 21 for CH <sub>4</sub> and 310 for N <sub>2</sub> O.			

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2019-001 Annexation will generate significant air quality emissions at build out due to operational emissions, which include area source emissions, emissions from energy demand (electric and natural gas), and mobile source (vehicle) emissions. In addition to these ongoing emissions, build out of the 2019-001 Annexation will also generate temporary air quality emissions from grading, construction, and equipment deliveries. As was the case in the EIR, temporary impacts are not quantified, since they are dependent on project specific parameters which are unknown at this time. However, as was the case in the EIR, each project will prepare the appropriate CEQA compliant document, which will quantify all emissions associated with development, including temporary and ongoing air emissions.

As previously discussed, the 2019-001 Annexation has the potential to result in as much as 1,814,956 square feet of commercial space, 3,893,407 square feet of industrial space, 49,242 square feet of public facilities, and a total of 3,767 residential units at build out. All of these land uses would generate air quality emissions from electricity and natural gas use, consumer products, potable water supply, waste generation, and transportation.

The California Emissions Estimator Model (CalEEMod) Version 2016.3.2, which is the currently accepted model for the quantification of air emissions, was used to project emissions for build out of the 2019-001 Annexation. It should be noted that the air quality modeling software used in the 2009 General Plan EIR, URBEMIS, is now outdated and no longer commonly used in current planning. There are several differences in methodology between CalEEMod and URBEMIS, as shown below, that have resulted in unavoidable differences between the 2009 emission outputs and the 2019-001 emissions outputs.



- CalEEMod contains a separate energy module that increases flexibility in deriving GHG emissions as well as in mitigating the impacts from energy.
- Compared to URBEMIS, CalEEMod calculates VOC/ROG emissions on a “per square foot” basis instead of a “per person” basis, which generally results in lower emissions from consumer products for residential land uses, and higher emissions from consumer products for non-residential land uses.
- CalEEMod calculates natural gas related emissions under Energy Use (electricity and natural gas combined), which can result in an increase or decrease of criteria pollutant emissions depending on the land use; most trend to decreases in NOx and CO, and slight increases in ROG and PM.
- CalEEMod uses different default land use ITE trip rates, which tend to increase or decrease exhaust emissions depending upon land use (e.g., maximum residential ITE trip rate higher than weekday resulting in higher residential exhaust emissions). The ITE trip rates used in the current model are consistent with the currently published ITE trip rates, which have changed since 2009.
- CalEEMod includes different percentages of trips (home-work, home-shop, commercial-work, etc.) which tends to increase or decrease exhaust emissions depending upon changes in project location.

In order to provide an accurate comparison of the 2008 and 2019-001 Annexations, and because the URBEMIS model is no longer used in current planning, a re-run of Annexation 2008-001 was prepared using the CalEEMod model. Emission outputs for the 2018-001 plus 2019-001 Annexations and the re-runs for Annexation 2008-001 are provided in Appendix A.

Table 4 quantifies the maximum daily air quality emissions for all criteria pollutants for the re-run of the Annexation 2008-001, and build out of the 2018-001 plus 2019-001 Annexations. Unlike the previous analysis for Annexation 2008-001, default factor sets are verified and provided within the CalEEMod software, which eliminates the need to make assumptions for electricity, natural gas, consumer products and other emission source categories. In addition, mobile trip lengths for industrial truck trips have been increased to 100 miles, based on a number of studies recently completed to more accurately capture mobile emissions from regional transportation and hauling of industrial goods/materials, which increases the miles traveled. Overall, the differences in modeling software (CalEEMod versus URBEMIS), increased trip length for industrial land uses, and access to verified default factor sets have resulted in a net increase in criteria pollutants for Annexation 2008-001.



**Table 4**  
**Projected Daily Emissions of Project**  
**at General Plan Buildout**  
**(pounds per day)**

Operational Emissions <sup>1</sup>	CO	NO <sub>x</sub>	ROG	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2008 Annexation Re-Run<sup>2</sup></b>						
TOTAL	17,899.11	4,475.89	7,825.05	59.29	5,008.86	2,183.87
<b>2019-001 and 2018-001 Annexations<sup>3</sup></b>						
TOTAL	14,065.01	4,373.81	7,324.93	44.56	3,329.04	1,690.07
<b>MDAQMD Thresholds</b>	<b>548</b>	<b>137</b>	<b>137</b>	<b>137</b>	<b>82</b>	<b>55</b>
<b>Source:</b> Threshold criteria offered by the Mojave Desert Air Quality Management District for determining the significance of air quality impacts. 1. Average of winter and summer emissions, unmitigated. 2. CalEEMod Version 2016.3.1, per the 2018-001 Annexation Addendum. 3. CalEEMod model, version 2016.3.2.						

Air quality emissions associated with buildout operation of the 2018-001 and 2019-001 Annexations will be lower than those for the 2008 Annexation, but will still significantly exceed established thresholds for all criteria pollutants, as shown in Table 4 above. Similar to Annexation 2008-001, impacts can be somewhat lowered by implementation of the mitigation measures included in the EIR. However, impacts associated with build out of the 2019-001 Annexation will result in significant and unavoidable air quality impacts, albeit lower than those associated with Annexation 2008-001, as did build out of Annexation 2008-001. Thus, Annexation 2019-001 will not result in any new significant unavoidable impacts or any substantial increase in the significant unavoidable impacts previously identified in the General Plan EIR.

#### *Greenhouse Gas Emissions*

The 2019-001 Annexation will generate greenhouse gas (GHG) emissions during both construction and operation. Similar to the above analysis of criteria pollutants, temporary impacts are not quantified since they are dependent on project specific parameters, which are unknown at this time. Operation of the proposed project will create on-going greenhouse gases through five emissions sources: area, energy (electricity and natural gas), mobile, waste, and water. Table 5 provides a summary of the projected annual GHG generation associated with the re-run of the Annexation 2008-001, and build out of the 2018-001 and 2019-001 Annexation areas. Overall, the differences in modeling software (CalEEMod versus URBEMIS), increased trip length for industrial land uses, and access to verified default factor sets have resulted in a net increase in greenhouse gas emissions for Annexation 2008-001.



**Table 5**  
**Annual GHG Summary within the Project Area at Build Out**

<b>Emission Source</b>	<b>CO2 Equivalent Metric Tons</b>
<b>2008 Annexation Re-Run<sup>1</sup></b>	700,461.49
<b>2019-001 plus 2018-001 Annexation<sup>2</sup></b>	567,815.37
1. Source: CalEEMod Version 2016.3.1, per the 2018-001 Annexation Addendum.	
2. Source: CalEEMod Version 2016.3.2	

Table 5 illustrates the GHG emissions anticipated to occur as a result of the re-run of the Annexation 2008-001, and build out of the 2018-001 plus 2019-001 Annexations. In comparison, the total carbon dioxide equivalent emissions in California for the year 1990 was estimated to be 427 million metric tons. At build out, the 2018-001 and 2019-001 Annexations will contribute approximately 0.13% of the total California GHG emissions limits established by ARB for the year 2020. In 2017 the total carbon dioxide equivalent emissions for the United States was estimated at 6,456.7 million metric tons. The 2018-001 and 2019-001 Annexations represent 0.008% of the total emissions for the U. S. as estimated in year 2017.

The Town of Apple Valley adopted a Climate Action Plan (CAP) Update in 2016. The goal of the CAP is to reduce GHG emissions within City operations and throughout the community. The CAP GHG inventory was prepared using the Clean Air and Climate Protection (CACAP) Software, which is the industry standard for climate action planning developed by Local Governments for Sustainability (also known as ICLEI, International Council for Local Environmental Initiatives). Various utility and service companies provided City-specific data for the years 1990, 2005, and 2010, which were used to populate the CACAP software. This data includes electricity usage, natural gas usage, waste treatment, solid waste disposal, public transit data, and estimated citywide vehicle miles traveled. Future projects in the 2019 Annexation area will be implemented within this context. Therefore, since the CAP requires a reduction of 15% over “business as usual” conditions for all new projects, impacts of build out of the 2019-001 Annexation will comply with the Town’s requirements for GHG reductions.

### Summary of Impacts

All criteria thresholds under both Annexation 2008-001 and the combined 2018-001 and 2019-001 Annexations are projected to be exceeded even with the application of mitigation measures. Although emissions can be mitigated to a certain degree, significant and unavoidable impacts to air quality, including greenhouse gas emissions, will occur as a result of development of the 2018-001 and 2019-001 Annexations, but will be less than the level of impact identified in the EIR. Regardless of mitigation measures, development of the 2018-001 and 2019-001 Annexations will contribute to cumulative air quality impacts locally and regionally. However, Annexation 2019-001 will not result in any new significant unavoidable impacts or any substantial increase in the significant unavoidable impacts previously identified in the General Plan EIR.



## **D. Biological Resources**

### Summary of Findings in the EIR

The EIR included a comprehensive analysis of special-status and sensitive species, local habitats and vegetation communities, and jurisdictional waters in the General Plan area, including Annexation 2008-001. The Biological Resources Assessment included a literature review of the California Natural Diversity Data Base (CNDDB), San Bernardino County Museum records, California Department of Fish and Game staff records, various botanical and wildlife references for the Apple Valley area, and the California Environmental Information Catalogue. The Draft West Mojave Habitat Conservation Plan and Conservation Banking Program was referenced to describe the existing conditions in 2009.

The EIR determined that the General Plan area is located in the High Desert north of the San Bernardino Mountains, within the southwestern portion of the Mojave Desert, and is characteristic of desert environments, with hot dry summers and cool winters, including extreme fluctuations of daily temperatures, strong seasonal winds, and less than 5 inches of annual precipitation.

Elevations in the General Plan area range from approximately 2,550 feet above mean sea level (MSL) near the Mojave River up to approximately 4,800 feet above MSL within mountain ranges to the north, east, and south. Drainages and streams associated with the Mojave River have contributed to the topography of the region, and are considered to be ephemeral in that they rarely contain overland water flow and generally have poorly defined banks. Watercourses in the area flow into the Mojave River, Apple Valley Dry Lake, or inland depression areas. The Mojave River and associated drainages support riparian habitat and provide wildlife movement corridors.

### *Natural Communities*

There are several natural communities represented in the General Plan area which support a wide variety of plant and animal species and various types of habitats, including the following:

- Saltbush Scrub
- Mojave Riparian Forest
- Wash Vegetation
- Sandfield Plant Community
- Joshua Tree Woodlands
- Creosote Bush Scrub
- Mojave Mixed Woody Scrub
- Montane Woodlands
- Non-native Communities

### *Common Species*

A number of common species found in the planning area tend to be associated with disturbed Creosote, Saltbush, and Mojave Mixed Woody Scrub plant communities. They may be readily adaptable to urbanization and able to survive in ruderal habitats, such as those adjacent to roadways. The EIR concluded that a variety of common native and non-native species were found in the planning area.



*Special Status Species*

The EIR determined that the planning area contains a wide range of special status species that are designated as sensitive, threatened, or endangered by federal and state governmental agencies. Those reported in the planning area included the following:

*Sensitive Plant Species:*

- Booth's Suncup
- Desert Cymopterus
- Joshua Tree
- Southern Skullcap

*Sensitive Invertebrate Species:*

- San Emigdio Blue Butterfly
- Victorville Shoulderband

*Sensitive Reptile Species:*

- Common Chuckwalla
- Desert Tortoise
- Western Pond Turtle

*Sensitive Bird Species:*

- Bendire's Thrasher
- Brown-Crested Flycatcher
- Burrowing Owl
- Cooper's Hawk
- Least Bell's Vireo
- Le Conte's Thrasher
- Prairie Falcon
- Southwestern Willow Flycatcher
- Summer Tanager
- Swainson's Hawk
- Vermillion Flycatcher
- Western Yellow-billed Cuckoo
- Yellow-breasted Chat
- Yellow Warbler

*Sensitive Mammal Species:*

- Mojave River Vole
- Pallid San Diego Pocket Mouse
- Hoary Bat



### *Habitat Protection and Connectivity*

The EIR determined that the planning area and vicinity contain areas of valuable habitat that support special status species. Therefore, a number of plans had been or were being developed to address issues associated with impacts to these areas, including the West Mojave Habitat Conservation Plan (Bureau of Land Management) and the Apple Valley Multiple Species Habitat Conservation Plan (MSHCP) currently being developed. These plans would provide important guidelines and criteria for these habitats by establishing requirements for the preservation and maintenance of wildlife movement corridors within the Town and vicinity.

*West Mojave Habitat Conservation Plan:* The EIR indicated that the West Mojave Habitat Conservation Plan, developed by the Bureau of Land Management (BLM), covers approximately 9.3 million acres of publicly owned land within San Bernardino, Kern, Los Angeles, and Inyo Counties. It is the largest habitat conservation plan to be developed in the United States. The Plan sets forth a comprehensive strategy for managing state and federally listed species, special status species, and their habitats on public lands. The plan mandates conservation of lands for specifically covered species, such as the Desert Tortoise, Mojave Ground Squirrel, Le Conte's Thrasher, Burrowing Owl, and others. The West Mojave Plan has achieved certification under the National Environmental Policy Act (NEPA) and only applies to federally owned lands within its planning area.

At the time the EIR was prepared, local, state, and federal entities were in the process of developing a private lands counterpart to the West Mojave Plan. Upon completion of the CEQA process for the plan by the County of San Bernardino, it was expected that future development on state, local government, and private lands would be covered and properly mitigated through the payment of a regional land development fee. It was also expected that, at completion of the CEQA process, it would be likely that specific survey requirements and permitting parameters for public and private land actions would be required. It was recommended in the EIR that the Town should aid the County of San Bernardino and other participating federal, state, and local agencies in the preparation of a private lands counterpart to the West Mojave Habitat Conservation Plan.

*Apple Valley Habitat Conservation Plan:* At the time the EIR was prepared, the Town of Apple Valley was also in the process of preparing a comprehensive Multiple Species Habitat Conservation Plan (MSHCP) that would address management for federally listed and other special status species occurring on private lands within the Town of Apple Valley. It would also enable the Town to streamline the development entitlement process and permitting while ensuring protection of sensitive environmental resources. Until the MSHCP is complete, individual development projects with potential to impact a listed species must process separate state and/or federal permits to address compliance with the state and federal Endangered Species Acts.

### *Native Plant Ordinance*

The Town of Apple Valley has adopted an ordinance (Chapter 9.76.040, "Plant Protection and Management") aimed at protecting native plants, which makes special provision for Joshua Trees and other native species. The ordinance requires authorization from the Town prior to disturbing, removing, or destroying Joshua Trees, and when removal is necessary, prescribes their relocation and transplant requirements whenever feasible.



#### *Annexation 2008-001*

The EIR determined that the Annexation 2008-001 area is desert land occupied primarily by Creosote Bush Scrub habitat, which may support a number of common plant and animal species, as well as providing potential habitat for special status species. There are several ephemeral blue-line streams which the biological resources study identified as jurisdictional, that intersect the annexation area in a north/south direction. These streams originate in the hills to the north and terminate at the Mojave River.

The EIR also determined that buildout of undeveloped areas, including vacant portions of Annexation 2008-001, had the potential to impact biological resources, including common and possibly special status species, through direct disturbance from development, habitat loss, and fragmentation. In order to assure that impacts to special status species were mitigated, site-specific evaluations of biological resources were to be required prior to site disturbance for any project occurring within the Annexation 2008-001 area which had the potential to contain special status species.

The EIR concluded that future development in the Annexation 2008-001 area could result in activities within and adjacent to ephemeral streams. Such activities would be subject to state and federal regulatory permitting requirements, to be determined at the time development proposals were reviewed by the Town.

Overall, the EIR determined that the impacts associated with biological resources were less than significant with implementation of mitigation measures.

#### Analysis of the Proposed 2019-001 Annexation

The proposed 2019-001 Annexation area is composed of 1,424 acres of land, which is currently sparsely developed with single-family residences and characterized by undeveloped, relatively natural open space, and a network of paved and unimproved roadways. Like the Annexation 2008-001 area, the proposed 2019-001 Annexation area is located within the Mojave Desert biome in a portion of the western Mojave Desert. Based on previous analysis in the EIR, the proposed annexation has the potential to affect a variety of special-status biological resources that are protected and/or regulated by the California Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), United States Army Corps of Engineers (USACE), and/or Regional Water Quality Control Board (RWQCB).

A Biological Resources Assessment Report was prepared for the 2019-001 Annexation by Wood Environment & Infrastructure Solutions, Inc. (Wood) on October 22, 2019 (Appendix B). The following discussion and analysis are based on the findings of that Report.



### *Multiple Species Habitat Conservation Plan*

The Town of Apple Valley is in the planning and development phase of a regional Multiple-species Habitat Conservation Plan/Natural Communities Conservation Plan (MSHCP/NCCP) that would address impacts to specified special-status biological resources that are known to occur, or have the potential to occur in and adjacent to the Town, in an area which extends beyond the boundaries of the proposed annexation.

Implementation of the MSHCP/NCCP is anticipated to cover and permit incidental take of covered species, which include federally and state-listed endangered and/or threatened species, species that are designated as “Species of Special Concern (SSC)” by the CDFW and species managed as “Sensitive” by the BLM. The area covered by the MSHCP/NCCP will address potential development impacts to an estimated total of 23,000 to 27,800 acres of existing undeveloped open space within the town limits and 37,500 acres of impacts within its sphere of influence.

Anticipated covered activities include development of housing, commercial and industrial development, agricultural activities, adaptive habitat management, and monitoring activities. In addition, other potential impacts include operation and maintenance of existing public facilities (3,200 acres), construction of new capital improvements and public facilities (1,400 acres) and the construction, operation and maintenance of future renewable energy projects (5,000 acres).

On 14 September 2010, a Memorandum of Understanding (MOU) was approved between the Town of Apple Valley and San Bernardino County. The MOU serves as a foundation for the Town and County to establish a clear, consistent, and predictable permitting process and procedure for future economic development. When complete, approval of future development applications within the MSHCP/NCCP planning area will be allowed, while conservation of covered species and their habitats will also be assured.

The 2019-001 Annexation is located within the coverage area for the MSHCP/NCCP. Once the MSHCP is implemented, participation in, and compliance with, the requirements and provisions of the MSHCP will ensure that project-related impacts to these species are permitted, covered, minimized, and mitigated. Payment of a development fee is likely to be the primary mitigation for projects not located in conservation areas. Participation and compliance with the Plan may also require additional actions, including surveys, for full coverage for some of these species.

### *Soil Type*

Soils and substrates in the 2019-001 Annexation area vary from undisturbed, naturally sandy areas, gravelly areas, loamy areas, rocky outcrops, disturbed surfaces, and developed areas. Existing disturbed and developed areas consisted of paved and unimproved public and private roads, paved and unpaved trails, vacant cleared areas, a railroad easement, and areas where illegal dumping has occurred. There are no sand dunes, hummocks, clay lenses, springs, seeps, or natural bodies of water.

Review of the National Wetlands Inventory (NWI) indicated that approximately twenty-six (26) drainages, some of which are blue-line streams, traverse the area. A jurisdictional delineation was not conducted in the area for the proposed annexation, due to the programmatic nature of the analysis.



### *Vegetation*

The dominant vegetation community within the annexation area is *Larrea tridentata* Shrubland Alliance (Creosote bush scrub). Developed/urban areas (i.e., residential land uses, paved roadways) and disturbed areas (i.e., barren dirt roads and trails) are also intermittently present throughout the proposed annexation area.

Dominant perennial plant species observed included: creosote bush (*Larrea tridentata*), California buckwheat (*Eriogonum fasciculatum*), white bur-sage (*Ambrosia dumosa*), cheesebush (*Ambrosia salsoia*), rubber rabbitbrush (*Ericameria nauseosa*), peach thorn (*Lycium cooperi*), Nevada ephedra (*Ephedra nevadensis*), sandpaper plant (*Petalonyx thurberi*), bladder-sage (*Scutellaria mexicana*) and saltbush (*Atriplex* spp). Dominant annual plant species observed included: Saharan mustard (*Brassica tournefortii*), tumble mustard (*Sisymbrium* sp.), short-pod mustard (*Hirschfeldia incana*), redstem filaree (*Erodium cicutarium*), cheat grass (*Bromus tectorum*), red brome (*Bromus madritensis* ssp. *rubens*), common Mediterranean grass (*Schismus barbatus*) and annual bur-sage (*Ambrosia acanthicarpa*). Sparse Mojave yucca (*Yucca schidigera*), Joshua tree (*Yucca brevifolia*), golden cholla (*Cylindropuntia echinocarpa*) and diamond cholla (*Cylindropuntia ramosissima*) were also intermittently present throughout the proposed annexation area.

No special-status vegetation communities were observed within the proposed annexation area. A list of the plant species observed is provided in the Appendix 1 of the biological assessment report, included in Appendix B.

### *Wildlife*

A total of fourteen (14) vertebrates were detected during the on-site investigation conducted for the biological assessment report. Vertebrate fauna detected included one reptile, seven birds, and six mammals. No fish or amphibians were detected.

Western side-blotched lizard (*Uta stansburiana elgans*) was the only reptile detected. A variety of other species are expected to occur, however. These include, but are not limited to: desert banded gecko (*Coleonyx variegatus variegatus*), yellow-backed spiny lizard (*Sceloporus uniformis*), northern desert horned lizard (*Phrynosoma platyrhinos platyrhinos*), western zebra-tailed lizard (*Callisaurus draconoides rhodostictus*), Great Basin whiptail (*Aspidoscelis tigris tigris*), glossy snake (*Arizona elegans eburnata*), Great Basin gopher snake (*Pituophis catenifer deserticola*), red racer (*Coluber flagellum piceus*) and northern Mojave rattlesnake (*Crotalus scutulatus scutulatus*).

The seven common species of birds observed on-site included mourning dove (*Zenaida macroura*), common poorwill (*Phalaenoptilus nuttallii*), common raven (*Corvus corax*), loggerhead shrike (*Lanius ludovicianus*), horned lark (*Eremophila alpestris*), European starling (*Sturnus vulgaris*) and house finch (*Haemorhous mexicanus*). Representative examples of other common bird species that are expected to occur include, but are not limited to: red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), Gambell's quail (*Callipepla gambelii*), greater roadrunner (*Geococcyx californianus*), verdin (*Auriparus flaviceps*) and Costa's hummingbird (*Calypte costae*).



The six mammals detected included black-tailed jackrabbit (*Lepus californicus*), desert woodrat (*Neotoma lepida*), coyote (*Canis latrans*), California ground squirrel (*Otospermophilus beecheyi*), white-tailed antelope squirrel (*Ammospermophilus leucurus*) and other small rodents (species undetermined but rodent burrows present). Other small mammals, particularly rodents, occur on the site as small mammal burrows were observed; however the species that are present cannot be conclusively determined without a more intensive trapping effort. Although not observed, bats also are likely foraging over the site as suitable roosting habitat is present nearby within rocky hillsides. Domestic mammals (i.e., dogs, cats and livestock) are also likely kept by residents surrounding and within the annexation area. Larger carnivores such as the kit fox (*Vulpes macrotis*), gray fox (*Urocyon cinereoargenteus*), and bobcat (*Lynx rufus*) were not detected but have the potential to occur in the annexation area as well.

#### *Special Status Species*

Of the fifty-one (51) special status species reported from the vicinity of, or having modeled habitat in the annexation area, thirty-four (34) are considered to be absent from the site due to a lack of suitable habitats and/or the location of the annexation area outside of the species geographic range.

Seventeen (17) special status species known from the area have at least some potential (low to high) to occur in the annexation area, including desert cymopterus, Mojave monkeyflower, desert tortoise, burrowing owl, loggerhead shrike, desert kit fox (*Vulpes macrotis arsipus*) and Mohave ground squirrel (representative examples, see Appendix B for full list). All of the species are proposed to be covered under the MSHCP/NCCP. Participation in, and compliance with the MSHCP/NCCP, once implemented, would generally mitigate any future project-related impacts to these species. These species will not be discussed further in regard to the MSHCP/NCCP, with the exception of those species that are likely to require further actions.

One (1) special status species, loggerhead shrike, was observed perched on an electrical transmission line adjacent to a portion of the annexation area, then flew across the site during the field assessment. This species is not listed as threatened or endangered by the USFWS or CDFW, but is designated as a Species of Special Concern (SSC) by the CDFW. It is also a species proposed to be covered and conserved by the MSHCP/NCCP. Suitable nesting (i.e., moderately sized shrubs) and foraging habitat for this species is present throughout the annexation area. For these reasons, Wood considers there to be a high potential for loggerhead shrike to nest in the annexation area.

Impacts to special status biological resources that are not proposed to be covered under the MSHCP/NCCP must be addressed, avoided and/or minimized to less than significant levels per the applicable federal and state endangered species acts, National Environmental Policy Act (NEPA) and/or California Environmental Quality Act (CEQA) as participation in the MSHCP/NCCP would not provide coverage or contribute to conservation efforts, such as jurisdictional areas and nesting bird species protected under the MBTA.

Available draft MSHCP/NCCP documents do not yet list which species (if any) would require additional conservation measures or define what those measures may include; however, based on other MSHCP/NCCP's implemented in other areas of Southern California (i.e., Western Riverside



County and Coachella Valley), the covered species with potential to occur in the annexation area that may require additional actions by plan participants include, but are not necessarily limited to: desert tortoise, burrowing owl, loggerhead shrike, Le Conte's thrasher and Bendire's thrasher. Additional measures designed to avoid and minimize impacts to the covered special-status biological resources potentially occurring on the Project site and/or immediately adjacent may also be required, and have been presented in the Biological Resources Assessment Report to ensure impacts to special status species are mitigated.

#### *Jurisdictional Areas*

Many unnamed, mostly small, drainages (i.e., dry washes) are present throughout the proposed annexation area. None of the observed drainages were flowing or exhibited surface water at the time of the on-site investigation, and no riparian or hydrophytic vegetation, one of the indicators of "wetlands," were observed. Although these drainages would not likely meet the definition for wetlands, many would likely meet the definition of "waters of the United States" and/or "waters of the state of California" and thus fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or the CDFW. For these reasons, impacts (i.e., changes to the bed, bank or channel of rivers, streams and lakes) to these jurisdictional areas would require permitting by these agencies.

Programmatic permits and/or authorizations for MSHCP/NCCP-covered activities, however, may be issued at some time in the future. Until such time, however, nationwide permits, individual permits, streambed alteration agreements, water quality certifications, and/or any other required authorizations would need to be obtained by each individual project proponent, or the Town of Apple Valley on their behalf. Standard mitigation for impacts to jurisdictional areas usually includes compensation of offsite "like" habitat, usually at a ratio of at least 1:1. The establishment of buffer zones around retained/avoided drainages will likely be required. Buffer zones are typically at least 50 feet in width.

#### *Migratory Bird Treaty Act (MBTA)*

A variety of common bird species have no special status designations but are nevertheless protected by the MBTA. These include virtually all native migratory and resident bird species [e.g. killdeer (*Charadrius vociferous*)], common raven, common poorwill, greater roadrunner, verdin, and black-throated sparrow (*Amphispiza bilineata*), including birds already known to occur or having the potential to occur in the vicinity.

In order to avoid impacting nesting birds, avoidance of disturbance during the nesting season (generally February 1 through August 31) is recommended whenever and wherever possible. If avoidance of the nesting season is not feasible, additional impact avoidance and minimization measures may be required. These measures may include, but are not necessarily limited to, the following:

- 1) attendance of and compliance with a project-specific WEAP;
- 2) pre-construction clearance surveys;
- 3) biological monitoring;
- 4) establishment and observance of no disturbance buffer zones around active bird nests found during the daily preconstruction surveys until the young birds have fledged; and
- 5) trash containment and disposal to avoid attracting potential predators.



If nesting birds are found on a project site, work would not likely be permitted near the nest site (i.e., within the no disturbance buffer zone[s] surrounding nests) until young have fledged. While there is no established protocol for nest avoidance, when consulted the CDFW generally recommends avoidance buffers of about 500 feet for birds-of-prey, and 100–300 feet for songbirds. Routine monitoring of nests would document when the young have fledged. In the EIR, Mitigation Measure 4 was set forth in the Biological Resources discussion (Section III-D) to require site-specific nest surveys for the presence of migratory birds in accordance with established protocols and requirements of the Migratory Bird Treaty Act, prior to site disturbance. This is consistent with the recommendations made in the biological resources assessment for the 2019-001 Annexation.

Consistent with the EIR, mitigation measures recommended in the biological assessment report would be applicable to the 2019-001 Annexation. Furthermore, in addition to the payment of the requisite development fees and participation in the MSCHP/NCCP, which is designed to mitigate potential Project impacts to covered special-status biological resources occurring or potentially-occurring in the coverage area, additional measures designed to avoid and minimize impacts to the covered special-status biological resources potentially occurring on the Project site and/or immediately adjacent may also be required.

As the annexation area is predominantly undeveloped with scattered residential development, grading activities associated with the future development under the 2019-001 Annexation could affect undisturbed native soil/sediment that may contain biological resources. However, compared to Annexation 2008-001, the 2019-001 Annexation area encompasses approximately 50% fewer acres. Therefore, it decreases the potential for adverse impacts to biological resources and would not create any new impacts associated with these resources. Any such impacts would be less to those identified in the Certified EIR, and the same mitigation measures provided in the EIR would reduce impacts to less than significant levels. The proposed project will not result in any new significant impacts or increase the severity of impacts already identified in the EIR.



## **E. Cultural Resources**

### Summary of Findings in the EIR

#### *Archaeological Resources*

The EIR determined that most of the General Plan area had not been surveyed systematically for cultural resources. The older neighborhoods near the center of Town were developed long before federal and state regulations began to require such surveys as a part of the planning process. The areas where new development occurred in recent decades have received much more survey coverage, especially along the Mojave River.

The EIR identified a total of 48 recorded historical/archaeological sites in the General Plan area. These included 16 prehistoric (Native American) archaeological sites and 32 historic-period sites. Seven ‘pending’ sites, all prehistoric in nature, had also been reported. In addition, a total of 28 isolates (localities with fewer than three artifacts) had been discovered in the area.

The EIR identified six of the recorded prehistoric sites and five of the ‘pending’ prehistoric sites as large Native American habitation areas/villages along or in close proximity to the banks of the Mojave River. Archaeological evidence for these sites included the presence of rock shelters, bedrock milling features, pictographs and/or petroglyphs on surfaces of boulders, human cremations and associated grave goods, aboriginal trails, and midden. Such clustering of large and extensive Native American living areas is indicative of a reliance on the Mojave River and its tributaries for the necessities of daily life.

The EIR stated that approximately one-third of the total acreage within the General Plan planning area had been systematically and intensively surveyed for cultural resources; however, many prehistoric and historic sites that remained unsurveyed would be at risk through being unidentified and unrecorded.

During preparation of the Cultural Resources Technical Report for the EIR, the NAHC confirmed that, according to a search of the Sacred Lands File, no sites were recorded within the General Plan planning area, including Annexation 2008-001. At the time, only one response from the Morongo Band of Mission Indians had been received. The Cultural Resources Coordinator for the tribe advised that the tribe was aware of several cultural resource sites to the south and southeast of the planning area, and made recommendations regarding project review and protection of resources as development occurred.

#### *Historic Resources*

Historic maps from the mid-1850s identified the only evidence of human activities in the vicinity of the General Plan planning area was the historic Mormon Trail. That trail was identified in the maps as "Road to Salt Lake City," and at the nearest spot, it traversed in a north-south direction approximately 3.5 miles west of the northerly portion of the planning area. No man-made features of any kind were observed within or adjacent to the planning area at that time.



The EIR determined that the settlement and development of Apple Valley during the historic period occurred in three phases: the 1860s to the 1880s; the 1890s to the mid-1940s; and 1946 to present day.

*Early Settlement in Apple Valley (1860s-1880s):* Due to later redevelopment, little physical remains of these early settlement activities can be found today.

*Agrarian Development (1890s-1940s):* None of these early ranches survived to the present time, but remains associated with their heyday may still be found in the less developed portions of the planning area.

*Birth and Growth of the Town (1940s-Present):* The majority of the buildings constructed during this period were typical for the early post-WWII era, featuring primarily the "rambling" California Ranch-style architecture.

#### *Paleontological Resources*

The EIR determined that any surface or subsurface Pleistocene-age (11,550 to 1,808,000 years ago) soils that are present in the planning area may have a high potential to contain significant nonrenewable paleontological resources. The older sediments along the Mojave River, and at unknown depths below the surface, were given a higher priority. The more elevated portions of the area contain substantial exposure of Mesozoic-age (245,000,000 to 65,000,000 years ago) rocks that may be devoid of fossils. Grading of shallow excavations in the younger Quaternary alluvium throughout most of the planning area was unlikely to uncover significant fossil remains.

In summary, the likelihood of encountering paleontological resources during future development projects within the boundaries of the General Plan area ranges from low to high, depending on the location and sediments encountered.

#### *Conclusion*

The EIR determined that it is likely that additional sites and structures may be discovered in areas of cultural resource sensitivity during future development of the planning area, including the Annexation 2008-001 area. Future development projects could potentially result in direct and/or indirect disturbance or destruction of sensitive archaeological and historic resources.

Impacts could include grading activities, site excavation, construction, and increased foot and vehicular traffic. Site surveys were required on all future developments on previously undeveloped land in areas identified as potentially sensitive for historic and prehistoric resources in the EIR to determine the presence and significance of archaeological and historic resources.

The EIR determined that future development in the planning area could also impact paleontological resources, should Pleistocene-age soils be disturbed by grading or excavation activities. Monitoring of grading activities by a qualified expert was required in areas where there is potential for disturbance to Pleistocene-age soils, to determine the presence and significance of such resources.



*Annexation 2008-001*

The EIR described that the Annexation 2008-001 area is located in an area previously identified as highly sensitive for archaeological resources, particularly prehistoric sites. Build out of this area could result in the disturbance and/or destruction of archaeological resources. Development activities, including grading, excavation, paving and building construction, as well as increased foot and vehicular traffic, could damage or destroy sensitive artifacts. The majority of the Annexation 2008-001 area has a low sensitivity for paleontological resources; however, the southwest corner has a high sensitivity rating.

The EIR stated that site surveys should be required as part of the initial project review process on all future development projects in sensitive areas. The mitigation measures provided in the EIR were applicable to all lands within the General Plan planning area, including the Annexation 2008-001 area, and were determined to reduce potential impacts to cultural and paleontological resources to less than significant levels.

Analysis of the Proposed 2019-001 Annexation

The 2019-001 Annexation area is currently sparsely developed but predominately undisturbed desert land. Grading activities associated with future development under the 2019-001 Annexation could affect previously undisturbed native soil/sediment that may contain archaeological or paleontological resources.

However, compared to Annexation 2008-001, the 2019-001 Annexation area encompasses approximately 51% fewer acres. Therefore, it decreases the potential for adverse impacts to cultural resources and would not create any new impacts associated with archaeological, historic, or paleontological resources. Any such impacts would be less to those identified in the EIR, and the same mitigation measures provided in the EIR would reduce impacts to less than significant levels. The proposed project will not result in any new significant impacts or increase the severity of impacts already identified in the EIR.



## **F. Geology and Soils**

### Summary of Findings in the EIR

The General Plan planning area is situated on gently sloping alluvial fans that range in elevation of approximately 3,400 feet above sea level near the base of the Fairview Mountains in the northeast to nearly 2,700 feet above sea level along the Mojave River in the west. Within the Town limits, notable geologic formations include Bell Mountain (3,897 feet above sea level) and Catholic Hill (3,645 feet above sea level). Other major features of the General Plan planning area include the Mojave River, a wide floodplain that runs along and defines a portion of Apple Valley's western boundary.

#### *Soils and Geologic Units*

There are six types of geologic deposits that underlie the General Plan planning area: artificial or man-made fill, very young or recent alluvium, young alluvial and landslide deposits, older alluvial fan and valley deposits, sedimentary rocks, and crystalline rocks.

#### *Landslide and Slope Instability*

An estimated 1,792.4 acres consist of hillside terrain and mountains in the Town, the majority of which are generally not developed, except for local mining operations. The EIR concluded that development has occurred at the base of steep slopes, and scattered residential, commercial, and other land uses are at risk of slope failure. Factors contributing to slope failure include slope height and steepness, shear strength and orientation of weak layers in the geologic units underlying the slope and water pressure between soil particles. Therefore, development should be minimized or avoided in areas that have greater than 15% slopes to limit potential impacts associated with slope instability and failure. The Development Code includes specific requirements and prohibitions for the construction of structures on slopes. These areas can be maintained as open space for recreation or health and safety. Where development is proposed adjacent to slopes, hillsides, and mountains, site-specific analyses that address the potential impacts of rock falls, landslides, and slope stability must be conducted to assess site-specific impacts and provide appropriate mitigation measures.

#### *Compressible Soils*

In the General Plan planning area, compressible soils are most likely to occur where young (Holocene-age) unconsolidated deposits are present, as well as active and recently active stream channels. In addition, compressible soils are commonly found in canyon bottoms, swales, and at the base of natural slopes. Compression is also associated with landslide deposits, particularly at the head and along the margins of the slide. Proper engineering and thorough geotechnical soils analyses can minimize potential hazards associated with compressible soils.

The EIR concluded that the planning area is primarily underlain by young alluvium that is potentially susceptible to collapse and compression. This potential is exacerbated when additional weight loads and/or pressure is applied.



### *Collapsible Soils*

In the General Plan planning area, very young alluvial sediments that are granular in nature may be susceptible to adverse impacts to structures and infrastructure if not properly managed.

### *Expansive Soils*

In the General Plan planning area, expansive soils are primarily associated with areas underlain by older fan deposits containing argillic (clay-rich) soil profiles, which are in the moderately expansive range. In addition, the Apple Valley Dry Lake contains very fine-grained silts and clays that are potentially expansive. Alluvial fan sediments, composed primarily of granular soils, underlie the low-lying areas of the Town and the expansion potential ranges from very low to moderately low.

The EIR concluded that the collapsible, compressible, and expansive soils can have adverse impacts on structures and infrastructure if not properly managed; therefore, site-specific studies must be conducted to evaluate soil parameters and determine the potential for soil collapse, compression, and expansion.

### *Ground Subsidence*

The EIR determined that the Mojave River Groundwater Basin underlies the Town of Apple Valley and vicinity. Water extraction from the basin has historically occurred at rates that exceeded natural replenishment, leading to an overdraft condition in the basin. Groundwater levels in the basin dropped more than 100 feet between the 1950s and 1990s, and approximately 30 feet in the following 20 years. Overdraft of the water basin can lead to ground subsidence. Based on US Geological Survey and Mojave Water Agency studies of subsidence in the Mojave River Groundwater Basin, the closest subsidence area to the Town of Apple Valley is located approximately seven miles northwest.

The EIR concluded that, to date, subsidence has not been detected within Apple Valley's town limits. The continued implementation of groundwater conservation and recharge activities in the Apple Valley area contributes to the management of ground subsidence.

### *Soil Erosion*

The EIR determined that the Town of Apple Valley and vicinity are subject to erosion, runoff, and sedimentation due to the extreme topographic relief between the valley and the surrounding hills and mountains. Human activities, such as land development, accelerate natural erosion by disturbing the ground surface, which can expose sediment deposits to wind and water transport, alter natural drainage patterns, and increase the potential for erosion and sedimentation. Local modification of geological conditions, such as an increase in impermeable surfaces, can result in geological changes elsewhere, such as an increase in the potential for flooding and sedimentation downstream. Natural events, such as wind and rain storms, can also lead to accelerated rates of erosion. The elevation difference between the Cajon Pass and the valley floor results in strong winds under certain climatic conditions.

The EIR determined that strong winds combined with sandy surface soils commonly found in Apple Valley have the potential to result in wind erosion that poses an environmental hazard.



### *Earthquake Faults and Ground Shaking*

The General Plan planning area is located within a seismically active area (Seismic Risk Zone 4) and lies within approximately fifty miles of three active faults that are capable of generating earthquakes greater than 6.5  $M_w$ . Should an earthquake occur on one of these faults, the General Plan planning area and surrounding areas could be subject to peak ground accelerations greater than 0.13g, causing severe damage to buildings and structures.

The EIR determined that North Frontal and Helendale faults are the closest faults to the planning area and could generate the highest peak ground accelerations (1.13 and 0.75g, respectively). The North Frontal Fault is a south-dipping fault, partially blind reverse fault zone along the eastern flank of the San Bernardino Mountains and consists of several fault splays that have a combined total length of approximately 40 miles. Several of the fault splays interact with other nearby faults; the most significant of these is the Helendale Fault, which seems to right-laterally offset the North Frontal fault zone, dividing it into two main segments. Both the North Frontal and Helendale faults are designated as Alquist-Priolo Earthquake Fault Zones within portions of the planning area.

The EIR determined that surrounding geologic faults have the potential to cause moderate to extreme ground shaking and significant ground acceleration in the planning area. Seismic activity of this magnitude has the potential to result in direct damage to structures, property, and infrastructure, and/or generate indirect hazards such as slope instability, liquefaction, settlement, landslides, and seiche in Silverwood Lake and shallow lakes throughout the study area, and can cause a variety of localized hazards such as urban fires, dam failures, and toxic chemical releases.

Damage to infrastructure and utility systems could exacerbate post-earthquake conditions. There are many roadways within the area that could fail during an earthquake, which would impede traffic and restrict access to and from Apple Valley by emergency response teams. In addition, disruption to utilities, such as telephone, gas, energy, and water, could substantially affect efforts to alleviate damage and provide support, including fire suppression, and access to heating and cooling, and potable water.

The EIR determined that the seismic activity could also result in significant damage to smaller structures. The Town requires all new buildings to utilize reinforced masonry, as well as comply with the Uniform Building Code (UBC), which is expected to enable structures to resist major earthquakes without collapsing, although structural damage could occur. Unreinforced masonry buildings within the Town have been retrofitted in compliance with state law. In order to limit impacts associated with surface ruptures within Alquist-Priolo Earthquake Fault Zones, the Town is mandated by law to require that geological investigations, including but not limited to fault trenching, be performed if development is proposed in proximity to these zones.

The EIR included a range of mitigation measures that reduce potential project-related impacts to less than significant levels.



### *Annexation 2008-001*

The EIR determined that Annexation 2008-001 would support a variety of land uses at build out, including residential, office, commercial, and industrial uses. Although build out would occur gradually over several years, the development of the annexation area had the potential to present geological hazards to people and structures. The soil underlying the Annexation 2008-001 area is comprised of very old alluvial valley deposits (Qvoa) with moderately consolidated sand and gravel. This sediment type, due to its age, may be more compact, and therefore provide better structural support compared to younger sediment types. However, clayey soils may have accumulated on the surface, which could result in expansion when saturated.

The EIR determined that the annexation area, like the rest of Apple Valley, is situated in close proximity to several faults that have the potential to cause strong to severe ground shaking, which could result in damage to structures, infrastructure, and persons, or generate seismically induced hazards. Site-specific analyses should be conducted prior to development to identify potential hazards and set forth effective mitigation measures. Development standards that minimize impacts from structural failure and promote the health and safety of residents must also be maintained during development.

Overall, the geotechnical impacts associated with buildout of the Annexation 2008-001 area would be less than significant with incorporation of mitigation measures provided in the EIR.

### Analysis of the Proposed 2019-001 Annexation

The 2019-001 Annexation area is part of the Annexation 2008-001 area and, therefore, is characterized by the same geologic conditions and geotechnical constraints evaluated in the EIR.

*Fault Rupture:* The 2019-001 Annexation area is not located within an Alquist-Priolo Fault zone. The nearest active fault to the project site is the Helendale Fault located approximately 2 miles northeast of the site. Active faults with the potential for surface rupture are not known to be located beneath the project site. Therefore, there is no potential to expose people to impacts from fault rupture resulting from seismic activity during the design life of the buildings.

*Seismic Ground Shaking:* The 2019-001 Annexation area is located in a seismically active region (Seismic Risk Zone 4). There is potential for significant ground shaking to occur within the annexation area during a strong seismic event on the Helendale Fault and other active regional faults. According to the Geotechnical Background Report provided in the EIR, based on the location of the faults in the region, the maximum Peak Ground Acceleration (PGA) is 8.0g for the area. Ground shaking at this intensity could result in significant damage to buildings and improvements associated with build out of the 2019-001 Annexation area. This is considered a potentially significant impact; therefore, the Town requires that all new construction meet or exceed the Town ordinances and policies and the latest standards of the California Building Code (CBC) for construction in seismic hazard zones, which requires structural design that can accommodate maximum ground accelerations expected from known faults. Implementation of applicable mitigation measures set forth in the EIR would further ensure that potentially significant seismic-related groundshaking impacts would be reduced to less than significant levels.



*Ground Failure:* As indicated in the EIR, the project site is located in an area that has been identified by the State of California as being potentially susceptible to liquefaction, which can also result in secondary effects, such as lateral spreading and other earthquake-induced ground settlement. However, with implementation of applicable mitigation measures provided in the EIR, impacts to future development in the 2019-001 Annexation area would be reduced to less than significant levels.

*Landslides:* No slope areas considered susceptible to landslides or other slope failure exist in the 2019-001 Annexation area. Given the distance of natural slope areas from the project site and relatively flat topography on-site, no impacts related to landslides would occur in the 2019-001 Annexation area.

*Soil Erosion or the loss of topsoil:* Development activity in the 2019-001 Annexation area would have the potential to result in the erosion of soils; however, this potential would be reduced by implementation of standard erosion control measures imposed during site preparation and grading activities, consistent with that described in the EIR. Implementation of applicable mitigation measures identified in the EIR would further reduce potential impacts to less than significant levels.

*Expansive Soil:* Expansive soils, if encountered within the annexation area, would be removed and replaced as part of standard construction practices, pursuant to Town and CBC building requirements. Additional mitigation measures described in the EIR would further reduce potential impacts associated with expansive soils. Therefore, build out of the 2018-001 Annexation area would result in less than significant impacts associated with expansive soils.

*Septic Tanks or Alternative Wastewater Disposal Systems:* The annexation area is predominantly undeveloped. Build out of the 2019-001 Annexation area will result in increased wastewater production as compared to existing conditions. Wastewater infrastructure will need to be extended to the annexation area so that the Town's wastewater service can serve future development. New projects in the annexation area, that exceed regional water quality control discharge volumes, will be conditioned by the Town to connect to wastewater systems located south and east of the annexation area, thereby eliminating the potential for impacts associated with septic tanks.

Build out of the 2019-001 Annexation would result in residential and commercial development in the same geological and soil conditions as discussed in the Town of Apple Valley General Plan. Future development of the annexation area would be required to comply with all applicable rules and regulations related to geology and soils, including the Uniform Building Code. Overall, build out of the 2019-001 Annexation will result into similar impacts to those disclosed in the EIR.

The 2019-001 Annexation would not generate new significant impacts or a substantial increase in previously identified impacts associated with geology and soils. There is no new information of substantial importance which was not known and could not have been known when the EIR was certified. The cumulative impacts to geology and soils will be comparable to those disclosed in the EIR.



## **G. Hazardous and Toxic Materials**

### Summary of Findings in the EIR

The Hazardous Material Division of the San Bernardino County Fire Department is the administering agency and the Certified Unified Program Agency (CUPA) responsible for the regulation of hazardous materials for the Town. Standards established by the Town's Development Code are intended to ensure that the use, handling, storage, and transportation of hazardous materials comply with all applicable requirements of the State Government Code Section 65850.2 and Health and Safety Code Section 25505, and Article 80 of the Uniform Fire Code.

The Town's Multi Hazard Functional Planning Guidance Document (Multi Hazard Plan) establishes contingency plans when an incident involving hazardous materials occurs. The Town works with the Hazardous Materials Division (HMD) of the San Bernardino County Fire Department. The Hazardous Materials Team, a unit of the Apple Valley Fire District and a member of the San Bernardino County Hazardous Materials Team, responds to all calls received related to hazardous materials in Apple Valley, including fuel spills and the illegal dumping of unknown products in the Town and surrounding area, which are all part of the Fire District's service area. Local businesses must certify any hazardous materials at their facilities with the County HMD on an annual basis. HMD performs compliance inspections of facilities that handle hazardous materials, which are defined by the California Code of Regulations (Title 22).

### *Hazardous Sites*

The EIR determined that there are a limited number of small quantity generators that use or produce hazardous materials in Apple Valley and surrounding areas. At the time the EIR was prepared, there were 15 properties within the planning area that were listed in environmental databases. Of those 15 properties, 11 were listed as a result of generating, using, and/or disposing relatively small quantities of potentially hazardous materials from their business location, with no material releases having been reported on these properties. Significant hazardous material releases into the underlying soil and groundwater were not suspected at these locations.

The EIR found that there were no large quantity generators of hazardous waste in the Town of Apple Valley.

A search of the US EPA Envirofacts Data Warehouse did not identify any Federal Superfund Sites (NPL), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Permitted Sites, or Corrective Action Sites. The search did identify 7 school investigation sites, all of which required no further action since no hazards were found. A search for Leaking Underground Fuel Tank (LUFT) cleanup sites identified 15 spills within the Town.

The EIR determined that approximately 560 acres within the North Apple Valley Industrial Specific Plan, which is located southeast of the proposed annexation area, were previously used as a practice bombing range by the U.S. Army Air Force during World War II. This area, formerly referred to as Victorville Pre Bomb Range N-1, may contain potential hazards due to the presence of known or suspected military munitions and explosives of concern.



### *Airport Safety*

The Apple Valley Airport, located at 21284 Corwin Road, has a moderate to high potential for hazardous material spills. The airport is permitted to discharge less than 1,000 gallons per day of treated sewage, which is considered a minor threat to groundwater. In addition, the site contains four underground fuel storage tanks, none of which have any reported spills or leaks.

The EIR determined that the San Bernardino County Department of Airports manages the maintenance and operation of the Apple Valley Airport. Two primary hazards derived from aviation activities include noise and aviation safety.

### *Emergency Response*

At the time the EIR was prepared, the County of San Bernardino was developing mass evacuation plans for each region within the County, but the high desert region plan had not been completed.

The EIR determined that the Atchison Topeka and Santa Fe Railroad, Interstate 15, and Highway 18 may be used in the transfer of hazardous wastes and materials within the planning area. Therefore, the potential exists for spills and leaks from moving sources along these corridors, including within the proposed annexation area. The California Highway Patrol (CHP) is responsible for cleaning up hazardous waste spills that occur in or along freeways, and coordinating with California Department of Transportation (Caltrans) and the local sheriff and fire departments for additional enforcement and routing assistance. These two agencies' regulations will continue to govern the transport of hazardous materials through Town and the region.

### *Potential Impacts*

Although no "large scale" hazardous waste producing industries were planned for the planning area, a number of businesses have the potential to use hazardous materials and produce hazardous wastes. Commercial and industrial service providers, such as dry cleaners, film processors, mechanics, and others, have the potential to use and produce hazardous materials and wastes. These hazardous material users and hazardous waste generators are regulated by county, state, and federal law, and are required to comply with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the California Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

The EIR determined that the planned increase in the residential population resulting from build out of the General Plan and two annexation areas would lead to an associated increase in the use of common household cleaners, batteries, fluorescent tubes, mercury-containing devices, and electronics. In order to safely dispose of these wastes, the San Bernardino County Fire Department maintained a collection facility, located at 22411 Highway 18, which accepted a wide variety of household wastes. This facility, or similar facilities, was expected to continue to operate through the build out of the General Plan and annexation area.

The EIR concluded that approximately 560 acres in the west-central portion of the General Plan study area was formerly used as a practice bombing range by the U.S. Army Air Force during World War II. Based on the Environmental Records Review of the Phase I Environmental Assessment prepared for the Town of Apple Valley, a formerly used defense site (FUDS) summary



reported that this property contains a high risk due to unexploded ordnances. Further background study was to be required for the former bombing range prior to development to reduce the potential impacts at this location to less than significant levels.

#### *Annexation 2008-001*

The EIR determined that Annexation 2008-001 had the potential to result in 7,135,369 square feet of commercial space, 7,782,275 square feet of industrial space, and a total of 4,236 residential units at build out. Growth and development of this annexation area would increase the frequency of transport, use, and disposal of hazardous materials associated with residential, commercial, and industrial growth. The area was generally undeveloped and was not likely to contain contaminated or potentially contaminated sites; however, site-specific analyses were to be conducted to determine potential areas of known and/or potential soil and/or groundwater contamination.

The EIR concluded that the impacts associated with hazards and hazardous materials would be less than significant, because requirements imposed by the Town, County, state, and federal agencies would regulate any hazardous materials transport, storage, or use. The EIR determined that there was no need for additional mitigation measures beyond these standard requirements; nonetheless, it identified several mitigation measures that would help ensure impacts remained at less than significant levels over the long term.

#### Analysis of the Proposed 2019-001 Annexation

The 2019-001 Annexation area is located in the eastern portion of the Annexation 2008-001 area analyzed in the EIR. Hazardous materials monitoring and emergency response within the annexation area will be covered by the Hazardous Material Division of the San Bernardino County Fire Department.

Build out of the 2019-001 Annexation area has the potential to result in 1,814,956 square feet of commercial space, 3,942,649 square feet of industrial space, and a total of 3,767 residential units. Land uses proposed in the 2019-001 Annexation area are similar to those proposed by Annexation 2008-001, and no unusual or particularly hazardous uses are anticipated. Therefore, the new annexation would not create any new impacts associated with hazardous and toxic materials, and any such impacts would be less than those identified in the EIR.

The western boundary of the 2019-001 Annexation area is within 0.5 miles of Interstate 15, which is used to transport hazardous materials. However, the Town's required setbacks and other development standards would minimize potential hazardous materials impacts along this corridor. Hazardous incidents would be controlled by established emergency response procedures implemented by the California Highway Patrol (CHP), California Department of Transportation (Caltrans), and the local sheriff and fire departments.

Grading, excavation, and construction activities within the 2019-001 Annexation area have the potential to expose and disturb soils, and surface water runoff could be degraded onsite. In addition, the storage and use of hazardous materials at individual properties as they develop, such



as paints, solvents, and fuels, could be potential sources of pollutants. However, continued implementation of existing laws and regulations will ensure that hazardous materials and wastes are used, stored, transported, and disposed of appropriately. Future development within the annexation area will also be required to meet the standards of the Town's Multi Hazard Plan and Municipal Code – Chapter 6.20: Solid Waste Regulations during construction and operation phases.

The 2019-001 Annexation would not create any new or increased impacts associated with hazards or hazardous materials. Like Annexation 2008-001, implementation of the mitigation measures set forth in the EIR will assure that impacts remain at less than significant levels.

There are no substantial changes to the circumstances under which the 2019-001 Annexation will be undertaken, and no new information of substantial importance, which was not known and could not have been known when the EIR was certified.



## **H. Hydrology**

### Summary of Findings in the EIR

The EIR determined that the General Plan planning area is located within the boundaries of the Alto Subbasin, which consists of water bearing strata underlying a 35-mile length of the Mojave River. The Mojave River is the primary natural source of recharge for the subbasin.

The General Plan planning area is located in the southern portion of the Mojave Desert where the climate is characteristic of a high desert ecosystem, which experiences extreme fluctuations of daily temperature, strong seasonal winds, and receives less than 5 inches of annual precipitation. Most of the streambeds in the region are dry much of the year except for periods of spring runoff and from flows associated with intense rainstorms.

The Mojave River is the major watercourse in the region, and is fed by several tributary dry washes, the largest of which, the Bell Mountain Wash, is a natural channel that collects runoff primarily from the north and west. The Desert Knolls Wash, which contains a partially lined concrete drainage basin, is a smaller wash that drains the area west of Catholic Hill. There are also several small, unnamed drainages that channel flows from the western part of the Ord Mountains towards the Mojave River. Other watercourses flow into the Apple Valley Dry Lake. The Apple Valley Dry Lake is the largest playa in the area, collecting runoff from most of Apple Valley. The Reeves Dry Lake, a smaller playa to the east of the planning area in the central part of Fairview Valley, collects runoff from the adjacent mountains.

The General Plan planning area has historically been subject to flooding and associated hazards, such as mudflows, during severe summer storm events. The winter rainfall in February and March of 1938 stands as the benchmark for damaging storms in the Apple Valley area; during this event, peak stream flow for Deep Creek was estimated at more than 46,000 cubic feet per second, and flows in the Mojave River increased to more than 70,000 cubic feet per second.

The San Bernardino Flood Control District is responsible for management of regional drainage facilities, and the Town is responsible for management of local drainage facilities. The EIR stated that existing drainage infrastructure and plans for improvement are described in the Apple Valley Master Plan of Drainage and the Apple Valley West/Desert Knolls Master Plan of Drainage. Areas identified within the 100-year flood zone are primarily associated with Apple Valley Dry Lake, Desert Knolls Wash, and the Mojave River; however, a large portion of the area had not been studied by FEMA and flood hazards were undetermined. The southwesterly portion of Town is subject to flooding resulting from failure of the upstream Mojave River Forks Dam; inundation in other areas could also occur as a result of failure of above-ground water tanks at multiple locations in and surrounding the Town limits.

The EIR concluded that as the population grows, development pressure will amplify flood hazards, as urbanization and associated impervious surfaces, such as roadways, sidewalks, and parking lots, increase. Water that would at one time have been absorbed into the ground will be dispersed as runoff to downstream areas. Future development also has the potential to alter existing drainage patterns and, in some areas, to result in the accumulation of a significant amount of debris during large storms.



To minimize the potential impacts on hydrology, the EIR included requirements for the preparation of hydrologic studies for new developments within the Town, as well as continued implementation of flood hazard reduction measures in the Town's Development Code, Grading Ordinance, Subdivision Ordinance, Flood Hazard Overlay Ordinance, and other applicable regulations.

#### *Annexation 2008-001*

The EIR determined that the Annexation 2008-001 area was largely undeveloped, and included several shallow, dry washes (ephemeral streams) of relatively small width which flow southeasterly throughout the annexation area. Portions of Bell Mountain Wash, previously described, occur in the Annexation 2008-001 area. This annexation area is designated by FEMA as Zone D, which is within the floodplain but not within the Special Flood Hazard Area (SFHA).

The EIR concluded that build out of Annexation 2008-001 would result in smaller scale developments (i.e. residential, commercial, and industrial uses) which would increase impervious surfaces, reduce permeable soils, and require the installation of retention/detention basins and other on-site flood control facilities. Site-specific analyses were to be conducted prior to development that would identify potential hazards, and set forth effective mitigation measures and development measures that minimize hydrological impacts and promote the health and safety of residents. Future development within the General Plan planning area, including the Annexation 2008-001 area, would require that developers obtain any applicable state and federal regulatory permitting for activities that involve disturbance to stream banks or beds. The EIR included a variety of mitigation measures to reduce potential hydrological impacts. With implementation of these mitigation measures, impacts associated with hydrology were considered to be less than significant.

#### Analysis of the Proposed 2019-001 Annexation

Hydrological conditions in the 2019-001 Annexation area are identical to those analyzed for Annexation 2008-001 in the EIR. The 2019-001 Annexation area is predominately undeveloped but contains sparse development; therefore, there are limited impervious surfaces onsite. Like the Annexation 2008-001 area, the 2019-001 Annexation area contains portions of the Bell Mountain Wash and several shallow and dry washes (ephemeral streams). The flooding potential of the area has not been reevaluated by FEMA since the EIR was prepared and is, therefore, still designated as Zone D which means these areas are within the floodplain but not within the Special Flood Hazard Area (SFHA).

Conversion of the 2019-001 Annexation area from predominately undeveloped land to residential, commercial, and industrial uses would increase impervious surfaces, such as rooftops, roads, parking lots and driveways, which in turn would increase runoff. This runoff could contain oil and grease, heavy metals, chemicals, and other pollutants. However, the management of urban runoff would be subject to Town, San Bernardino Flood Control District, RWQCB, and other requirements and would require the construction of onsite infiltration facilities, retention basins, and/or other water quality protection features. Stormwater retention basins would be sized



according to final drainage calculations based on site-specific impervious areas and hydrologic analysis. Therefore, impacts associated with hydrology and surface water pollution will be comparable to what was analyzed in the EIR for Annexation 2008-001.

Implementation of the 2019-001 Annexation, like Annexation 2008-001, would not expose people and/or structures to flood hazards from dam failure, as the area is outside of established dam inundation pathways (EIR Exhibit III-13). Like Annexation 2008-001, development in the 2019-001 Annexation area could be subject to seismically-induced seiche from above-ground water tanks. However, seiche-related hazards can be expected to be less than those anticipated under Annexation 2008-001 because the proposed 2019-001 Annexation area involves fewer acres and development potential than Annexation 2008-001, and does not propose new or different land uses that would increase hydrological hazards. All development within the 2019-001 Annexation, like Annexation 2008-001, would comply with all applicable federal, state, and local laws and regulations related to hydrology, drainage, and flooding.

The Apple Valley Master Plan of Drainage and Town of Apple Valley Flood Hazard Overlay Ordinance contain various policies related to hydrology, drainage, and flooding. In addition, the Town's General Plan and the State and Federal Clean Water Acts also contain policies relevant to hydrology that will be applicable to development within the 2019-001 Annexation area.

Like the 2008-001 Annexation, build out of the 2019-001 Annexation area would require compliance with applicable regulatory requirements, which include implementation of project-specific SWPPPs to address water quality impacts during construction activities and/or implementation of unique project design features, and Best Management Practices (BMPs) to ensure that construction and operational water quality impacts are less than significant. Based on the similar pattern of development with a reduced intensity resulting from the 2019-001 Annexation, impacts associated with the 2019-001 Annexation would also be less than significant.

Implementation of the 2019-001 Annexation would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR. Overall impacts are expected to be less than previously identified in the EIR due to reductions in project area acreage and development potential. Therefore, implementation of the 2019-001 Annexation would not result in any new adverse impacts or increase the severity of previously identified significant impacts in the Certified EIR.



## **I. Water Quality and Resources**

### Summary of Findings in the EIR

The Town of Apple Valley and Annexation 2008-001 area are located within the boundaries of the Mojave River Groundwater Basin (the Basin) and are under the jurisdiction of the Colorado River Basin Regional Quality Control Board (CRWQCB). The Basin comprises an approximately 1,400 square mile area along the Mojave River and has an estimated groundwater storage capacity of 5 million acre-feet.

The region is subject to temperature extremes, ranging from 20°F in the winter months to more than 100°F in the summer, with variations based on elevation. Average annual rainfall is approximately 5 inches. The region is also subject to intense seasonal storms.

The Mojave River is the primary natural source of recharge for the Basin; most of the streambed is dry much of the year, except for periods of spring runoff and from flows associated with intense rainstorms. The topographic relief that runs along the Mojave River on the west side of the Town generally divides local drainage.

The EIR determined that the Basin is comprised of several subsurface aquifers, or subareas (known as the Alto, Baja, Centro, Este, and Oeste), and falls within the Mojave Water Agency (MWA) management area. MWA is responsible for managing the long-term reliability of surface and groundwater within its service area, which is approximately 4,900 square miles. MWA is a State Water Project (SWP) contractor and has an SWP water allocation of 75,800 acre-feet per year. The SWP includes 660 miles of aqueduct and conveyance facilities, and delivers SWP water to MWA for storage and distribution.

The Basin was in a condition known as overdraft, wherein groundwater discharge exceeds recharge, resulting in a net reduction in groundwater stored in the aquifer. Modeling data prepared by the U. S. Geological Survey (USGS) indicated that the overdraft condition began in the Centro and Baja subareas in the 1950s, and by 1960 was present in all subareas of the Basin.

The Town of Apple Valley and Annexation 2008-001 area are located near the center of the Alto Subarea of the Mojave River Groundwater Basin. The Alto Subarea consists of water-bearing strata underlying a 35-mile length of the Mojave River. It is recharged by snowmelt from the San Bernardino Mountains via the Mojave River. Due to its proximity to the headwaters of the Mojave River, the subarea has the largest water supply in the Basin. It contains approximately 82,400 acre-feet of water; outflows and losses were estimated at 47,700 acre-feet, yielding an estimated net volume of water of 34,700 acre-feet. An additional 75,800 acre-feet of State Water Project (SWP) entitlements are available to MWA.

The EIR determined that a number of local water purveyors contract with MWA for water to serve the Town and surrounding area. Table 6, extracted from data provided in the EIR, shows the general service area, number of service connections, and capacity of these water purveyors.



**Table 6**  
**Local Water Purveyors Serving the Town of Apple Valley**  
**General Plan Planning Area**

<b>Water Company</b>	<b>Service Area</b>	<b>Number of Service Connections</b>	<b>Capacity</b>
Apple Valley Ranchos Water Company (now known as Liberty Utilities Apple Valley)	Majority of the Town and General Plan planning area	19,000	11 million gallons
Apple Valley Foothill County Water District	2 square miles	180	150,000 gallons
Apple Valley Heights County Water District	2 square miles	290	260,000 gallons
Apple Valley View Mutual Water Company	1 square mile	100	25,000 gallons
County Service Area 64	4 square miles	3,801	2.65 million gallons
Golden State Water Company	Northeastern and southern portions of the Town	2,847	-
Juniper Rivera County Water District	2 square miles	168	150,000 gallons
Mariana Ranchos County Water District	7 square miles	650	900,000 gallons
Rancheritos Mutual Water Company	1.25 square miles	269	-
Thunderbird County Water District	2 square miles	325	410,000 gallons
Navajo Mutual Water Company	-	80	-

The EIR indicated that annual water production was 16,527 acre-feet for Liberty Utilities (formerly Apple Valley Ranchos Water Company (AVRWC) (2007), and 1,205 acre-feet for Golden State Water Company (2005). Water production by both companies has steadily increased over time.

#### *Regional Water Supply*

The EIR indicated that the Town relies on precipitation and runoff from adjacent mountains for groundwater recharge, as well as from imported water. MWA had established a groundwater replenishment program for the Mojave Water Basin, including the Alto Subarea. The purpose of this program was to reduce annual and cumulative groundwater overdraft through artificial recharge to the groundwater basin.

#### *2007 Production*

The EIR indicated that water production data (water withdrawals) from AVRWC showed that the water table in the Alto Subarea has steadily declined. In 2007, the annual water production was 5,385 million gallons from the Alto Subarea.

#### *Imported Water*

The EIR indicated that to ensure adequate recharge and to achieve the Court-mandated balance in the Basin, MWA relied on imported water from two primary sources. These include California State Water Project (SWP) water, and “banked” or conjunctive use water from the Metropolitan Water District (MWD). As a State Water Project contractor, MWA imports SWP water for groundwater recharge. MWA had an annual allocation of 75,800 acre-feet, which included 25,000



acre-feet that MWA purchased from Berrenda-Mesa Water District in 1998. MWA uses factors of 69% under 2005 demands to 77% under 2025 conditions to estimate the reliability of SWP deliveries. Based on these factors, MWA expected to receive between 53,800 and 58,400 acre-feet annually, should it request its full entitlement. The average dry year supply was estimated at 43,200 acre-feet/year, and 22,900 acre-feet/year over multiple dry years. Between 1972 and 2001, MWA received approximately 150,000 acre-feet of water from the SWP.

MWA also has an agreement with the MWD that allows MWD to store up to 75,000 acre-feet of water in the Mojave basin. This is referred to as “conjunctive use” or “water banking,” in exchange for which MWD is entitled to an equal amount of water in the event of a significant drought.

The EIR indicated that based on year 2010 estimates, MWA estimated that approximately 119,300 acre-feet/year were available through natural supplies and SWP allocations annually (2010 projection). AVRWC estimated that water supply sources in 2005 were 17,818 acre feet, which included its FPA allotment, additional groundwater replacement water purchased from MWA, and purchased water rights. It estimated increased supplies of 29,067 acre-feet per year in 2010, of which 69% would be purchased as replacement groundwater from MWA.

#### *Water Conservation*

The Town of Apple Valley has adopted a Water Conservation Plan Ordinance (Development Code Chapter 9.75) regulating water use and prohibiting wasteful water use practices, such as excessive runoff of landscape irrigation water and washing driveways and walkways with water. The Ordinance establishes penalties for violation of these regulations. In addition, MWA has established a goal of 10% municipal conservation by 2020. In an effort to meet this goal, development within the Town is to be consistent with the MWA Urban Water Management Plan.

#### *Water Demand Projections*

The EIR determined that estimated future water service demands at General Plan build out, including Annexations 2008-001 and 2008-002, would be 95,999.8 acre-feet per year.

**Table 7**  
**Estimated Future Water Service Demands at General**  
**Plan Build Out**

<b>Area</b>	<b>Water Demand Ac-ft/Yr</b>
General Plan Build Out including annexation lands	95,999.8
Annexation 2008-001 area	6,476.4
Annexation 2008-002 area	1,301.5
Town of Apple Valley	88,221.90
<b><i>Water Demand Factors used in the EIR:</i></b> Residential: 208 GPCPD Commercial: 1.98 Ac-Ft/Ac/Year Industrial: 1.61 Ac-Ft/Ac/Year Other Uses: 2.88 Ac-Ft/Ac/Year	



### *Annexation 2008-001*

The EIR stated that Annexation 2008-001 area was not serviced by any of the water purveyors listed in Table 10, above. Water for existing development, which was limited to scattered single-family residential development, was provided by private wells or water delivered by private haulers for storage in privately owned underground storage tanks.

The EIR determined that build out of Annexation 2008-001 could result in the development of approximately 4,236 dwelling units. Based on an average household size of 3.125 persons, Annexation 2008-001 was estimated to have a build out population of 13,238. Table 8, extracted from the EIR, shows estimated water demand within the annexation area.

**Table 8**  
**Estimated Water Demand at Build Out of Annexation 2008-001 Area**

<b>Land Use</b>	<b>Units</b>	<b>Demand Factor</b>	<b>Demand Ac-ft/Yr</b>
	<b>No. of Persons</b>	<b>Gallons Per Capita Per Day (GPCPD)</b>	
Residential	13,238	208.00	3,082.8
	<b>AC</b>	<b>Ac-Ft/Ac/Year</b>	<b>Ac-ft/Yr</b>
Commercial	773	1.98	1,530.6
Industrial	812	1.61	1,307.4
Other Uses	193	2.88	555.6
<b>Subtotal Non-Residential:</b>			<b>3,393.6</b>
<b>TOTAL:</b>			<b>6,476.4</b>

The EIR determined that build out of the Annexation 2008-001 area would contribute to cumulative increases in the demand for domestic water resources. Build out of the General Plan area, including the proposed Annexation 2008-001, would result in significant impacts to water resources, and the EIR included mitigation measures to reduce potential impacts to less than significant levels.

### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2019-001 Annexation area is largely undeveloped, however there are approximately 200 acres using water for various uses. Build out of the 2019-001 Annexation area could result in development of up to in 1,814,956 square feet of commercial space, 3,893,407 square feet of industrial space, 49,242 square feet of public facilities, and a total of 3,767 residential units

Since certification of the EIR, average household size in the Town has been reduced slightly, to 3.01 persons per household in 2019.<sup>2</sup> Based on this household size, the 2019-001 Annexation area could have a build out population of approximately 11,339 persons. The combined population total of the 2018-001 and 2019-001 Annexations would be 12,083, which is 1,155 fewer than analyzed in the 2008-001 Annexation.

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<sup>2</sup> California Department of Finance, 2019.



The water purveyors whose demand factors were used in the EIR have recently updated their water demand factors for residential, commercial, and industrial land uses. To calculate the water demand for the proposed 2019-001 Annexation, current water demand factors were used, and are shown in Table 9. Due to increased conservation in recent drought years, this estimate is expected to be conservative, but provides a direct correlation between the EIR analysis and the proposed 2019-001 Annexation's impacts plus those of the 2018-001 Annexation.

**Table 9**  
**Estimated Water Demand at Build Out of Proposed 2018-001 and 2019-001**  
**Annexation Areas**

Land Use	Units	Demand Factor	Demand Ac-ft/Yr
	No. of Persons	Gallons Per Capita Per Day (GPCPD)	
Residential: 2018-001	744	233	194
Residential: 2019-001	11,339	233	2,959
<b>Subtotal Residential:</b>			<b>3,153</b>
	AC	Ac-Ft/Ac/Year	Ac-ft/Yr
Commercial: 2018-001	590.31	1.92	1,133
Industrial: 2018-001	380.48	0.51	194
Commercial: 2019-001	189.39	1.92	364
Industrial: 2019-001	411.41	0.51	210
<b>Subtotal Non-Residential:</b>			<b>1,901</b>
<b>2018-001 +2019-001 Annexations TOTAL:</b>			<b>5,054</b>
Source: Residential factor from Liberty Utilities (formerly AVRWC (2010)) based on historical consumption for residential uses. Commercial factors based on CVWD (2016) factor for Commercial Land Use, assuming 35% return flow. Industrial factor based on CVWD (2016) factor for Industrial Land Use, based on 35% return flow.			

The tables above show that an estimated 5,054 AFY of water would be consumed at build out of both the 2018-001 and 2019-001 Annexation areas. Compared to Annexation 2008-001, this represents approximately 1,422 fewer AFY of water consumed.

The EIR determined that Apple Valley Ranchos Water Company (now known as Liberty Utilities Apple Valley) has sufficient water supplies for its service area through year 2025 under normal and drought conditions. It concluded that sufficient water should be available to serve the entire General Plan planning area, which includes the 2019-001 Annexation area, through year 2025. Because of the reduction in water demand as a result of the build out of the 2018-001 and 2019-001 Annexation areas combined, impacts associated with water resources will be reduced at build out of the current proposal.

In addition, future development in the 2019-001 Annexation area will be subject to water usage restrictions and all applicable rules and regulations to control water usage and runoff. The annexation area has the same setting related to water resources/quality, including the same hydrologic and flooding history, climate, surface and groundwater background, and soils, as that



analyzed in the EIR. During construction and at buildout, urban runoff resulting from storm flows could carry pollutants into the Mojave River and Bell Mountain Wash. To minimize the discharge and transport of pollutants, the Town and County will require future development to control the volume and rate of storm water runoff to prevent any deterioration of water quality, consistent with the standard requirements contained in NPDES permits. It is anticipated that future development in the 2019-001 Annexation area will be connected to the community sewer system. The sewer system will be subject to California Regional Water Quality Control Board (CRWQCB) approval.

The proposed annexation will not result in new or significantly greater impacts than those analyzed in the EIR. Impacts associated with water resources/quality will be reduced, and are expected to be less than significant with the implementation of the mitigation measures included in the EIR.



## **J. Land Use, Population, and Housing**

### Summary of Findings in the EIR

The Apple Valley General Plan that was in effect at the time the 2009 General Plan was proposed allocated land uses for all incorporated areas, resulting in a total of up to 50,053 residential units, 28,608,875 square feet of commercial land uses, and 37,848,814 square feet of industrial land uses at build out within Town limits. Build out of that General Plan would have resulted in a build out population of 152,813 within the Town limits, based on a 2008 Department of Finance household size of 3.053 persons per household.

The EIR determined that Apple Valley has developed most densely along major roadways in the Town (i.e. State Highway 18 and Bear Valley Road). Existing development became gradually less dense north of Highway 18 to Waalew Road, north of which existing development was scattered and relatively limited. The area surrounding the airport was comprised of lands that had been developed to a limited extent for industrial uses. The airport is centrally located within the approved North Apple Valley Industrial Specific Plan (NAVISP) area that provides for the industrial and commercial development of these lands.

Commercial centers in the Town include the Village commercial area along State Highway 18 between Navajo Road and Central Road; retail and office uses between Rancherias Road and Dale Evans Parkway, north to Thunderbird Road along Highway 18, in the vicinity of Town Hall and other public facilities associated with the Civic Center complex; and further west along Highway 18, near its intersection with Corwin Road, St. Mary Medical Center and associated medical offices and other commercial uses occur. The most recent and substantial commercial development in Town had occurred on Bear Valley Road.

Residential development in Apple Valley is concentrated in the southern and central portions of the Town, generally south of Waalew Road. Residential densities in these areas range from very low to high densities (1 dwelling unit per 5 acres or more, to 20 dwelling units per acre). The majority of single-family development in the Town occurs on lots of between 0.5 and 2.5 acres.

The EIR determined that the Town has numerous public and private open space areas, including parks and recreational facilities operated by the Town and parks associated with Apple Valley Unified School District (AVUSD) schools. Other recreational and open spaces include golf courses, and natural open space associated with the Mojave River, Apple Valley Dry Lake, Bell Mountain, and other notable landforms. Institutional development and public facilities are located amidst residential and other types of development.

### *Demographic Information*

The EIR analyzed U.S. Census data and determined that the population in the Town of Apple Valley grew from 46,079 in 1990 to 54,239 by 2000, an increase of approximately 17.7%. At the time the EIR was prepared (2008), the population was 70,092.



In 1990, the median age in Apple Valley was 30.8 years; by 2000, it had increased to 35.4 years. As of 2008, there were 24,925 housing units in the Town; this had increased from year 2000, when there were 20,161 housing units. There was an average of 2.903 persons per household in 2000; by 2008, this average had increased to 3.053.

The median household income in Apple Valley in 2000 was \$40,421, and had risen by approximately 34.4% in 2008, to \$54,323.

The median home price for existing homes in Apple Valley was \$338,000 in third quarter 2007, and had fallen to \$220,000 by third quarter 2008. At the time the EIR was prepared, home ownership was considered affordable to moderate income households in Apple Valley. However, new home prices exceeded those of the overall County of San Bernardino for the same period.

#### *General Plan Build Out Impacts*

The General Plan planning area analyzed in the EIR included 46,948.3 acres in the Town limits and 3,579.7 acres in two annexation areas. The proposed land use plan did not significantly change existing development patterns or land use designations within the Town limits. Within the annexation areas, it proposed a mix of residential (30.5%), commercial (18.9%), industrial (45.1%) and other (5.5%) land uses. At build out, the land use plan would have increased the number of residential units to 63,749 and increased the population to 194,931 when the Town limits and the two annexation areas were combined. It would have also increased the amount of commercial and industrial development. However, it would not have significantly changed the existing character of the Town because the same policies and development standards that had been applied to existing development were anticipated to be applied to future development, and impacts were determined to be less than significant within the Town limits.

#### *Annexation 2008-001*

According to the EIR, there were approximately 2,774.6 acres within the Annexation 2008-001 area. Of these, approximately 2,565.9 acres (92%) were vacant and undeveloped desert lands. The remaining approximately 8% were sparsely developed with single-family residences and paved and unpaved roadways. Lands in this annexation area were designated and zoned for Rural Living, Rural Living-5 (minimum 5-acre lots) and Neighborhood Commercial under the County General Plan.

The land use plan in the County General Plan for Annexation 2008-001 included almost exclusively low intensity residential development, with only a small (7.9 acre) area of commercially designated land in the northeast corner of the area. At build out, the annexation area would have included 2,067 residential units and 53,192 square feet of commercial development, as shown in Table 10.



**Table 10**  
**Statistical Summary of Land Uses**  
**County General Plan – Annexation 2008-001**

<b>Land Use Designation</b>	<b>Developed</b>	<b>Vacant</b>	<b>Total</b>			
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<b>Residential Designations</b>				<b>Existing Units</b>	<b>Potential Units</b>	<b>Total Units</b>
Rural Living	151.6	1,982.4	2,134.0		1,982	1,982
Rural Living, 5 AC.	14.2	425.5	439.7		85	85
			<b>Total</b>	<b>-</b>	<b>2,067</b>	<b>2,067</b>
<b>Commercial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Neighborhood Commercial		7.9	7.9	<b>-</b>	<b>53,192</b>	<b>53,192</b>
<b>Other Designations</b>						
Street Rights-of-Way	42.8	150.1	192.9			
<b>Grand Total</b>	<b>208.7</b>	<b>2,565.9</b>	<b>2,774.6</b>			

The EIR analyzed the changes in land use designation proposed for Annexation 2008-001, which would have resulted in up to 4,236 residential units, 7,135,369 square feet of commercial development, and 7,782,275 square feet of industrial development at build out, as shown in Table 11.



**Table 11**  
**Statistical Summary of Land Uses**  
**Town of Apple Valley General Plan – Annexation 2008-001**

<b>Land Use Designation</b>	<b>Developed</b>	<b>Vacant</b>	<b>Total</b>	<b>Existing Units</b>	<b>Potential Units</b>	<b>Total Units</b>
<b>Residential Designations</b>						
Estate Residential	55.7	722.3	778.0		722	722
Medium Density Residential	41.4	177.3	218.7		2,659	2,659
Mixed Use	0.0	94.8	94.9		854	854
			<b>1,091.6</b>	<b>-</b>	<b>4,236</b>	<b>4,236</b>
<b>Commercial Designations</b>						
				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Mixed Use	0.0	94.9	94.9	-	636,612	636,612
General Commercial	11.7	40.8	52.6	112,202	391,415	503,617
Regional Commercial	7.2	435.3	442.5	69,069	4,171,433	4,240,502
Office Professional	0.0	183.1	183.1	-	1,754,639	1,754,639
			<b>773.0</b>	<b>181,271</b>	<b>6,954,099</b>	<b>7,135,369</b>
<b>Industrial Designations</b>						
				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Planned Industrial	49.72	762.4	812.1	476,523	7,305,753	7,782,275
<b>Other Designations</b>						
Street Rights-of-Way	42.8	150.1	192.9			
<b>Grand Total</b>	<b>208.7</b>	<b>2,565.9</b>	<b>2,774.6</b>			

The EIR determined that, as development occurred in Annexation 2008-001, the rural character of existing scattered residential development and open space would be changed significantly by the proposed land use designations. Impacts were expected to be reduced, to some extent, by implementation of General Plan policies and programs designed to provide buffers between residential and commercial or industrial land uses. The Town's Development Code also included such standards, which would require any development to appropriately protect surrounding residential development. It was determined that development of the area would not displace a substantial number of homes or residents. Development in the annexation area was not expected to occur in the short-term due to a lack of available infrastructure and economic constraints. Nonetheless, in the mid- to long-term, development would occur in this area, and impacts resulting from proposed land use changes could not be mitigated to less than significant levels. As a result, the anticipated changes in land use designations within Annexation 2008-001 were determined to be significant and unavoidable.



## Analysis of the Proposed 2019-001 Annexation Plus the 2018-001 Annexation

### *Demographics*

Based on U.S. Census Bureau data, the population in the Town of Apple Valley grew from 69,135 in 2010 to 73,508 by 2018, an increase of approximately 6.3%.<sup>3</sup>

In 2010, the median age in Apple Valley was 35.2 years, whereas in 2017 it had increased to 37.2 years. As of 2017, there were 26,047 housing units in the Town; this figure had increased from year 2010, when there were 24,683 housing units. There was an average of 3.43 persons per household in 2010; by 2019 this average had decreased to 3.01.<sup>4</sup>

The median household income in Apple Valley in 2010 was \$50,066, which had slightly increased by approximately 1.67% in 2017, to \$50,907. The median value of new homes in Apple Valley also dropped from \$262,100 in 2010 to \$215,800 in 2017.<sup>5</sup>

### *Proposed Land Use Plan*

The proposed 2019-001 Annexation land use plan encompasses 1,424 acres and includes residential, commercial and industrial land uses. Table 4 shows the proposed land uses, acreages, and development potential within the annexation area. The 2019-001 Annexation proposes amendments to Annexation 2008-001 that has the potential to result in 1,814,956 square feet of commercial space, 3,893,407 square feet of industrial space, 49,242 square feet of public facilities, and a total of 3,767 residential units at build out

The previously approved 2018-001 Annexation land use plan encompasses 1,304 acres, and includes residential, commercial and industrial land uses. Table 3 shows the proposed land uses, acreages, and development potential within the annexation area. If the area were to build out under the proposed land use designations, a total of 247 residential units, 5,657,058 square feet of commercial space, and 3,646,216 square feet of industrial space would be developed. In addition, approximately 86.4 acres would be improved as street right-of-way.

### *Buildout Comparisons of Annexation 2008-001 vs 2018-001 Plus 2019-001 Annexation*

The 2018-001 and 2019-001 Annexation areas cover virtually 100% (2,730 acres) of the area covered by Annexation 2008-001<sup>6</sup>. The combination of the 2018-001 and 2019-001 Annexations would result in a total of 1,085 acres of residential lands with 4,014 residential units, a reduction of 212 units compared to build out under the General Plan land use plan; approximately 780 acres of commercial land with 7,472,015 square feet of commercial space, an increase of 336,646 square feet compared to build out under the General Plan land use plan; and approximately 786 acres of industrial land with 7,539,623 square feet of industrial space, a reduction of 242,652 square feet compared to build out under the General Plan land use plan. Finally, as shown in Table 12, the

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<sup>3</sup> U.S. Census Bureau; American Fact Finder: American Community Survey (ACS) Demographics and Housing Estimates 2013-2017. Accessed November 2019.

<sup>4</sup> California Department of Finance, 2019.

<sup>5</sup> U.S. Census Bureau; American Fact Finder: American Community Survey (ACS) Demographics and Housing Estimates 2013-2017. Accessed November 2019.

<sup>6</sup> The 44-acre difference from 2,774 acres to 2,730 is due to GIS mapping improvements made from 2008 to 2019. The 2018-001 and 2019-001 Annexation areas combined make up the entire 2008-001 Annexation area.

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2018-001 and 2019-001 Annexations would result in a decrease in total population within the area, when compared to the build out population of Annexation 2008-001 due to the decrease in residential units.

**Table 12**  
**Comparison of Potential Build Out Population**  
**Annexations 2018-001 Plus 2019-001**  
**vs. 2008-001 Annexation**

	<b>Number of Dwelling Units</b>	<b>Average household Size</b>	<b>Estimated Build Out Population</b>
Annexation 2008-001	4,236	3.125	13,238
2018-001 and 2019-001 Annexations:			
2018-001 Annexation area	247	3.01*	744
2019-001 Annexation area	3,767	3.01*	11,339
		Total:	12,083
		<b>Difference</b>	<b>- 1,155 *</b>
* Based on updated (2019) average household size			

When combined with the 2018-001 Annexation, the proposed 2019-001 Annexation represents a decrease in overall development intensity, and in potential land use impacts when compared to those analyzed in the EIR. Therefore, the implementation of the 2019-001 Annexation will be comparable, if not slightly reduce, land use, housing, and population impacts compared to the Annexation 2008-001 impacts described in the EIR. In addition, housing planned within Town limits and in the annexation area is sufficient to meet the Town's long term anticipated growth, as determined by the Southern California Association of Governments, which anticipates a need for 34,800 housing units in 2040.<sup>7</sup>

#### *Other Land Use and Planning Impacts*

The 2019-001 Annexation area is predominantly undeveloped, however approximately 200 acres are developed with scattered residential uses. As previously discussed, the EIR determined that the rural character of existing scattered residential development and open space would be changed significantly by the proposed land use designations. The lands within the 2019-001 Annexation area will develop at the intensities considered in the EIR and, at build out, will constitute a substantial change in character compared to existing conditions. Although the 2019-001 Annexation will slightly decrease land use impacts, the impacts at build out will remain significant, as they were in the EIR.

As discussed in the EIR, implementation of the 2019-001 Annexation would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the Town General Plan, Town Municipal Code, County General Plan, and County Development Code) adopted for the purpose of avoiding or mitigating an environmental effect, insofar as development would be controlled by each jurisdiction in a manner consistent with its policies and standards.

<sup>7</sup> 2016-2040 RTP STS, Demographics and Growth Forecast, Southern California Association of Governments, April 2016.



The 2019-001 Annexation would have no potential to conflict with a Habitat Conservation Plan or Natural Community Conservation Plan, since the project site is not located within or adjacent to a designated reserve area. Furthermore, the lands within the 2019-001 Annexation will be subject to the requirements of the MSHCP, when implemented, including the payment of development impact fees and the implementation of its standards. As such, no impact would occur, and implementation of the 2019-001 Annexation would not result in any new impacts or increase the severity of a previously identified significant impact as analyzed in the EIR.



## **K. Mineral Resources**

### Summary of Findings in the EIR

The EIR determined that the mineral resources located within the Town of Apple Valley are found primarily along or near the Mojave River or in the surrounding mountains, and include sand, gravel, and stone deposits that are suitable as sources of concrete aggregate. The Town has designated 452.5 acres for mineral resources land use. Of this, approximately 111.56 acres were developed for mining and processing of aggregate materials, and the remaining 340.95 acres were designated for the use and production of mineral resources. The EIR stated that the mining activities may be incompatible with surrounding land uses, as dust, noise, and heavy truck traffic may create conflicts with residential and commercial uses. The designation of mineral resources land use therefore has some impact on the potential uses of adjacent lands, and development proposals could be submitted to the Town that may generate land use conflicts with aggregate and limestone quarries. However, thoughtful application of the Town's land use policies will reduce potential impacts from adjacent conflicting land uses to less than significant levels.

### *Annexation 2008-001*

The EIR determined that impacts from mineral resource operations would impact the Annexation 2008-001 area to the same extent they impact other northern parts of the planning area. Land use designations within the annexation area have been determined to be compatible with mineral resource operations. Implementation of the Town's policies and standards concerning effective buffering, maintenance of air quality, and control of noise and light emissions will reduce potential impacts in the annexation area to less than significant levels.

The EIR included a number of mitigation measures to ensure the reduction of potential impacts resulting from mineral resource extraction to acceptable levels.

### Analysis of the Proposed 2019-001 Annexation

The proposed 2019-001 Annexation area is designated as MRZ 3a, defined as "areas containing known mineral deposits of undetermined significance. No known State-designated mineral resource areas have been identified within the annexation area or surrounding areas. Neither Annexation 2008-001 nor the 2019-001 Annexation propose heavy industrial uses or mineral development activities. Further, implementation of the 2019-001 Annexation would not impede the potential for direct use or future exploration of mineral resources.

In the General Plan Land Use Map, the 2019-001 Annexation area is designated for residential, commercial, and light industrial development and will result in a similar mix of land uses and square footage as compared to Annexation 2008-001. The development of the proposed annexation area will be in accordance with the requirements of the General Plan, Town Development Code, and other applicable regulations.



Therefore, like Annexation 2008-001, the proposed annexation would result in less than significant impacts regarding mineral resources. Overall, implementation of the 2019-001 Annexation would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the Certified EIR.



## **L. Noise**

### Summary of Findings in the EIR

The EIR determined that the Town of Apple Valley generally enjoys a quiet noise environment. The community noise environment is dominated primarily by motor vehicle traffic on highways and major arterials, including U.S. Interstate 15, which forms a portion of the Town's northwest boundary and the westerly boundary of both Annexation 2008-001 and the 2018-001 Annexation. Other noise generators in the local environment include operations associated with general aviation aircraft at the Apple Valley Airport in the northeast portion of the General Plan planning area, and rail lines that serve local and regional mineral extraction operations and have a limited impact on portions of the planning area to the north, south, and west.

There are a variety of noise sensitive land uses throughout the General Plan planning area, including but not limited to schools, hospitals, rest homes, long-term care facilities, residential uses, places of worship, libraries, and passive recreation areas. Potential land use incompatibilities related to noise occur when residential areas or other sensitive receptors are located in proximity to industrial and commercial uses.

#### *Noise Level Increases Over Existing Conditions*

Future noise contours along roadways in the General Plan area were modeled to ascertain the extent of future noise impacts associated with General Plan build out. The build out of the General Plan was expected to result in increases in noise levels of up to 16.3 dBA CNEL over existing conditions. Increases in noise levels were expected to be perceptible to land uses adjacent to 44 roadway segments in the planning area.

#### *Impacts from Proposed Truck and Bus Routes*

The EIR determined that the primary through truck routes would continue to be located along major roads, including Interstate 15, Bear Valley Road, State Route 18, Central Road, Deep Creek Road south of Bear Valley Road, and along the future High Desert Corridor. Additional truck traffic along these roadways was expected to increase noise impacts to adjacent development, which along some roadway segments includes sensitive receptors such as residential development, schools, the hospital, and others. Mitigation measures were set forth in the EIR to address noise impacts along truck routes.

Future bus routes were expected to provide for new and expanded service along major roadways, such as Central Road, Bear Valley Road, Kiowa Road and others in the intermediate term, and along Apple Valley Road, Corwin Road, and other roadways in the central and northern portions of the planning area over the long term. Impacts were expected to be at least partially off-set by reductions in other vehicular traffic associated with increased use of public transportation. The Town was to continue to monitor noise impacts associated with expanded and additional bus routes and bus stops where these were planned near sensitive receptors. Mitigation measures were set forth in the EIR to address these issues.



### *Impacts from Railroad Noise*

The EIR determined that the proposed General Plan and annexations would not result in changes to operations along existing freight rail lines in the planning area. However, it was assumed that freight train traffic would double over existing conditions, and that noise generated by trains would occur more often compared to existing conditions.

### *Impact from Airport Operations*

The EIR determined that the County of San Bernardino planned to expand the Apple Valley Airport into a hub to better serve industrial and commercial development in and adjacent to the North Apple Valley Industrial Specific Plan area, in which the airport is located. At the time the EIR was prepared, the County had recently approved the construction of airport upgrades, including 18 new hangars, and improvements to the terminal and taxiways to accommodate larger corporate aircraft. The EIR determined that no significant impacts were anticipated to residential development or other land uses in the vicinity.

### *Construction Noise*

The EIR determined that during the construction of projects leading to General Plan build out, site grading and preparation would generate the loudest noise levels, beyond the level of comfort to the human ear. Construction noise would be generally short-term and could be mitigated to acceptable levels by adherence to the noise standards of the Municipal Code and a variety of other mitigation measures that were provided in the EIR.

### *Annexation 2008-001*

The EIR determined that, at build out, Annexation 2008-001 would include up to 4,236 residential units, 7,135,369 square feet of commercial development, and 7,782,275 square feet of industrial development. Buildout of Annexation 2008-001 represented substantial increases over existing development and had the potential to result in adverse impacts to the existing noise environment. Noise impacts were expected to be primarily associated with temporary construction noises and gradually increasing traffic volumes as this area developed. Site-specific design features that mitigate noise impacts would need to be implemented to limit noise impacts to acceptable levels. All noise associated with new development in the annexation area would be subject to the Town's noise ordinance and other mitigation measures described in the EIR. With the implementation of mitigation measures, build out of Annexation 2008-001 would result in less than significant impacts associated with noise.

### *Summary of Impacts*

Overall, the EIR determined that the proposed General Plan and annexations would result in increases to community noise levels from increased urbanization and associated activities, including short-term construction noise, and increases in motor vehicle traffic and other modes of transportation. Site-specific impacts would be mitigated on a project-by-project basis at the time such development was proposed. The EIR included a number of mitigation measures to ensure the reduction of potential noise impacts to acceptable levels.



### Analysis of the Proposed 2019-001 Annexation

Build out of the 2019-001 Annexation will increase noise levels in and around the area due to the development of residential, commercial, and industrial land uses. Primary noise sources will include motor vehicle traffic, noise from refrigeration and heating/ventilation/air conditioning (HVAC) units, landscape equipment, and construction machinery. The 2019-001 Annexation area is located within the boundaries of Annexation 2008-001, for which noise impacts were previously analyzed as part of the EIR. The 2019-001 Annexation proposes land use categories that are similar to those proposed under Annexation 2008-001, and does not propose any land uses that would substantially alter the noise environment compared to Annexation 2008-001, such as heavy industrial operations or high-speed transportation corridors.

Site-specific noise analyses will be required on a project-by-project basis to identify effective noise reduction measures, as needed. Structures will be required to meet the most recent version of the California Building Code noise insulation standards. Adherence to the noise standards set forth in the Municipal Code and other regulations, as well as implementation of the mitigation measures provided in the EIR, will reduce potential noise impacts to less than significant levels. Noise impacts to these areas, therefore, will be similar to those considered in the EIR, and will not result in any greater impacts than those analyzed in the EIR.

Construction activities associated with build out of Annexation 2019-001 would be required to comply with the City's allowable construction hours, and would also be temporary in nature. Since temporary construction noise is exempt from the City's noise ordinance requirements, construction-related noise would result in less than significant noise impacts. The same mitigation measures provided in the EIR would be required as part of any future development to ensure that the noise impacts associated with construction activities would be reduced to the maximum extent feasible. Therefore, construction-related noise under Annexation 2019-001 would not result in any new impacts or increase the severity of a previously identified significant impact previously analyzed in the EIR.

Post-construction activities would include residential, commercial, and industrial operations that would not be expected to generate long-term or excessive groundborne noise or vibration. Groundborne noise or vibration under Annexation 2019-001 is expected to be less than significant and less than that of Annexation 2008-01 due to reduced overall acreage and development potential. Long-term operations would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the EIR.

The 2019-001 Annexation area is not located in the vicinity of a private airstrip. Given the Annexation area's distance from the Apple Valley Airport and its location outside of the airport's 60-dBA noise contour, adverse aircraft noise impacts are not expected to occur. Like Annexation 2008-001, the 2019-001 Annexation would not result in the exposure of people residing or working in the area to excessive airport-related noise levels.

Overall, build out of the 2018-001 Annexation will result in impacts that are lower than what was analyzed for Annexation 2008-001 in the EIR.



## **M. Public Services and Facilities**

### Summary of Findings in the EIR

#### *Service Providers*

The EIR determined that the General Plan planning area is located within the service boundaries of a wide range of public services and facilities providers, which are listed below.

- **Public Schools:** Apple Valley Unified School District
- **Library Services:** San Bernardino County Library System
- **Law Enforcement:** Apple Valley Police Department/San Bernardino County Sheriff's Department
- **Fire Protection:** Apple Valley Fire Protection District
- **Health Services:** St. Mary Medical Center
- **Electricity:** Southern California Edison
- **Natural Gas:** Southwest Gas Company
- **Telephone Services, Internet and Cable Television:** Verizon, Charter Communications
- **Domestic Water:** Apple Valley Ranchos Water Company, Golden State Water Company, various small water purveyors
- **Wastewater Collection/Treatment:** Town of Apple Valley Public Works Division, Victor Valley Wastewater Reclamation Authority
- **Solid Waste Management:** Burrtec Waste Industries

#### *Schools*

The EIR determined that the Apple Valley Unified School District (AVUSD) operates 18 schools within its District, including 9 elementary, 3 middle, and 2 high schools, as well as one continuation school in the General Plan planning area. In addition, at the time the EIR was certified, AVUSD was operating an alternative education center offering adult education, a magnet school, and a charter school. Table 13, reproduced from the EIR, identifies the AVUSD schools, locations, grades served, 2007-08 school enrollment, and total capacity.



**Table 13**  
**Apple Valley Unified School District Schools**

<b>School</b>	<b>Location</b>	<b>Grades Served</b>	<b>Enrollment (2007-08)</b>	<b>Capacity</b>
<b>Elementary</b>				
Desert Knolls	18213 Symeron Drive	K-5	529	795
Mariana	10601 Manhasset Rd.	K-5	609	702
Mojave Mesa	15552 Wichita Rd.	K-5	607	655
Rancho Verde	14334 Pioneer Road	K-5	716	725
Rio Vista	13590 Havasu Road	K-5	693	795
Sandia	21331 Sandia Rd.	K-5	757	795
Sitting Bull	19355 Sitting Bull Rd.	K-5	569	761
Sycamore Rocks	23450 South Road	K-5, Visual/Perf. Arts	557	725
Yucca Loma	21351 Yucca Loma Road	K-5	669	865
<b>Middle</b>				
Apple Valley	12555 Navajo Road	6-8	921	1,664
Sitting Bull	19445 Sitting Bull Road	6-8, Technology	1,267	1,231
Vista Campana	20700 Thunderbird Road	6-8	876	1,408
<b>High Schools</b>				
Apple Valley	11837 Navajo Road	9-12	1,978	2,813
Granite Hills	22900 Esaws Road	9-12	2,140	2,494
Willow Park	21950 Nisqually Road	9-12	147	406
<b>Other</b>				
Alternative Education Center	13063 Pawnee Road	K-12	498	N/A <sup>1</sup>
Academy for Academic Excellence (Lewis Center; Charter)	20702 Thunderbird Road	K-2	120	120
Academy for Academic Excellence (Lewis Center; Charter)	17500 Mana Road	3-12	855	880
Vanguard Preparatory (Magnet)	12951 Mesquite Road	K-8	1,192	1,086
<b>Adult Education</b>			39	N/A <sup>3</sup>
<b>Source:</b> Town of Apple Valley General Plan and Annexations 2008-001 & 2008-002/Environmental Impact Report (Table III-52).				

The EIR described that the District completed an update to its Master Plan in 2007, which planned for facilities over a six-year period, through 2012. It was also determined that the District generally purchases property and plans for new facilities in proximity to areas where the Town has approved Tract maps.



The EIR explained that Assembly Bill 2926, passed by the California State Legislature in 1986, allows school districts to assess development fees for construction and reconstruction of public schools. At the time, the EIR was prepared, the AVUSD development fees were as follows:

- Residential (new construction): \$3.60 per square foot; and
- Commercial (all): \$0.47 per square foot

#### *Private Schools and Higher Education Institutions*

The EIR determined that there were several private schools in the Town, including Apple Valley Child Care Center, Apple Valley Christian School, Valley Christian Schools, Apple Valley Private School Learning Center, Apple Valley Village School, High Desert Haven, St. Timothy's Episcopal School, St. Mary's Regional Catholic School, and Mojave Christian.

Higher education institutions serving residents of the Town and the region included Victor Valley College in the City of Victorville, and Redlands University. In addition to its primary campus in Redlands, the University offered evening courses at the AVUSD Academy for Academic Excellence (AAE) school site on Mana Road in Apple Valley.

#### *Other Educational Initiatives*

At the time, the EIR was certified, the AAE and Redlands University were exploring the potential for future development of a four-year college or university at the campus. The college was envisioned as a partnership between several colleges and universities in the region and would focus on providing teacher education and credentialing.

The EIR determined that, at build out, the proposed General Plan and annexation areas were expected to result in the construction of approximately 63,749 dwelling units. Based on AVUSD student generation factors by grade level and type of residential development, the build out enrollment was projected to be 29,899 (Table III-53 in the EIR).

#### *Annexation 2008-001*

The EIR determined that the AVUSD District boundaries included the Annexation 2008-001 area, and AVUSD would provide public education services and facilities to that area. Build out of the annexation area was expected to result in development of 4,236 dwelling units, resulting in 1,598 buildout enrollments.

The EIR stated that the since new development would occur over time, student populations would also be expected to increase gradually, and were therefore not expected to significantly impact AVUSD schools. AVUSD facilities planning would provide for new school sites as population within the District increased, based on tract map approvals within the Town. Further, AVUSD would continue to receive developer impact fees for residential, commercial, and industrial development. While these measures were expected to minimize impacts to AVUSD schools, mitigation measures were set forth in the EIR to ensure that any potential adverse effects to public schools were reduced even further.



Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

Build out of the 2019-001 Annexation area has the potential to result in 532 single-family residential units and 3,235 multi-family residential units. The 2018-001 Annexation would result in 247 single-family residential units. Based on the same student generation rates used in the EIR, the following table provides an estimate of total student enrollment at build out of the 2018-001 plus 2019-001 Annexation areas.

**Table 14**  
**Potential School Enrollment at 2018-001 Plus 2019-001 Annexation**  
**Build Out**

<b>Grade Level</b>	<b>Potential Build Out Units</b>	<b>Student Generation Rate</b>	<b>Build Out Enrollment</b>
<b>K-5</b>			
Single-Family	779	0.2401	187
Multi-Family	3,235	0.1826	591
<b>6-8</b>			
Single-Family	779	0.1418	111
Multi-Family	3,235	0.0743	241
<b>9-12</b>			
Single-Family	779	0.1838	144
Multi-Family	3,235	0.0816	264
<b>Total</b>			<b>1,538</b>

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Based on Student Generation Rates, Apple Valley Unified School District Residential Development School Fee Justification Study, March 4, 2008.

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Compared to Annexation 2008-001, this represents a decrease in potential residential development and associated build out enrollments. At build out, the 2018-001 annexation is expected to generate 60 fewer students and would not create new impacts associated with public services and facilities. Impacts would be less than those identified in the Certified EIR.

***Libraries***

The EIR determined that the Newton T. Bass Apple Valley Library, located adjacent to Town Hall off of Dale Evans Parkway, was a 19,142 square foot facility that provided Apple Valley residents access to over 20,000 hardcopy books as well as an online database containing electronic periodicals, magazines, and encyclopedias. The library offered a number of programs and community events, including resources for illiterate and visually impaired residents, the LITE program for younger children, the Kids and Crafts program for children ages 5 to 12, and programs geared towards teens. Adult programs included the free literacy program, book and poetry clubs, and volunteer opportunities.

At the time EIR was certified, the estimated Town population was 70,092, for which the public library in Apple Valley was providing approximately 0.27 square feet of library space per capita. The County Plan indicated that additional library funding would be needed to meet a standard of



0.5 to 0.6 square feet per capita, and addressed expansion of the library in Apple Valley to provide facilities consistent with the national average, approximately 0.45 square feet per capita. The EIR determined that the library facilities would require expansion in the future to meet future demand as the Town's population increased. The Town and the County of San Bernardino were to continue to monitor library circulation data, and a plan for expansion of services and facilities would also be needed. At the time EIR was certified, there was no indication that the library in Apple Valley was over-utilized or unable to meet the demand generated by residents. Impacts to library services were found to be less than significant with the implementation of mitigation measures.

#### *Annexation 2008-001*

The EIR determined that at build out, Annexation 2008-001 was expected to have a population of 13,238. Based on the standard of 0.45 square feet per capita that is indicated in the County's Master Plan, the build out population of the annexation area would be adequately served by approximately 5,957 square feet of library facilities.

The EIR also determined that development facilitated by the General Plan and Annexation 2008-001 was expected to occur gradually, which would not result in immediate impacts to County library services.

Overall, without mitigation, impacts associated with build out of the proposed General Plan and Annexation 2008-001 were expected to be significant. Therefore, mitigation measures were set forth in the EIR to ensure that any potential adverse effects to libraries would be reduced to less than significant levels.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

At build out, the new annexation plus the 2018-001 Annexation is expected to generate a slightly smaller population (i.e. 12,083 persons) and originally proposed in the EIR, which in turn would result in a need for 5,438 square feet of library space. This demand would be less than significant, and would not create any new impacts associated with library services. Impacts would be less than those identified in the EIR.

#### ***Law Enforcement***

The EIR determined that the Town of Apple Valley contracts with the San Bernardino County Sheriff's Department for law enforcement services within the Town limits. At the time EIR was certified, the Annexation 2008-001 area was also under the jurisdiction of the Sheriff's Department.

The Apple Valley Police Department was located in the Apple Valley Civic Center at 14931 Dale Evans Parkway. There was also an un-staffed substation used for report writing and other administrative tasks located at 21989 Outer State Highway 18. Staffing at the Apple Valley Police Department consisted of 49 sworn personnel and 14 civilian/general employees. The Department had set a target ratio of 1 deputy per 1,500 residents.



The EIR determined that the implementation of the General Plan and Annexation 2008-001 was expected to result in a total build out population of approximately 194,931 residents. To maintain the target ratio of 1 deputy per 1,500 residents at General Plan build out would require a total of 130 deputies, which is an increase of 81 deputies as compared with 2009 staffing levels. This would require a significant increase in the number of deputies and level of police protection afforded to the residents of the Town. An increase in the number of deputies, associated staff, equipment, and patrol vehicles could result in substantial costs to the Town. However, the demand for additional police protection services would increase gradually, and an increase in Town revenue was also expected with General Plan build out.

Overall, without mitigation, impacts associated with build out of the proposed General Plan and Annexation 2008-001 were expected to be significant. Therefore, mitigation measures were set forth in the EIR, including review of new project proposals by the Sheriff's Department and continued monitoring of staffing levels, to ensure that any potential adverse effects to law enforcement would be reduced to less than significant levels.

#### *Annexation 2008-001*

The EIR determined that at build out, Annexation 2008-001 was expected to have a population of 13,238. Based on the standard of one deputy per 1,500 population, the build out population of the annexation area would have required an additional 9 deputies. As with the Town limits, this build out was expected to occur gradually, and the mitigation measures included in the EIR would be applied to the annexation area, resulting in less than significant impacts on police services.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

At build out, the 2018-001 plus 2019-001 Annexation is expected to generate fewer people (i.e. 12,083 persons) than Annexation 2008-001. This would not create any new impacts associated with police services, and any such impacts would be less than those identified in the EIR.

#### ***Fire Protection***

The EIR determined that the Town of Apple Valley receives fire protection services from the Apple Valley Fire Protection District (AVFPD). AVFPD is an independent District that serves the Town and unincorporated areas of San Bernardino County. The District's approximately 206 square mile service area extended easterly from the Mojave River as far as the dry lakes toward Lucerne Valley.

At the time EIR was certified, the District had 20 paid-call, 5 part-time, and 54 career (paid, full-time) staff. Of these, 50 were assigned to the following seven stations within the District:

1. **Station No. 331** at 22400 Headquarters Drive has 12 staff, and is equipped with a Type-1 engine, a Type-2 water tender, and a medium-level rescue vehicle.
2. **Station No. 332** at 18857 Highway 18 has 9 staff. Equipment includes a Type-1 engine and a Type-3 engine.



3. **Station No. 333** at 20604 Highway 18 is staffed with private ambulance company personnel.
4. **Station 334** at 12143 Kiowa Road has 9 staff, a Type-1 engine, and a Type-3 engine.
5. **Station No. 335** at 21860 Tussing Ranch Road is staffed by paid-call staff only. This means that staff members are alerted via pager to calls within the response area. The station is equipped with a Type-1 engine and a Type-3 water tender.
6. **Station No. 336** at 19235 Yucca Loma Road has 6 career and 10 paid-call staff, and is equipped with a rescue squad vehicle, a Type-1 engine, a Type-4 engine, an Incident Command bus, an Incident Support unit and a Type-2 truck.
7. **Station No. 337** at 19305 Jess Ranch Parkway was added in October 2007. Staffing has been expanded, as of April 2008, from 2 to 4 staff members. The station is equipped with a Type-4 Medic Patrol, a Hazmat Trailer, and a Reserve Squad.

The EIR determined that the AVFPD maintains a mutual aid agreement with other agencies in the region, including the City of Victorville, San Bernardino County, and the Bureau of Land Management. A joint dispatch center located in Victorville served the mutual aid agencies.

The EIR determined that the AVFPD had established a desired staffing ratio of approximately 1 full-time fire personnel per 1,500 persons. With a population of 70,092 in the Town, the staffing level exceeded the desired staffing ratio.

The District's desired response time is 6 minutes. At the time the EIR was prepared, the District averaged a response time within the Town limits of 6 minutes and 25 seconds.

#### *Annexation 2008-001*

The EIR determined that, at build out, Annexation 2008-001 area would be developed with additional residential, commercial, and industrial uses that would result in increased demand for fire protection services. Based on the desired ratio cited above, at build out the annexation area would require 9 full-time fire personnel.

Overall, it was determined that the build out of the proposed General Plan and both the annexation areas was estimated to result in a population of approximately 194,931 residents. This increased population would increase demand for fire protection services including personnel, equipment, and facilities. Based on the AVFPD desired ratio of 1 full-time personnel per 1,500 population, at buildout of the General Plan there would be 130 full-time fire personnel on staff. Costs associated with the provision of new fire facilities and equipment, as well as the infrastructure to deliver adequate fire flows, could be significant. The District, however, was a taxing entity whose revenues increase as development occurs. In addition, the EIR included multiple mitigation measures designed to reduce impacts associated with fire protection to less than significant levels, including coordination between the Town and the District, review of project proposals, and coordination with water providers to assure sufficient fire flows. The implementation of these mitigation measures would reduce impacts to fire protection to less than significant levels.



### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

At build out, the 2018-001 annexation area is expected to generate fewer people (i.e. 12,083 persons) than the Annexation 2008-001 area. This decrease would be less than significant than that analyzed in the EIR, and would not create any new impacts associated with fire protection services.

#### ***Health Care Services***

The EIR determined that St. Mary Medical Center, located at 18300 Highway 18, is a 186-bed hospital, and the largest health care facility in the Town. The approximately 90-acre campus provides acute, general, medical-surgical, and intensive care, and includes a 24-hour emergency room and a variety of other in- and out-patient medical services. At the time EIR was certified, the facility encompassed approximately 215,000 square feet, including offices. The hospital was designated as a Level III trauma care center, which is the lowest level of trauma care. The EIR determined that the near-term (5-year) plans included construction of new acute care facilities with the intention of attaining Level I trauma care status.

The EIR determined that the County of San Bernardino High Desert Juvenile Detention and Assessment Center (HDJDAC) was located at 21101 Dale Evans Parkway. Opened in 2004, the 200-bed facility is a short-term residential facility wherein short-term juvenile offenders can receive special programs and public schooling while awaiting hearing before a judge.

Several residential senior care facilities are located in Apple Valley and provide services ranging from independent to assisted living facilities and skilled nursing care. Some facilities also offer specialized care for persons with Alzheimer's or other forms of dementia.

*Other Medical Facilities in the Region:* At the time EIR was certified, there were two other hospitals in the vicinity of the General Plan area: Victor Valley Community Hospital, located approximately 5 miles west of Apple Valley; and Desert Valley Hospital, located approximately 10 miles to the southwest. Victor Valley Community Hospital, licensed for 115 beds, included 24-hour/7-day a week emergency services and an on-site heliport. Desert Valley was licensed for 83 beds. Both centers included acute care hospitals.

In addition, injured persons requiring Level I care were transported to the Loma Linda Medical Center, approximately 51 miles from Apple Valley. Loma Linda had 900 beds and was the only Level I trauma center for Inyo, Mono, San Bernardino, and Riverside counties.

The EIR determined that the health care facilities inside and outside the planning area would be impacted by build out of the General Plan and Annexation 2008-001 area, and should continue to plan for regional growth. Other health care providers, such as Victor Valley Community Hospital and Desert Valley Hospital, were also expected to continue to expand to maintain adequate services as needs were identified.



Overall, without mitigation, impacts associated with build out of the proposed General Plan and Annexation 2008-001 were not expected to be significant, because as private providers of medical care, they would expand their facilities as demand increased. Therefore, no mitigation measures were required.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

At build out, the 2018-001 plus 2019-001 Annexation areas are expected to generate fewer permanent residents than were projected at build out of Annexation 2008-001. This would result into lesser impacts associated with health care services for residents, visitors, and employees than what was disclosed in the EIR. Impacts would remain less than significant, and the 2019-001 Annexation would not introduce any new or significantly increased impacts.

#### ***Electricity***

The EIR explained that Southern California Edison (SCE) provides electrical services to the General Plan area. At that time, SCE had four major electric transmission corridors in the region, each with 115kV lines. Power from these lines was provided to businesses, industrial plants, institutions, and residences in the planning area via distribution facilities and circuits ranging from 33kV to 6.9kV. There were three SCE substations in Apple Valley, with voltages of 33kV to 115kV. All new electric lines of 34.5kV or less in Apple Valley were required to be undergrounded, in compliance with Town Ordinance 14.28.020. SCE was conferring with the Town to determine a location for a new planned 115/12kV substation to serve newly developing areas by year 2013. Based on its 2008, 10-year load forecasts, SCE was expecting to be able to provide electrical service to future development in the Town and Sphere of Influence, including the proposed Annexation 2008-001 area.

The EIR calculated electrical consumption for build out of the General Plan and annexations based on South Coast Air Quality Management District (SCAQMD) estimated electricity usage rates by land use type, as shown in Table 15.

**Table 15**  
**Estimated Electricity Usage Rates**

<b>Land Use</b>	<b>Annual Usage Rate</b>
Residential	5,626 Kilowatt-hour/unit/year
Retail Commercial	13.55 Kilowatt-hour/square feet/year
Restaurant	47.45 Kilowatt-hour/square feet/year
Hotel/Motel	9.95 Kilowatt-hour/square feet/year
Office	12.95 Kilowatt-hour/square feet/year
Industrial*	9.00 Kilowatt-hour/square feet/year
Source: Town of Apple Valley General Plan and Annexations 2008-001 & 2008-002/Environmental Impact Report (Table III-56).	
*Industrial usage rate was added for reference, based on previous 2008 and 2018 calculations.	



Based on annual usage rates shown above, build out of the proposed General Plan and both the annexation areas was estimated to result in electrical consumption of 1,807,978,891 kilowatt-hours per year (kwh/year). Of this, 353,683,749 kwh/year would be for residential uses, 924,262,572 kwh/year would be for commercial uses, and 525,032,571 kwh/year would be used by industrial establishments.

#### *Annexation 2008-001*

At build out, Annexation 2008-001 was estimated to result in electrical consumption of 220,749,040 kwh/year, which included existing and future residential, commercial, and industrial development. No development projects were immediately planned for construction in the annexation area, and therefore, the proposed annexation was not expected to result in an immediate increase in demand for electricity. The gradual expansion of SCE infrastructure would be required at build out of these areas, which would contribute to the regional demand for electricity, but which would be accommodated by expanded service as SCE provided for demand. Impacts were, therefore, expected to be less than significant.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2018-001 plus 2019-001 Annexations have the combined potential to result in 7,472,015 square feet of commercial space, 7,588,865 square feet of industrial space, and a total of 4,014 residential units at build out. That would result in the electrical consumption of approximately 192,128,352 kwh/year, using the factors provided in Table 15.

Overall, the impacts would be less than what was disclosed in the EIR, and would not result in a new or significantly greater impact than that analyzed in the EIR. Impacts would remain less than significant.

#### ***Natural Gas***

The EIR determined that the Southwest Gas Company provides natural gas service to the Town and its planning area through a series of pipelines of differing sizes and pressure capabilities. Transmission, supply, and distribution lines provide service to most portions of the Town and its Sphere of Influence.

At the time EIR was certified, natural gas was not provided in some areas within the service area; these included those without existing facility extensions, undeveloped areas, or extremely rural areas. Southwest Gas Company indicated that it would accommodate new development in the planning area by working closely with developers to build extensions for build out areas. Where natural gas services and facilities were not available, propane was utilized as an alternative source of fuel.

The EIR included consumption factors provided by Southwest Gas Company for Apple Valley, as shown in Table 16.



**Table 16**  
**Natural Gas Consumption Factors**

<b>Land Use</b>	<b>Monthly Use Rate</b>
Single Family Residential	6,665.0 cf/unit/month
Multiple Family Residential	4,011.5 cf/unit/month
Retail/Shopping Center	2.9 cf/sq.ft./month
Office	2.0 cf/sq.ft./month
Hotel/Motel	4.8 cf/sq.ft./month
Industrial	4.8 cf/sq.ft./month

Source: Town of Apple Valley General Plan and Annexations 2008-001 & 2008-002/Environmental Impact Report (Table III-57).

The EIR determined that, at General Plan build out, the planning area is expected to contain approximately 36,619 single-family dwelling units, 27,130 multi-family dwelling units, 51,860,766 square feet of commercial space, and 281,188,992 square feet of industrial space. Using the factors described above, build out was projected to result in consumption of about 779,089,325 cubic feet per month.

#### *Annexation 2008-001*

The EIR determined that the implementation of Annexation 2008-001 would facilitate residential, commercial, and industrial development that would result in increased natural gas consumption. Based on the factors cited above, it was estimated that all development in the annexation area would consume approximately 76,209,944 cubic feet per month.

Southwest Gas's rate structure includes the expansion of facilities to accommodate growth. As development and build out of the General Plan and annexation areas is expected to occur over time, expansion plans will be adjusted to accommodate it. Impacts were, therefore, expected to be less than significant.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2018-001 plus 2019-001 Annexations have the combined potential to result in 7,472,015 square feet of commercial space, 7,588,865 square feet of industrial space, and a total of 4,014 residential units at build out. This build out would result in the natural gas consumption of approximately 76,915,919 cubic feet per month, using the factors above. This represents a 0.93% increase compared to the 2008-001 Annexation. This slight increase is most likely due to calculation variations from 2008 to 2019.

Overall, the impacts would be comparable to those disclosed in the EIR, and would not result in any new or significantly increased impacts associated with natural gas. Impacts will be less than significant.



### ***Telephone, Internet, and Television Service***

The EIR determined that telephone and high-speed internet services were provided in the area by Verizon and Charter Communications. The EIR determined that build out of the General Plan would result in increased demand for telephone, internet, and television services and would impact facilities and equipment owned and maintained by Verizon and Charter Communications. Future development was expected to require expansion of services to areas not currently serviced. It was expected, however, that these private service providers would expand their services as needed, and that impacts to telecommunications would not be significant.

#### ***Annexation 2008-001***

The EIR determined that the development facilitated by the annexation was expected to result in construction of additional residences, as well as additional commercial and industrial development. Both Verizon and Charter Communications planned for extension of infrastructure throughout the region, based on future development. Implementation of the proposed annexation was not expected to result in significant impacts to their facilities or equipment, as these service providers would monitor growth trends in their service areas and ensure the expansion of services and facilities.

#### **Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation**

The 2019-001 Annexation would be served by Frontier Communications, which was formerly Verizon, and Charter Communications, as well as a number of cellular and internet providers who have expanded their services since the EIR was prepared. As was the case when the EIR was certified, these private providers incorporate expansion of services based on consumer demand, and will expand services as development occurs. Build out of the 2018-001 and 2019-001 Annexation areas would result in impacts comparable to what was analyzed in the EIR, and would remain less than significant.

### **Domestic Water Services**

The EIR determined that there were several water purveyors responsible for providing domestic water to the Town of Apple Valley and areas within its Sphere-of-Influence. The Apple Valley Ranchos Water Company (now known as Liberty Utilities Apple Valley) served approximately 19,000 customer connections, or approximately 80% of residential, commercial, industrial, and institutional development in the Town. Golden States Water Company provided service to approximately 2,500 active connections in the Town and its Sphere of Influence. Several other smaller water purveyors also provided water within the General Plan area.

Neither of the two annexation areas was located within a service area served by a local water purveyor. Water users in both annexation areas utilized domestic water from private wells or from storage tanks filled with water deliveries from private haulers.



The EIR determined that the build out of the General Plan and both the annexations would result in water demand associated with increased residential, commercial, industrial, and other types of development. This demand was estimated based on water consumption factors from a variety of sources. Based on these factors, General Plan build out was estimated to generate water demand of 95,999 acre-feet per year in total.

The EIR determined that cumulatively, build out of the General Plan and the annexations would impact domestic water, and that this impact would be significant. As a result, the EIR included a number of mitigation measures to reduce these impacts to less than significant levels, including water conservation measures contained in building codes and Town ordinances.

#### *Annexation 2008-001*

The same factors used to estimate water consumption associated with General Plan build out were used to calculate water consumption in the annexation area. At build out, it was estimated that development in Annexation 2008-001 would result in a water demand of 6,476 acre-feet per year.

Since these areas were not served by local water purveyors, implementation of the annexation would require the extension of infrastructure to provide domestic water service to future development. This was expected to occur over time as development took place. The Town and applicable water purveyors would monitor growth in these areas and plan for extension of future infrastructure as demand increased. Mitigation measures included in the EIR would, however, reduce these impacts to less than significant levels.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

As discussed above in Section I (Water Quality and Resources), at build out the 2018-001 and 2019-001 Annexations would result in a demand of 5,054 AFY, approximately 1,422 AFY than what was projected for Annexation 2008-001 in the EIR. Impacts would be less than what was disclosed in the EIR, but would still require the implementation of mitigation measures, in order to assure that water resources were efficiently managed. The 2019-001 Annexation, however, would not result in additional new impacts, or significantly increase an impact identified in the EIR.

#### ***Wastewater Collection and Treatment***

The EIR determined that Apple Valley operated the local wastewater collection system, in accordance with the plans and projections contained in the Town's Sewer Master Plan. Approximately 30% of development in the Town was connected to sewer facilities. The Town's local conveyance system connected to regional intercept lines that conveyed wastewater to a wastewater treatment plant operated by the Victor Valley Wastewater Treatment Authority (VWVRA) in Victorville. The VWVRA wastewater treatment plant is located at 20111 Shay Road in Victorville. It had a design treatment capacity of 18 MGD; on a daily basis, the plant averaged treatment of 13 million gallons.



The Town adopted a Sewer Connection Policy in January 2006 that required new single-family subdivisions with lots of less than one acre, and within one-half mile of existing sewer infrastructure, to connect to the Town sewer system; or where development occurred more than one-half mile from existing sewer lines, to install a dry sewer system on-site. New users connecting to sewer facilities were subject to a sewer connection fee collected by the Town and remitted to VVWRA.

The EIR determined that the development facilitated by build out of the General Plan and annexation areas would increase demand on existing wastewater collection and treatment facilities. It was estimated that domestic wastewater flows average approximately 100 gallons per capita per day. Applying this factor to the estimated build out population of 194,931, wastewater generation in the General Plan and annexation areas would be approximately 19,493,069 gallons per day at build out.

The EIR determined that this increase in wastewater generation and demand for collection and treatment facilities was significant when compared with the current level of service, in that it would exceed current treatment capacity at the VVWRA treatment plant in Victorville. This estimate assumed that all new residential construction in the Town would be connected to sewer facilities.

The EIR determined that development in the General Plan and annexation areas would occur gradually over time, giving the Town and VVWRA the opportunity to plan for increased development and bring additional treatment capacity on-line. Nonetheless, they would need to continue to monitor growth trends in the planning area to ensure the adequate provision of wastewater treatment facilities and to secure funding for their construction. Future development connecting to sewer facilities would continue to be subject to connection fees. With the implementation of mitigation measures, build out of the General Plan and annexations would result in less than significant impacts to the sanitary sewer system.

#### *Annexation 2008-001*

The EIR determined that the build out of the proposed annexation areas would result in additional demand for wastewater collection and treatment facilities. Based on the factor used above, Annexation 2008-001 was expected to result in generation of 1,323,750 gallons of wastewater per day.

New development was not expected to occur immediately in the annexation area, and the Town and VVWRA would monitor growth to ensure adequate wastewater treatment capacity to serve development that is connected to sewer collection facilities in these areas as well as throughout the General Plan area.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

Since the completion of the EIR, VVWRA treatment plant's daily processing has decreased to 10.7 million gallons per day. In addition, VVRWA has proceeded with the expansion of its facilities, including the construction of both the Hesperia and the Apple Valley Subregional Water Recycling Facilities. The facilities will each recycle up to 1,000,000 gallons per day, which in the case of the Apple Valley facility, will initially be used to irrigate Apple Valley's golf course. Other energy efficiency and pipeline improvement projects have also been undertaken.



The 2018-001 plus 2019-001 Annexations have the combined potential to result in 7,472,015 square feet of commercial space, 7,588,865 square feet of industrial space, a total of 4,014 residential units at build out, and a projected population of 12,083. Using the estimated domestic wastewater flows of 100 gallons per capita per day, the proposed 2019-001 Annexation combined with the 2018-001 Annexation would result in approximately 1,208,300 gallons per day, which is 115,450 gallons of wastewater per day less than projected for Annexation 2008-001 in the EIR. Therefore, impacts associated with wastewater generation would be less to those identified in the EIR, and the same mitigation measures provided in the EIR would reduce impacts to less than significant levels.

### **Solid Waste Management**

The EIR determined that the Town of Apple Valley contracts with Burrtec Waste Industries of Fontana, California for the collection and disposal of solid waste. Burrtec provides weekly curbside pick-up of recyclable materials for residential, commercial and industrial development. Solid waste collected by Burrtec is hauled to the Victorville landfill, approximately 12 miles to the northwest, which is a San Bernardino County landfill.

The operating permit for the Victorville landfill allows for a maximum of 3,000 tons a day. When the EIR was prepared, it received an average of 900 tons per day. Receipts in the first quarter of 2007 reflected higher averages of approximately 1,401 tons per day, which decreased in the first quarter of 2008 to 1,293 tons per day.

In 2006, commercial sources generated approximately 43,382 tons of solid waste at the Victorville landfill annually, while residential sources generated about 25,479 tons. Based on estimates prepared in June 2008, the remaining capacity of the site was estimated at 82 million cubic yards. The County had acquired additional acreage at the landfill to expand capacity. Based on this expansion, the Victorville landfill is estimated to have a closing date of 2047.

The Victorville landfill accepts non-hazardous industrial wastes. Hazardous industrial waste is collected by private contractors and disposed of elsewhere by County-approved hazardous waste disposal firms. Disposal of hazardous waste is coordinated through the County Fire Department. Disposal of such wastes has commonly taken place at Cattleman's Hill in central California.

*Source Reduction and Recycling:* Based on Department of Public Works records, in 2006, Burrtec collected approximately 68,861 tons of recyclable materials from sources in the Town, 43,382 tons of which came from commercial sources, and 25,479 tons from residential sources. Recycling services address issues of sustainability and global warming by resulting in energy and resources conservation.

Greenwaste generated in the Town of Apple Valley is accepted at the California Bio-Mass composting facility on Shay Road in Victorville. The facility processed approximately 18,000 tons of greenwaste annually. Of this amount, approximately 1,771 tons were generated from sources in Apple Valley in 2006, and 925 tons in 2007.



*Materials Recovery Facility (MRF):* The Victor Valley Materials Recovery Facility (MRF), co-owned by the Town of Apple Valley and the City of Victorville, receives all the commercial and residential recycling loads picked up in both jurisdictions. The facility processed over 710 tons of solid waste per week.

Build out of the General Plan and annexation areas was expected to generate a total of approximately 950,712 tons of solid waste per year, or 2,603 tons per day. Build out of the General Plan and the annexations will increase the volume of solid waste generated.

#### *Annexation 2008-001*

The EIR determined that Annexation 2008-001 would generate approximately 118,744 tons of solid waste at build out. Estimates of solid waste generation for the proposed annexation area were included in those for build out of the General Plan area described above. The EIR determined that, because of the increased demand over time, the build out of the General Plan and Annexation 2008-001 would result in impacts associated with increased solid waste generation, but that mitigation measures would reduce these impacts to less than significant levels.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2018-001 plus 2019-001 Annexations have the combined potential to result in 7,472,015 square feet of commercial space, 7,588,865 square feet of industrial space, a total of 4,014 residential units at build out, and a projected population of 12,083. Using the estimated solid waste generation rates used in the EIR (Table III-58), the proposed 2019-001 Annexation in combination with the 2018-001 Annexation would result in approximately 105,267 tons of solid waste at build out which is less than the 118,744 tons of solid waste projected for Annexation 2008-001. Therefore, impacts would be less than those identified in the EIR, and the same mitigation measures provided in the EIR would reduce impacts to less than significant levels.

#### Summary of Impacts

The 2019-001 Annexation is not expected to create a substantial adverse effect related to the construction of new or altered public services and facilities. Overall, the impacts will be less than those disclosed in the EIR.

The EIR included a number of mitigation measures to minimize the impacts related to public services and facilities. As was the case in the EIR, the 2019-001 Annexation will be required to pay school district development fees. The impacts associated with public services and facilities will be less than significant, and less than those analyzed in the EIR.



## **N. Recreational Resources**

### Summary of Findings in the EIR

The EIR determined that the Town of Apple Valley had 346.87 acres of developed parkland in 2008. There were seven Mini-Parks, two Neighborhood Parks, three Community Parks, and two Special Use Parks in Town.

At the time the EIR was prepared, the Town planned to purchase the Apple Valley Country Club and open its facilities to the public. The course was purchased in 2008, and opened as a public course. The Town had an additional 65 acres of BLM land and privately owned land for two parks that were approved within Specific Plans, but not yet developed. It also owned an additional 27 acres of land identified for park use, but they were not yet developed. Combined, park and recreation holdings totaled 438.87 acres of developed or developable parklands. Other recreational resources included the Mojave river-bottom and the Apple Valley Dry Lake designated open space areas. Various rock outcrops, knolls, and riverside bluffs in the planning area were also designated open spaces that provided further recreational opportunity to the Town's residents and visitors.

The Town adopted a park standard of five acres of parkland per 1,000 persons, as set forth in Development Code Section 9.71.055(C).

The EIR determined that the build out of the General Plan could impact the Town's recreational resources with the introduction of approximately 38,824 new dwelling units and a total build out population of 194,931 residents. The Town was expected to require 975 acres of parkland at build out. However, the impact on local recreational resources was expected to be reduced to less than significant levels by the development of additional parkland that would be required through implementation of the Quimby Act. The EIR also identified Development Agreements, Developer Impact Fees, and other funding mechanisms as strategies for facilitating the acquisition of additional parkland.

### *Annexation 2008-001*

The EIR determined that build out of Annexation Area 2008-001 would result in 4,236 residential units and a build out population of 13,238. Build out of the area would require approximately 66 acres of parkland to meet the recreational needs of the residents of Annexation 2008-001.

The EIR concluded that the impacts of the General Plan and Annexations 2008-001 on recreation would be less than significant with the implementation of two mitigation measures: required participation of developers in the Town's parkland fee programs and Quimby requirements, and the Town's active pursuit of supplemental funding sources to acquire additional parklands.



Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

Build out of the 2019-001 Annexation area could result up to 3,767 residential units and a buildout population of 11,339, and require the provision of approximately 56.7 acres of parkland to meet the Town's standard of 5 acres of parkland per 1,000 residents. Combined with the 2018-001 Annexation, a total of 60.42 acres of parkland would be required. Compared to Annexation 2008-001, this represents 1,155 fewer residents, and 5.77 fewer acres of required parkland at build out.

The 2019-001 Annexation would comply with the open space requirements for residential uses set forth by the Town. Impacts would be less than those identified in the Certified EIR, and implementation of the mitigation measures provided in the EIR will reduce impacts even further. The project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No changes in circumstances or new information pertaining to recreation are known to require major revisions to the EIR.



## **O.     Transportation and Traffic**

### Summary of Findings in the EIR

The EIR determined that the circulation network in the Town of Apple Valley is comprised of 500 miles of paved roadways on a one-mile grid framework, and approximately 80% of the roads are local streets that serve existing residential neighborhoods. The EIR described the major regional and local roadways in the planning area traffic circulation system.

#### *Major Regional Roadways*

*U.S. Interstate 15:* The EIR determined that I-15 constitutes a major transportation corridor and provides the high desert region and Apple Valley with inter-regional and inter-state access. It connects the high desert with Las Vegas, Salt Lake City, and markets to the north. I-15 includes 3 lanes in each direction. There are two freeway interchanges at Dale Evans Parkway and Stoddard Wells Road.

*State Route 18:* The EIR determined that State Route 18 is a 4-lane divided highway along which are substantial portions of the Town's existing commercial development and pockets of residential development.

#### *Major Local Roadways*

*Dale Evans Parkway:* This is a north-south roadway that is designated as a Major Divided Parkway with a minimum 142-foot right-of-way from I-15 south to Thunderbird Road. It is the only road so classified in the General Plan area. South of Thunderbird Road it is classified as a Major Road (minimum 104-foot of right-of-way). At the time the EIR was certified, it was a 2-lane undivided road from I-15 south to Otoe Road, and a 4-lane divided roadway between Otoe Road and State Route 18.

*Bear Valley Road:* It is an east-west roadway classified as a Major Divided Arterial. It intersects State Route 18 east of the Town limits and spans the Town from east to west. Between the eastern boundary of Apple Valley and Central Road it is a 2-lane undivided highway, expanding to 4 lanes divided to Apple Valley Road. From there it becomes 6 lanes divided and crosses the Mojave River as it exits the Town at an all-weather crossing.

*Tussing Ranch Road:* It is an east-west roadway that forms a portion of the Town's southern boundary. It is designated a Major Divided Arterial within the Town, and a major road easterly of the Town limits. It is a 2-lane undivided road in the Town.

*Central Road:* It is a north-south road that forms a portion of the Town's eastern boundary. It is designated a Major Divided Arterial south of Johnson Road. It is 2-lanes undivided throughout the Town, with the exception for one roadway segment just north of Cahuilla Road where it is a 3-lane undivided roadway. Central Road crosses the Mojave Northern Mining Railroad line at Quarry Road.



*Kiowa Road:* It is a north-south street from Yucca Loma Road to the Town's southern boundary, and runs southwest to northeast from Yucca Loma, crossing State Route 18 and terminating at Navajo Road. Kiowa Road is classified as a Major Road between Bear Valley Road and Yucca Loma Road, and as a Major Divided Arterial south of Bear Valley Road.

*Apple Valley Road:* It runs north-south from its initiation point at Falchion Road south to State Route 18. It trends southwest to its intersection with Seneca Road, and thence north-south to the Town's southern boundary. Throughout most of the planning area, Apple Valley Road is classified a Major Divided Arterial roadway. It is 2 lanes in each direction between State Route 18 and Yucca Loma Road, and a 4-lane divided highway north of State Route 18, becoming 2-lane divided south of Seneca Road, and 2-lane undivided further south to and beyond its intersection with Yucca Loma Road, south to Sitting Bull Road. South of Sitting Bull Road, it remains 2-lane undivided, then becomes 4-lane divided, and expands to 6-lanes divided at Bear Valley Road. South of Bear Valley Road it returns to a 4-lane divided roadway.

The EIR determined that a number of secondary roads (minimum 88-foot right-of-way) in the Town connect major roads and serve to carry local traffic to larger streets.

#### *Intersection Conditions in the Planning Area in 2008*

The General Plan that was in effect prior to the General Plan update of 2008 established a minimum intersection Level of Service (LOS) of C. When the EIR was prepared, and current conditions analyzed, eight (8) intersections were operating at LOS D, E, or F during AM and/or PM peak hours. The EIR discussed and analyzed the General Plan's proposed policy to change the minimum intersection LOS to D, and to require LOS C for roadway segments.

#### *Roadways in Annexation 2008-001*

At the time the EIR was prepared, there was a small network of paved and unpaved roadways within the annexation area. No major roadways occurred in the annexation area, although the area was bordered by major roadways, including Dale Evans Parkway on the east side of Annexation 2008-001. The General Plan roadways within the annexation area were Johnson Road, a Secondary Road; Quarry Road, a Secondary Road; and Stoddard Wells Road, a Major Road.

#### *Public Transportation Services*

Public transit services were provided to the Town by the Victor Valley Transit Authority. The EIR determined that three dedicated routes [Route 40 (Apple Valley North), Route 41 (Apple Valley/Victorville), and Route 43 (Apple Valley/Victor Valley College)] operated in the planning area.

#### *Apple Valley Airport*

The Apple Valley Airport is a general aviation airport serving fixed wing aircraft and helicopters, and airport operations are generally limited to small, private aircraft and flight schools. At the time the EIR was prepared, the airport was operating approximately 103 flights daily, or 38,000 operations annually.



### *Rail Service*

The EIR determined that there are two rail lines in the planning area. The Mojave Northern Mining Railroad, serving the Mojave Northern Mining Quarry, intersects the northern portion of the planning area south of Quarry Road. A second rail line intersects a small portion of the Town limits, south of Tussing Ranch Road between Central Road and Kiowa Road. It served mining operations to the east in San Bernardino County.

### *Non-Motorized Transportation: Pedestrian, Equestrian, and Bicycle Circulation*

The EIR determined that three types of bikeways (Class I, II, and III) are part of the Apple Valley circulation system. Bicycle travel is allowed on all public roadways, except freeways and freeway ramps.

The EIR included the recommended guidelines for signalized and unsignalized pedestrian crosswalks (e.g. a minimum width of 6 feet, or 10 feet in commercial districts, adequate lighting, unimpeded sight distance and freedom from obstructions).

### *Impacts of General Plan Build Out*

The EIR described a significant new component to the Town's and region's circulation system, which is projected to be implemented in the future, but was not and is not currently present in the circulation system. The High Desert Corridor is proposed by the California Department of Transportation, and would bisect the northern portion of the Town, approximately 2 miles south of Annexation 2008-001. It is intended to provide a freeway connection between the southeastern portion of the Town to I-15. At the time the EIR was prepared, the preliminary alignment had been determined and was included in the EIR and traffic impact analysis. Since that time, environmental studies have been completed, but no construction has occurred.

Buildout of the proposed Apple Valley General Plan and both the annexations studied in the EIR would result in the construction of up to 63,749 dwelling units, approximately 51,860,766 square feet of commercial land uses and approximately 58,581,040 square feet of industrial land uses. The EIR traffic impact analysis, summarized in the EIR, considered this build out potential, and analyzed its impacts on intersections Town-wide. This analysis included construction and operation of the Town's roadways at General Plan build out conditions, and the completion of the High Desert Corridor. The results of this analysis are depicted in Table 17, below, reproduced from the EIR.



**Table 17**  
**Intersection Operations Analysis Summary**

Intersection		Traffic Control <sup>1</sup>	Northbound			Southbound			Eastbound			Westbound			Delay <sup>2</sup> (sec.)		Level of Service	
No.	Name		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
1	I-15 SB Ramps (NS) at:																	
	• Dale Evans Pkwy. (EW)	<u>TS</u>	0	0	0	<u>2</u>	0	<u>1</u>	0	<u>3</u>	<u>1</u>	<u>3</u>	<u>3</u>	0	16.8	20.0	B	B
2	I-15 NB Ramps (NS) at:																	
	• Dale Evans Pkwy. (EW)	<u>TS</u>	<u>1</u>	0	<u>1&gt;&gt;</u>	0	0	0	<u>1</u>	<u>3</u>	0	0	<u>3</u>	<u>1</u>	10.7	14.4	B	B
3	Dale Evans Pkwy. (NS) at:																	
	• Quarry Rd. (EW)	<u>TS</u>	<u>2</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>1&gt;</u>	51.6	49.5	D	D
4	Outer Hwy. 15 (NS) at:																	
	• Stoddard Wells Rd. (EW)	<u>TS</u>	0	0	0	<u>2</u>	0	<u>1&gt;&gt;</u>	<u>2</u>	<u>3</u>	0	0	<u>3</u>	<u>1</u>	24.7	26.0	C	C
5	Dale Evans Pkwy. (NS) at:																	
	• Corwin Rd. (EW)	<u>TS</u>	<u>2</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>1.5</u>	<u>0.5</u>	<u>2</u>	<u>2</u>	<u>1&gt;</u>	68.6	52.8	E	D
6	Corwin Rd. (NS) at:																	
	• Waalew Rd. (EW)	<u>TS</u>	0	<u>2</u>	<u>1</u>	<u>1</u>	<u>2</u>	0	0	0	0	1	0	1	24.3	30.1	C	C
8	Dale Evans Pkwy. (NS) at:																	
	• Waalew Rd. (EW)	<u>TS</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	47.5	32.7	D	C
9	Central Rd. (NS) at:																	
	• Waalew Rd. (EW)	<u>TS</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>3</u>	<u>1&gt;</u>	<u>2.5</u>	1	<u>0.5</u>	<u>1</u>	<u>2</u>	<u>1</u>	53.2	39.5	D	D
10	Apple Valley Rd. (NS) at:																	
	• State Route 18 (EW)	TS	<u>2</u>	<u>1.5</u>	<u>0.5</u>	1	<u>2</u>	1	2	<u>3</u>	1>>	<u>2</u>	<u>3</u>	1	54.5	48.0	D	D
11	Corwin Rd. (NS) at:																	
	• State Route 18 (EW)	TS	0	0	0	<u>2</u>	0	<u>1&gt;&gt;</u>	<u>2</u>	<u>3</u>	0	0	<u>3</u>	<u>1&gt;</u>	43.6	34.3	D	C
12	Rancherias Rd. (NS) at:																	
	• State Route 18 (EW)	TS	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	<u>2</u>	<u>2.5</u>	<u>0.5</u>	1	<u>3</u>	1	43.4	45.1	D	D
13	Dale Evans Rd. (NS) at:																	
	• Thunderbird Rd. (EW)	<u>TS</u>	1	<u>1.5</u>	<u>0.5</u>	<u>2</u>	<u>2.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	42.2	31.7	D	C
14	Navajo Rd. at:																	



**Table 17**  
**Intersection Operations Analysis Summary**

Intersection		Traffic Control <sup>1</sup>	Northbound			Southbound			Eastbound			Westbound			Delay <sup>2</sup> (sec.)		Level of Service	
No.	Name		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
15	• Thunderbird Rd. (EW) Central Rd. (NS) at:	<b>TS</b>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>1.5</u>	<u>0.5</u>	29.0	33.8	C	C
16	• Thunderbird Rd. (EW) Dale Evans Pkwy. (NS) at:	<b>TS</b>	<u>1</u>	<u>4</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>3</u>	<u>0.5</u>	0.5	<u>1</u>	<u>0.5</u>	<u>0.5</u>	52.5	44.5	D	C
17	• State Route 18 (EW) Kiowa Rd. (NS) at:	TS	<u>1</u>	<u>0.5</u>	<u>0.5</u>	<u>2</u>	<u>1.5</u>	<u>0.5</u>	1	<u>3</u>	1	1	<u>3</u>	<u>1</u> >	43.1	54.4	D	D
18	• State Route 18 (EW) Apple Valley Rd. (NS) at:	TS	<u>2</u>	<u>0.5</u>	<u>0.5</u>	1	<u>0.5</u>	<u>0.5</u>	1	<u>3</u>	<u>1</u> >	1	<u>2.5</u>	<u>0.5</u>	29.5	26.6	C	C
19	• Yucca Loma Rd. (EW) Kiowa Rd. (NS) at:	TS	<u>2</u>	<u>2.5</u>	<u>0.5</u>	<u>2</u>	<u>2</u>	1	1	<u>3</u>	<u>1</u> >	<u>2</u>	<u>2</u>	1	43.9	54.9	D	D
20	• Yucca Loma Rd. (EW) Navajo Rd. (NS) at:	<b>TS</b>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>0.5</u>	<u>0.5</u>	1	<u>2</u>	<u>1</u>	<u>2</u>	<u>1.5</u>	<u>0.5</u>	39.4	50.6	D	D
21	• State Route 18 (EW) Central Rd. (NS) at:	TS	<u>2</u>	<u>2</u>	<u>2</u> >	1	<u>2</u>	1	1	<u>3</u>	1	<u>2</u>	<u>3</u>	1	52.9	54.7	D	D
22	• State Route 18 (EW) Joshua Rd. (NS) at:	TS	<u>2</u>	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	<u>2</u>	<u>3</u>	<u>1</u> >	1	<u>2.5</u>	<u>0.5</u>	51.8	39.6	D	D
23	• State Route 18 (EW) Apple Valley Rd. (NS) at:	<b>TS</b>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	12.9	13.0	B	B
24	• Bear Valley Rd. (EW) Deep Creek Rd. (NS) at:	TS	2	<u>3</u>	<u>1</u> >	2	<u>3</u>	2>	2	<u>3</u>	1	<u>2</u>	<u>3</u>	<u>1</u>	49.1	53.3	D	D
25	• Bear Valley Rd. (EW) Kiowa Rd. (NS) at:	<b>TS</b>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	27.9	34.3	C	C
26	• Bear Valley Rd. (EW) Navajo Rd. (NS) at:	TS	<u>2</u>	<u>1.5</u>	<u>0.5</u>	1	2	1	<u>2</u>	<u>3</u>	<u>1</u> >	1	<u>3</u>	1	43.2	41.9	D	D
	• Bear Valley Rd. (EW)	TS	1	<u>1.5</u>	<u>0.5</u>	<u>2</u>	2	1	<u>2</u>	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	42.4	54.6	D	D



**Table 17**  
**Intersection Operations Analysis Summary**

Intersection		Traffic Control <sup>1</sup>	Northbound			Southbound			Eastbound			Westbound			Delay <sup>2</sup> (sec.)		Level of Service	
No.	Name		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
27	Central Rd. (NS) at:																	
	• Bear Valley Rd. (EW)	TS	1	<u>2.5</u>	<u>0.5</u>	1	<u>3</u>	<u>1&gt;</u>	<u>2</u>	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	43.6	44.0	D	D
28	State Route 18 (NS) at:																	
	• Bear Valley Rd. (EW)	<u>TS</u>	<u>2</u>	<u>3</u>	0	0	<u>2.5</u>	<u>0.5</u>	1	0	<u>1</u>	0	0	0	17.7	24.8	B	C
29	Central Rd. (NS) at:																	
	• Tussing Ranch Rd. (EW)	<u>TS</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>3</u>	<u>1&gt;</u>	<u>2</u>	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	27.2	23.8	C	C
30	Deep Creek Rd. (NS) at:																	
	• Rock Springs Rd. (EW)	TS	<u>1</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	<u>0.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	25.9	24.3	C	C
31	I-15 SB Ramps (NS) at:																	
	• Stoddard Wells Rd. (EW)	TS	<u>1</u>	<u>1</u>	<u>2&gt;</u>	<u>2</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>3</u>	<u>2</u>	<u>2</u>	37.7	48.8	D	D
32	I-15 NB Ramps (NS) at:																	
	• Stoddard Wells Rd. (EW)	TS	<u>2</u>	1	<u>1&gt;&gt;</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>3</u>	<u>1&gt;</u>	<u>2</u>	<u>4</u>	<u>1</u>	51.6	48.8	D	D
33	Outer Highway 15 (NS) at:																	
	• Stodddard Wells Rd. (EW)	TS	<u>2</u>	<u>2</u>	0	0	<u>2</u>	<u>1&gt;&gt;</u>	<u>2</u>	<u>0</u>	<u>1&gt;&gt;</u>	0	<u>0</u>	0	52.3	29.5	D	C
34	Outer Highway 15 (NS) at:																	
	• Saugus Rd. (EW)	TS	0	<u>1.5</u>	<u>0.5</u>	<u>2</u>	<u>2</u>	0	0	0	0	<u>1</u>	0	<u>1&gt;&gt;</u>	21.1	30.5	C	C
35	Choco Rd. (NS) at:																	
	• H. D. C. WB Ramps (EW)	TS	<u>2</u>	<u>3</u>	0	0	<u>3</u>	<u>1&gt;&gt;</u>	0	0	0	<u>2</u>	0	<u>1</u>	16.4	14.4	B	B
36	Choco Rd. (NS) at:																	
	• H. D. C. EB Ramps (EW)	TS	0	<u>3</u>	<u>1</u>	<u>2</u>	<u>3</u>	0	<u>2</u>	0	<u>2</u>	0	0	0	51.2	28.3	D	C
37	Dale Evans Pkwy. (NS) at:																	
	• H. D. C. WB Ramps (EW)	TS	0	<u>3</u>	<u>1&gt;&gt;</u>	0	<u>3</u>	<u>1&gt;&gt;</u>	0	0	0	<u>1</u>	0	<u>2&gt;</u>	22.3	8.8	C	A
38	Dale Evans Pkwy. (NS) at:																	
	• H. D. C. EB Ramps (EW)	TS	0	<u>3</u>	<u>2</u>	0	<u>3</u>	<u>1&gt;&gt;</u>	<u>2</u>	0	<u>1</u>	0	0	0	14.4	8.1	B	A
39	H.D.C. EB Ramps (NS) at:																	



**Table 17**  
**Intersection Operations Analysis Summary**

Intersection		Traffic Control <sup>1</sup>	Northbound			Southbound			Eastbound			Westbound			Delay <sup>2</sup> (sec.)		Level of Service	
No.	Name		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
40	• Waalew Rd. (EW)	TS	0	0	0	<u>2</u>	0	<u>2</u>	0	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>2</u>	0	20.5	15.5	C	B
	H.D.C. WB Ramps (NS) at:																	
41	• Waalew Rd. (EW)	TS	<u>1</u>	0	<u>1</u>	0	0	0	<u>1</u>	<u>2</u>	0	0	<u>2</u>	<u>2</u>	12.7	12.6	B	B
	Central Rd. (NS) at:																	
42	• H.D.C. WB Ramps (EW)	TS	<u>2</u>	<u>3</u>	0	0	<u>2.5</u>	<u>0.5</u>	0	0	0	<u>1</u>	0	<u>1</u>	12.8	22.1	B	C
	Central Rd. (NS) at:																	
43	• H.D.C. EB Ramps (EW)	TS	0	<u>2.5</u>	<u>0.5</u>	<u>1</u>	<u>3</u>	0	<u>2</u>	0	<u>2</u>	0	0	0	21.1	24.2	C	C
	Tao Rd. (NS) at:																	
44	• State Route 18 (EW)	TS	1	<u>0.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	21.0	33.3	C	C
	Apple Valley Rd. (NS) at:																	
45	• Sitting Bull Rd. (EW)	TS	1	<u>2.5</u>	<u>0.5</u>	1	<u>2.5</u>	<u>0.5</u>	1	<u>0.5</u>	<u>0.5</u>	<u>1</u>	0.5	<u>0.5</u>	30.1	29.2	C	C
	Kiowa Rd. (NS) at:																	
46	• Sitting Bull Rd. (EW)	<u>TS</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	22.5	23.2	C	C
	Navajo Rd. (NS) at:																	
	• Nisqually Rd. (EW)	TS	1	<u>1.5</u>	<u>0.5</u>	1	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	<u>1</u>	<u>1.5</u>	<u>0.5</u>	24.4	38.6	C	D
<sup>1</sup> When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes. L = Left; T = Through; R = Right; > = Right-turn Overlap Phasing; >> = Free Right Turn Lane; <u>1</u> = Improvement <sup>2</sup> Delay and level of service calculated using the following analysis software: Traffix, Version 7.9 R3 (2008). Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with traffic, traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for worst individual movement (or movements sharing a single lane) are shown. <sup>3</sup> TS = Traffic Signal																		



As shown in Table 17, with improvements, intersections within the studied planning area were expected to operate at LOS D or better, with the exception of the intersection of Dale Evans Parkway and Corwin Road, which was expected to operate at LOS E. The traffic impact analysis considered any and all potential feasible mitigation measures for this intersection, and determined that no such mitigation measures existed, and that the impacts would remain significant and unavoidable. All other impacts associated with traffic and circulation were found to be less than significant, with the implementation of a broad range of mitigation measures which ranged from improvements to bus turnouts to payment of fair share improvements by projects as development occurred, to assure a coordinated and complete General Plan roadway system, and the construction of sidewalks, bicycle paths and trails to encourage and improve alternative transportation.

#### Analysis of the Proposed 2019-001 Annexation Plus 2018-001 Annexation

The 2018-001 plus 2019-001 Annexations have the combined potential to result in 7,472,015 square feet of commercial space, 7,588,865 square feet of industrial space, a total of 4,014 residential units at build out, and approximately 170 acres of street rights-of-way.

A traffic impact analysis was prepared for the proposed 2018-001 Annexation by Urban Crossroads on September 2017 and revised on October 2017.<sup>8,9</sup> A traffic letter was later prepared in October 2019<sup>10</sup> (see Appendix C) to determine the 2018-001 and 2019-001 Annexations would generate more or fewer trips than that previously analyzed as part of the 2009 General Plan (Annexation 2008-001). In order to reflect current conditions and changes in the standards applied to trip generation, trip generation was developed for both 2008 annexation land use build out, 2018-001 Annexation, and the proposed 2019-001 Annexation using the current 10<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This provides an “apples to apples” analysis, rather than comparing 2008 trip generation rates to 2019 trip generation rates. Table 22 summarizes the current trip generation estimates of Annexation 2008-001 build out. Annexation 2008-001 proposed land uses would generate a net total of approximately 309,176 trip-ends per day, with 17,140 morning peak hour trips and 32,933 evening peak hour trips.

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<sup>8</sup> Apple Valley Land Annexation Trip Generation Assessment prepared by Urban Crossroads, September 2017.

<sup>9</sup> Apple Valley Land Annexation Trip Generation Assessment prepared by Urban Crossroads, October 2017.

<sup>10</sup> Apple Valley Land Annexation Trip Generation Assessment prepared by Urban Crossroads, October 2019.

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**Table 18**  
**Trip Generation Summary: Annexation 2008-001**

Land Use	Quantity	Units	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Estate Residential	722	DU	134	401	535	450	264	714	6,816
Medium Density Residential	2,659	DU	492	1,476	1,968	1,658	974	2,632	25,102
Mixed-Use Residential	854	DU	158	474	632	533	313	846	8,062
Commercial Retail	5,380.731	TSF	3,136	1,922	5,058	9,840	10,660	20,500	203,124
General Office	1,754.639	TSF	1,750	285	2,035	323	1,695	2,018	17,092
General Light Industrial	7,782.275	TSF							
• Passenger Cars			3,767	514	4,281	498	3,354	3,852	30,344
• Truck Trips									
2-axle:			576	78	654	78	514	592	4,632
3-axle:			374	54	428	47	335	382	3,012
4+-axle:			1,370	187	1,557	179	1,214	1,393	11,006
- Net Truck Trips (PCE)			2,320	319	2,639	304	2,063	2,367	18,650
<b>Total</b>			<b>11,757</b>	<b>5,3891</b>	<b>17,148</b>	<b>13,606</b>	<b>19,323</b>	<b>32,929</b>	<b>309,190</b>
Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 10 <sup>th</sup> Edition (2017). DU = dwelling units; TSF = thousand square feet									

By comparison, the combination of the 2018-001 and 2019-001 Annexations are anticipated to generate a net total of approximately 309,668 trip-ends per day, with 16,390 morning peak hour trips and 32,394 evening peak hour trips.

**Table 19**  
**Trip Generation Summary: 2019-001 Plus 2018-001 Annexations**

Land Use	Quantity	Units	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
2018-001 Annexation Area									
Estate Residential	779	DU	144	432	576	486	285	771	7,354
Mixed-Use Residential	666	DU	123	370	493	415	244	659	6,288
Multi-Family Residential	2,569	DU	272	910	1,182	906	532	1,438	18,806
Commercial Retail	5,604.057	TSF	3,266	20,02	5,268	10,249	11,103	21,352	211,554
General Office	1,867.957	TSF	1,863	303	2,166	344	1,804	2,148	18,194
General Light Industrial	7,539.623	TSF							
• Passenger Cars			3,649	498	4,147	483	3,250	3,733	29,398
• Truck Trips									
2-axle:			558	75	633	75	498	573	4,488
3-axle:			362	53	415	45	324	369	2,918
4+-axle:			1,327	181	1,508	173	1,176	1,349	10,662
- Net Truck Trips (PCE)			2,247	309	2,556	293	1,998	2,291	18,068
Public Facilities	5.14	AC	1	1	2	1	1	2	6
Grand Total			11,565	4,825	16,390	13,177	19,217	32,394	309,668
Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, 10 <sup>th</sup> Edition (2017). DU = dwelling units; TSF = thousand square feet									

### *Trip Generation Comparison*



As shown in Table 20, compared to Annexation 2008-001, build out of the 2018-001 and proposed 2019-001 Annexations are anticipated to generate 478 more trip-ends per day, with 758 fewer morning peak hour trips and 535 fewer evening peak hour trips. This represents an increase of 0.15% in daily trips.

**Table 20**  
**Trip Generation Comparisons**

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Annexation 2008-001	11,757	5,391	17,148	13,606	19,323	32,929	309,190
2018-001 and 2019-001 Annexations	11,565	4,825	16,390	13,177	19,217	32,394	309,668
<b>Variance</b>	<b>-192</b>	<b>-566</b>	<b>-758</b>	<b>-429</b>	<b>-106</b>	<b>-535</b>	<b>478</b>

Although the 2018-001 and 2019-001 Annexations would result in a nominal increase in daily trips from the 2008-001 Annexation, the peak hour traffic would be lower. Based on the reduction in peak hour trips, it is anticipated that the LOS previously projected for the roadways and intersections near the Annexation Area would be the same or in some cases improved as compared to the 2008-001 Annexation. As such, no new traffic impacts beyond those previously disclosed in the 2008-001 Annexation traffic study and EIR would occur as a result of the 2019-001 Annexation, and will not require any new mitigation measures.



**Appendix A**  
**CalEEMOD Modeling Data**



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**2018-001 Plus 2019-001 Annexations, Apple Valley**  
**Mojave Desert AQMD Air District, Winter**

## 1.0 Project Characteristics

### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	1,867.96	1000sqft	195.00	1,867,957.00	0
General Light Industry	7,588.86	1000sqft	960.00	7,588,865.00	0
Apartments Low Rise	3,235.00	Dwelling Unit	316.00	3,235,000.00	9252
Single Family Housing	799.00	Dwelling Unit	769.00	1,438,200.00	2285
Regional Shopping Center	5,604.06	1000sqft	490.00	5,604,057.00	0

### 1.2 Other Project Characteristics

<b>Urbanization</b>	Rural	<b>Wind Speed (m/s)</b>	2.6	<b>Precipitation Freq (Days)</b>	30
<b>Climate Zone</b>	10			<b>Operational Year</b>	2025
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MW hr)</b>	702.44	<b>CH4 Intensity (lb/MW hr)</b>	0.029	<b>N2O Intensity (lb/MW hr)</b>	0.006

### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Per the Addendum land use tables for the 2018 and 2019 Annexations.

Construction Phase - Assumes buildout at 2040.

Vehicle Trips - 309,668 daily trips per traffic letter. Industrial trip lengths increased to 100 miles per work related trip.



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	155,000.00	0.00
tblLandUse	LandUseSquareFeet	1,867,960.00	1,867,957.00
tblLandUse	LandUseSquareFeet	7,588,860.00	7,588,865.00
tblLandUse	LandUseSquareFeet	5,604,060.00	5,604,057.00
tblLandUse	LotAcreage	42.88	195.00
tblLandUse	LotAcreage	174.22	960.00
tblLandUse	LotAcreage	202.19	316.00
tblLandUse	LotAcreage	259.42	769.00
tblLandUse	LotAcreage	128.65	490.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblVehicleTrips	CC_TL	6.60	100.00
tblVehicleTrips	ST_TR	7.16	5.00
tblVehicleTrips	ST_TR	1.32	2.00
tblVehicleTrips	ST_TR	2.46	5.00
tblVehicleTrips	ST_TR	49.97	40.00
tblVehicleTrips	ST_TR	9.91	9.00
tblVehicleTrips	SU_TR	6.07	5.00
tblVehicleTrips	SU_TR	0.68	1.00
tblVehicleTrips	SU_TR	1.05	2.00
tblVehicleTrips	SU_TR	25.24	40.00
tblVehicleTrips	SU_TR	8.62	9.00
tblVehicleTrips	WD_TR	6.59	6.00
tblVehicleTrips	WD_TR	6.97	5.00
tblVehicleTrips	WD_TR	11.03	10.90
tblVehicleTrips	WD_TR	42.70	40.00
tblVehicleTrips	WD_TR	9.52	10.00







2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

[illegible]



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**2.2 Overall Operational****Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Energy	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5 310	109,690.5 310	2.1024	2.0110	110,342.36 70
Mobile	525.2147	4,123.331 4	5,585.065 6	28.8115	2,236.142 3	15.6422	2,251.784 5	598.2173	14.6074	612.8248		2,952,573. 8736	2,952,573. 8736	178.0635		2,957,025. 4603
<b>Total</b>	<b>7,276.999 5</b>	<b>4,337.941 6</b>	<b>13,607.68 88</b>	<b>43.1841</b>	<b>2,236.142 3</b>	<b>1,092.928 1</b>	<b>3,329.070 4</b>	<b>598.2173</b>	<b>1,091.893 4</b>	<b>1,690.1107</b>	<b>112,031.1 618</b>	<b>3,109,851. 1960</b>	<b>3,221,882. 3578</b>	<b>284.1345</b>	<b>10.8231</b>	<b>3,232,211. 0003</b>

**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Energy	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5 310	109,690.5 310	2.1024	2.0110	110,342.36 70
Mobile	525.2147	4,123.331 4	5,585.065 6	28.8115	2,236.142 3	15.6422	2,251.784 5	598.2173	14.6074	612.8248		2,952,573. 8736	2,952,573. 8736	178.0635		2,957,025. 4603
<b>Total</b>	<b>7,276.999 5</b>	<b>4,337.941 6</b>	<b>13,607.68 88</b>	<b>43.1841</b>	<b>2,236.142 3</b>	<b>1,092.928 1</b>	<b>3,329.070 4</b>	<b>598.2173</b>	<b>1,091.893 4</b>	<b>1,690.1107</b>	<b>112,031.1 618</b>	<b>3,109,851. 1960</b>	<b>3,221,882. 3578</b>	<b>284.1345</b>	<b>10.8231</b>	<b>3,232,211. 0003</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**3.0 Construction Detail****Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Building Construction	Building Construction	8/16/2019	8/15/2019	5	0	

**Acres of Grading (Site Preparation Phase): 0****Acres of Grading (Grading Phase): 0****Acres of Paving: 0****Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

**Trips and VMT**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Building Construction	9	8,195.00	2,900.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

### 3.1 Mitigation Measures Construction

### 3.2 Building Construction - 2019

### Unmitigated Construction On-Site

[illegible]



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

### 3.2 Building Construction - 2019

### Unmitigated Construction Off-Site

[illegible]

### Mitigated Construction On-Site

[illegible]



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**3.2 Building Construction - 2019****Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

**4.0 Operational Detail - Mobile****4.1 Mitigation Measures Mobile**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	525.2147	4,123.3314	5,585.0656	28.8115	2,236.1423	15.6422	2,251.7845	598.2173	14.6074	612.8248		2,952,573.8736	2,952,573.8736	178.0635		2,957,025.4603
Unmitigated	525.2147	4,123.3314	5,585.0656	28.8115	2,236.1423	15.6422	2,251.7845	598.2173	14.6074	612.8248		2,952,573.8736	2,952,573.8736	178.0635		2,957,025.4603

## 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	19,410.00	16,175.00	16175.00	67,646,157	67,646,157
General Light Industry	37,944.30	15,177.72	7588.86	386,735,571	386,735,571
General Office Building	20,360.76	9,339.80	3735.92	45,308,862	45,308,862
Regional Shopping Center	224,162.40	224,162.40	224162.40	406,424,302	406,424,302
Single Family Housing	7,990.00	7,191.00	7191.00	28,403,022	28,403,022
Total	309,867.46	272,045.92	258,853.18	934,517,913	934,517,913

## 4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3
General Light Industry	14.70	100.00	6.60	59.00	28.00	13.00	92	5	3
General Office Building	14.70	6.60	6.60	33.00	48.00	19.00	77	19	4
Regional Shopping Center	14.70	6.60	6.60	16.30	64.70	19.00	54	35	11
Single Family Housing	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**4.4 Fleet Mix**

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Light Industry	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Office Building	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Regional Shopping Center	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Single Family Housing	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834

**5.0 Energy Detail**

Historical Energy Use: N

**5.1 Mitigation Measures Energy**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5310	109,690.5310	2.1024	2.0110	110,342.3670
NaturalGas Unmitigated	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5310	109,690.5310	2.1024	2.0110	110,342.3670



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**5.2 Energy by Land Use - NaturalGas****Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	138037	1.4886	12.7211	5.4132	0.0812		1.0285	1.0285		1.0285	1.0285		16,239.6479	16,239.6479	0.3113	0.2977	16,336.1520
General Light Industry	675513	7.2849	66.2268	55.6305	0.3974		5.0332	5.0332		5.0332	5.0332		79,472.1108	79,472.1108	1.5232	1.4570	79,944.3739
General Office Building	17758.4	0.1915	1.7410	1.4625	0.0105		0.1323	0.1323		0.1323	0.1323		2,089.2219	2,089.2219	0.0400	0.0383	2,101.6371
Regional Shopping Center	34084.9	0.3676	3.3417	2.8070	0.0201		0.2540	0.2540		0.2540	0.2540		4,009.9941	4,009.9941	0.0769	0.0735	4,033.8234
Single Family Housing	66976.2	0.7223	6.1723	2.6265	0.0394		0.4990	0.4990		0.4990	0.4990		7,879.5564	7,879.5564	0.1510	0.1445	7,926.3807
<b>Total</b>		<b>10.0550</b>	<b>90.2028</b>	<b>67.9397</b>	<b>0.5485</b>		<b>6.9471</b>	<b>6.9471</b>		<b>6.9471</b>	<b>6.9471</b>		<b>109,690.5310</b>	<b>109,690.5310</b>	<b>2.1024</b>	<b>2.0110</b>	<b>110,342.3670</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**5.2 Energy by Land Use - NaturalGas****Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	138.037	1.4886	12.7211	5.4132	0.0812		1.0285	1.0285		1.0285	1.0285		16,239.6479	16,239.6479	0.3113	0.2977	16,336.1520
General Light Industry	675.513	7.2849	66.2268	55.6305	0.3974		5.0332	5.0332		5.0332	5.0332		79,472.1108	79,472.1108	1.5232	1.4570	79,944.3739
General Office Building	17.7584	0.1915	1.7410	1.4625	0.0105		0.1323	0.1323		0.1323	0.1323		2,089.2219	2,089.2219	0.0400	0.0383	2,101.6371
Regional Shopping Center	34.0849	0.3676	3.3417	2.8070	0.0201		0.2540	0.2540		0.2540	0.2540		4,009.9941	4,009.9941	0.0769	0.0735	4,033.8234
Single Family Housing	66.9762	0.7223	6.1723	2.6265	0.0394		0.4990	0.4990		0.4990	0.4990		7,879.5564	7,879.5564	0.1510	0.1445	7,926.3807
<b>Total</b>		<b>10.0550</b>	<b>90.2028</b>	<b>67.9397</b>	<b>0.5485</b>		<b>6.9471</b>	<b>6.9471</b>		<b>6.9471</b>	<b>6.9471</b>		<b>109,690.5310</b>	<b>109,690.5310</b>	<b>2.1024</b>	<b>2.0110</b>	<b>110,342.3670</b>

**6.0 Area Detail****6.1 Mitigation Measures Area**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Unmitigated	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730

## 6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	135.6830					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	422.3093					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	6,173.613 3	120.5635	7,620.655 0	13.8065		1,068.488 5	1,068.488 5		1,068.488 5	1,068.4885	112,031.16 18	46,984.23 53	159,015.3 971	103.3862	8.8121	164,226.0 561
Landscaping	10.1242	3.8438	334.0285	0.0177		1.8504	1.8504		1.8504	1.8504		602.5561	602.5561	0.5824		617.1170
<b>Total</b>	<b>6,741.729 8</b>	<b>124.4074</b>	<b>7,954.683 5</b>	<b>13.8242</b>		<b>1,070.338 9</b>	<b>1,070.338 9</b>		<b>1,070.338 9</b>	<b>1,070.3389</b>	<b>112,031.1 618</b>	<b>47,586.79 14</b>	<b>159,617.9 532</b>	<b>103.9686</b>	<b>8.8121</b>	<b>164,843.1 730</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**6.2 Area by SubCategory****Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	135.6830					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	422.3093					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	6,173.6133	120.5635	7,620.6550	13.8065		1,068.4885	1,068.4885		1,068.4885	1,068.4885	112,031.1618	46,984.2353	159,015.3971	103.3862	8.8121	164,226.0561
Landscaping	10.1242	3.8438	334.0285	0.0177		1.8504	1.8504		1.8504	1.8504		602.5561	602.5561	0.5824		617.1170
<b>Total</b>	<b>6,741.7298</b>	<b>124.4074</b>	<b>7,954.6835</b>	<b>13.8242</b>		<b>1,070.3389</b>	<b>1,070.3389</b>		<b>1,070.3389</b>	<b>1,070.3389</b>	<b>112,031.1618</b>	<b>47,586.7914</b>	<b>159,617.9532</b>	<b>103.9686</b>	<b>8.8121</b>	<b>164,843.1730</b>

**7.0 Water Detail****7.1 Mitigation Measures Water****8.0 Waste Detail****8.1 Mitigation Measures Waste****9.0 Operational Offroad**

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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**10.0 Stationary Equipment**



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Winter

**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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**Boilers**

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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**User Defined Equipment**

Equipment Type	Number
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**11.0 Vegetation**

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2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**2018-001 Plus 2019-001 Annexations, Apple Valley**  
**Mojave Desert AQMD Air District, Summer**

## 1.0 Project Characteristics

### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	1,867.96	1000sqft	195.00	1,867,957.00	0
General Light Industry	7,588.86	1000sqft	960.00	7,588,865.00	0
Apartments Low Rise	3,235.00	Dwelling Unit	316.00	3,235,000.00	9252
Single Family Housing	799.00	Dwelling Unit	769.00	1,438,200.00	2285
Regional Shopping Center	5,604.06	1000sqft	490.00	5,604,057.00	0

### 1.2 Other Project Characteristics

<b>Urbanization</b>	Rural	<b>Wind Speed (m/s)</b>	2.6	<b>Precipitation Freq (Days)</b>	30
<b>Climate Zone</b>	10			<b>Operational Year</b>	2025
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MW hr)</b>	702.44	<b>CH4 Intensity (lb/MW hr)</b>	0.029	<b>N2O Intensity (lb/MW hr)</b>	0.006

### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Per the Addendum land use tables for the 2018 and 2019 Annexations.

Construction Phase - Assumes buildout at 2040.

Vehicle Trips - 309,668 daily trips per traffic letter. Industrial trip lengths increased to 100 miles per work related trip.



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	155,000.00	0.00
tblLandUse	LandUseSquareFeet	1,867,960.00	1,867,957.00
tblLandUse	LandUseSquareFeet	7,588,860.00	7,588,865.00
tblLandUse	LandUseSquareFeet	5,604,060.00	5,604,057.00
tblLandUse	LotAcreage	42.88	195.00
tblLandUse	LotAcreage	174.22	960.00
tblLandUse	LotAcreage	202.19	316.00
tblLandUse	LotAcreage	259.42	769.00
tblLandUse	LotAcreage	128.65	490.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblVehicleTrips	CC_TL	6.60	100.00
tblVehicleTrips	ST_TR	7.16	5.00
tblVehicleTrips	ST_TR	1.32	2.00
tblVehicleTrips	ST_TR	2.46	5.00
tblVehicleTrips	ST_TR	49.97	40.00
tblVehicleTrips	ST_TR	9.91	9.00
tblVehicleTrips	SU_TR	6.07	5.00
tblVehicleTrips	SU_TR	0.68	1.00
tblVehicleTrips	SU_TR	1.05	2.00
tblVehicleTrips	SU_TR	25.24	40.00
tblVehicleTrips	SU_TR	8.62	9.00
tblVehicleTrips	WD_TR	6.59	6.00
tblVehicleTrips	WD_TR	6.97	5.00
tblVehicleTrips	WD_TR	11.03	10.90
tblVehicleTrips	WD_TR	42.70	40.00
tblVehicleTrips	WD_TR	9.52	10.00







## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

[illegible]



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**2.2 Overall Operational****Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Energy	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5 310	109,690.5 310	2.1024	2.0110	110,342.36 70
Mobile	621.1004	4,195.082 2	6,499.728 0	31.5781	2,236.142 3	15.5638	2,251.706 1	598.2173	14.5325	612.7498		3,231,877. 0828	3,231,877. 0828	169.4677		3,236,113. 7754
<b>Total</b>	<b>7,372.885 2</b>	<b>4,409.692 4</b>	<b>14,522.35 12</b>	<b>45.9508</b>	<b>2,236.142 3</b>	<b>1,092.849 7</b>	<b>3,328.992 0</b>	<b>598.2173</b>	<b>1,091.818 4</b>	<b>1,690.0357</b>	<b>112,031.1 618</b>	<b>3,389,154. 4052</b>	<b>3,501,185. 5670</b>	<b>275.5387</b>	<b>10.8231</b>	<b>3,511,299. 3155</b>

**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Energy	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5 310	109,690.5 310	2.1024	2.0110	110,342.36 70
Mobile	621.1004	4,195.082 2	6,499.728 0	31.5781	2,236.142 3	15.5638	2,251.706 1	598.2173	14.5325	612.7498		3,231,877. 0828	3,231,877. 0828	169.4677		3,236,113. 7754
<b>Total</b>	<b>7,372.885 2</b>	<b>4,409.692 4</b>	<b>14,522.35 12</b>	<b>45.9508</b>	<b>2,236.142 3</b>	<b>1,092.849 7</b>	<b>3,328.992 0</b>	<b>598.2173</b>	<b>1,091.818 4</b>	<b>1,690.0357</b>	<b>112,031.1 618</b>	<b>3,389,154. 4052</b>	<b>3,501,185. 5670</b>	<b>275.5387</b>	<b>10.8231</b>	<b>3,511,299. 3155</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**3.0 Construction Detail****Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Building Construction	Building Construction	8/16/2019	8/15/2019	5	0	

**Acres of Grading (Site Preparation Phase): 0****Acres of Grading (Grading Phase): 0****Acres of Paving: 0****Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

**Trips and VMT**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Building Construction	9	8,195.00	2,900.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

### 3.1 Mitigation Measures Construction

### 3.2 Building Construction - 2019

### Unmitigated Construction On-Site

[illegible]



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

### 3.2 Building Construction - 2019

### Unmitigated Construction Off-Site

[illegible]

### Mitigated Construction On-Site

[illegible]



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**3.2 Building Construction - 2019****Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

**4.0 Operational Detail - Mobile****4.1 Mitigation Measures Mobile**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	621.1004	4,195.082 2	6,499.728 0	31.5781	2,236.142 3	15.5638	2,251.706 1	598.2173	14.5325	612.7498		3,231,877. 0828	3,231,877. 0828	169.4677		3,236,113. 7754
Unmitigated	621.1004	4,195.082 2	6,499.728 0	31.5781	2,236.142 3	15.5638	2,251.706 1	598.2173	14.5325	612.7498		3,231,877. 0828	3,231,877. 0828	169.4677		3,236,113. 7754

## 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	19,410.00	16,175.00	16175.00	67,646,157	67,646,157
General Light Industry	37,944.30	15,177.72	7588.86	386,735,571	386,735,571
General Office Building	20,360.76	9,339.80	3735.92	45,308,862	45,308,862
Regional Shopping Center	224,162.40	224,162.40	224162.40	406,424,302	406,424,302
Single Family Housing	7,990.00	7,191.00	7191.00	28,403,022	28,403,022
Total	309,867.46	272,045.92	258,853.18	934,517,913	934,517,913

## 4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3
General Light Industry	14.70	100.00	6.60	59.00	28.00	13.00	92	5	3
General Office Building	14.70	6.60	6.60	33.00	48.00	19.00	77	19	4
Regional Shopping Center	14.70	6.60	6.60	16.30	64.70	19.00	54	35	11
Single Family Housing	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**4.4 Fleet Mix**

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Light Industry	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Office Building	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Regional Shopping Center	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Single Family Housing	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834

**5.0 Energy Detail**

Historical Energy Use: N

**5.1 Mitigation Measures Energy**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5310	109,690.5310	2.1024	2.0110	110,342.3670
NaturalGas Unmitigated	10.0550	90.2028	67.9397	0.5485		6.9471	6.9471		6.9471	6.9471		109,690.5310	109,690.5310	2.1024	2.0110	110,342.3670



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**5.2 Energy by Land Use - NaturalGas****Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	138037	1.4886	12.7211	5.4132	0.0812		1.0285	1.0285		1.0285	1.0285		16,239.6479	16,239.6479	0.3113	0.2977	16,336.1520
General Light Industry	675513	7.2849	66.2268	55.6305	0.3974		5.0332	5.0332		5.0332	5.0332		79,472.1108	79,472.1108	1.5232	1.4570	79,944.3739
General Office Building	17758.4	0.1915	1.7410	1.4625	0.0105		0.1323	0.1323		0.1323	0.1323		2,089.2219	2,089.2219	0.0400	0.0383	2,101.6371
Regional Shopping Center	34084.9	0.3676	3.3417	2.8070	0.0201		0.2540	0.2540		0.2540	0.2540		4,009.9941	4,009.9941	0.0769	0.0735	4,033.8234
Single Family Housing	66976.2	0.7223	6.1723	2.6265	0.0394		0.4990	0.4990		0.4990	0.4990		7,879.5564	7,879.5564	0.1510	0.1445	7,926.3807
<b>Total</b>		<b>10.0550</b>	<b>90.2028</b>	<b>67.9397</b>	<b>0.5485</b>		<b>6.9471</b>	<b>6.9471</b>		<b>6.9471</b>	<b>6.9471</b>		<b>109,690.5310</b>	<b>109,690.5310</b>	<b>2.1024</b>	<b>2.0110</b>	<b>110,342.3670</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Summer

**5.2 Energy by Land Use - NaturalGas****Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	138.037	1.4886	12.7211	5.4132	0.0812		1.0285	1.0285		1.0285	1.0285		16,239.6479	16,239.6479	0.3113	0.2977	16,336.1520
General Light Industry	675.513	7.2849	66.2268	55.6305	0.3974		5.0332	5.0332		5.0332	5.0332		79,472.1108	79,472.1108	1.5232	1.4570	79,944.3739
General Office Building	17.7584	0.1915	1.7410	1.4625	0.0105		0.1323	0.1323		0.1323	0.1323		2,089.2219	2,089.2219	0.0400	0.0383	2,101.6371
Regional Shopping Center	34.0849	0.3676	3.3417	2.8070	0.0201		0.2540	0.2540		0.2540	0.2540		4,009.9941	4,009.9941	0.0769	0.0735	4,033.8234
Single Family Housing	66.9762	0.7223	6.1723	2.6265	0.0394		0.4990	0.4990		0.4990	0.4990		7,879.5564	7,879.5564	0.1510	0.1445	7,926.3807
<b>Total</b>		<b>10.0550</b>	<b>90.2028</b>	<b>67.9397</b>	<b>0.5485</b>		<b>6.9471</b>	<b>6.9471</b>		<b>6.9471</b>	<b>6.9471</b>		<b>109,690.5310</b>	<b>109,690.5310</b>	<b>2.1024</b>	<b>2.0110</b>	<b>110,342.3670</b>

**6.0 Area Detail****6.1 Mitigation Measures Area**



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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730
Unmitigated	6,741.729 8	124.4074	7,954.683 5	13.8242		1,070.338 9	1,070.338 9		1,070.338 9	1,070.3389	112,031.16 18	47,586.79 14	159,617.9 532	103.9686	8.8121	164,843.1 730

## 6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	135.6830					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	422.3093					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	6,173.613 3	120.5635	7,620.655 0	13.8065		1,068.488 5	1,068.488 5		1,068.488 5	1,068.4885	112,031.16 18	46,984.23 53	159,015.3 971	103.3862	8.8121	164,226.0 561
Landscaping	10.1242	3.8438	334.0285	0.0177		1.8504	1.8504		1.8504	1.8504		602.5561	602.5561	0.5824		617.1170
<b>Total</b>	<b>6,741.729 8</b>	<b>124.4074</b>	<b>7,954.683 5</b>	<b>13.8242</b>		<b>1,070.338 9</b>	<b>1,070.338 9</b>		<b>1,070.338 9</b>	<b>1,070.3389</b>	<b>112,031.1 618</b>	<b>47,586.79 14</b>	<b>159,617.9 532</b>	<b>103.9686</b>	<b>8.8121</b>	<b>164,843.1 730</b>



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**6.2 Area by SubCategory****Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	135.6830					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	422.3093					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	6,173.6133	120.5635	7,620.6550	13.8065		1,068.4885	1,068.4885		1,068.4885	1,068.4885	112,031.1618	46,984.2353	159,015.3971	103.3862	8.8121	164,226.0561
Landscaping	10.1242	3.8438	334.0285	0.0177		1.8504	1.8504		1.8504	1.8504		602.5561	602.5561	0.5824		617.1170
<b>Total</b>	<b>6,741.7298</b>	<b>124.4074</b>	<b>7,954.6835</b>	<b>13.8242</b>		<b>1,070.3389</b>	<b>1,070.3389</b>		<b>1,070.3389</b>	<b>1,070.3389</b>	<b>112,031.1618</b>	<b>47,586.7914</b>	<b>159,617.9532</b>	<b>103.9686</b>	<b>8.8121</b>	<b>164,843.1730</b>

**7.0 Water Detail****7.1 Mitigation Measures Water****8.0 Waste Detail****8.1 Mitigation Measures Waste****9.0 Operational Offroad**

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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**10.0 Stationary Equipment**



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**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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**Boilers**

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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**User Defined Equipment**

Equipment Type	Number
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**11.0 Vegetation**

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## 1.0 Project Characteristics

### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	1,867.96	1000sqft	195.00	1,867,957.00	0
General Light Industry	7,588.86	1000sqft	960.00	7,588,865.00	0
Apartments Low Rise	3,235.00	Dwelling Unit	316.00	3,235,000.00	9252
Single Family Housing	799.00	Dwelling Unit	769.00	1,438,200.00	2285
Regional Shopping Center	5,604.06	1000sqft	490.00	5,604,057.00	0

### 1.2 Other Project Characteristics

<b>Urbanization</b>	Rural	<b>Wind Speed (m/s)</b>	2.6	<b>Precipitation Freq (Days)</b>	30
<b>Climate Zone</b>	10			<b>Operational Year</b>	2025
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MW hr)</b>	702.44	<b>CH4 Intensity (lb/MW hr)</b>	0.029	<b>N2O Intensity (lb/MW hr)</b>	0.006

### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Per the Addendum land use tables for the 2018 and 2019 Annexations.

Construction Phase - Assumes buildout at 2040.

Vehicle Trips - 309,668 daily trips per traffic letter. Industrial trip lengths increased to 100 miles per work related trip.



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Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	155,000.00	0.00
tblLandUse	LandUseSquareFeet	1,867,960.00	1,867,957.00
tblLandUse	LandUseSquareFeet	7,588,860.00	7,588,865.00
tblLandUse	LandUseSquareFeet	5,604,060.00	5,604,057.00
tblLandUse	LotAcreage	42.88	195.00
tblLandUse	LotAcreage	174.22	960.00
tblLandUse	LotAcreage	202.19	316.00
tblLandUse	LotAcreage	259.42	769.00
tblLandUse	LotAcreage	128.65	490.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblVehicleTrips	CC_TL	6.60	100.00
tblVehicleTrips	ST_TR	7.16	5.00
tblVehicleTrips	ST_TR	1.32	2.00
tblVehicleTrips	ST_TR	2.46	5.00
tblVehicleTrips	ST_TR	49.97	40.00
tblVehicleTrips	ST_TR	9.91	9.00
tblVehicleTrips	SU_TR	6.07	5.00
tblVehicleTrips	SU_TR	0.68	1.00
tblVehicleTrips	SU_TR	1.05	2.00
tblVehicleTrips	SU_TR	25.24	40.00
tblVehicleTrips	SU_TR	8.62	9.00
tblVehicleTrips	WD_TR	6.59	6.00
tblVehicleTrips	WD_TR	6.97	5.00
tblVehicleTrips	WD_TR	11.03	10.90
tblVehicleTrips	WD_TR	42.70	40.00
tblVehicleTrips	WD_TR	9.52	10.00



## 2.0 Emissions Summary

### 2.1 Overall Construction

#### Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr															
2019	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Maximum	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

#### Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr															
2019	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Maximum	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000



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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

**2.2 Overall Operational****Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	355.8629	5.2891	342.5094	0.5677		43.9746	43.9746		43.9746	43.9746	4,166.9514	1,796.7553	5,963.7067	3.8930	0.3278	6,158.7038
Energy	1.8350	16.4620	12.3990	0.1001		1.2678	1.2678		1.2678	1.2678	0.0000	78,149.4494	78,149.4494	2.8247	0.8454	78,471.9804
Mobile	86.9374	725.0438	963.8118	4.8966	357.1432	2.5520	359.6952	95.6837	2.3828	98.0666	0.0000	455,247.1879	455,247.1879	26.4854	0.0000	455,909.3222
Waste						0.0000	0.0000		0.0000	0.0000	3,949.5140	0.0000	3,949.5140	233.4096	0.0000	9,784.7537
Water						0.0000	0.0000		0.0000	0.0000	877.1630	13,678.2522	14,555.4152	90.6578	2.2441	17,490.6090
<b>Total</b>	<b>444.6354</b>	<b>746.7949</b>	<b>1,318.7202</b>	<b>5.5643</b>	<b>357.1432</b>	<b>47.7944</b>	<b>404.9376</b>	<b>95.6837</b>	<b>47.6252</b>	<b>143.3090</b>	<b>8,993.6284</b>	<b>548,871.6447</b>	<b>557,865.2731</b>	<b>357.2704</b>	<b>3.4172</b>	<b>567,815.3690</b>



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**2.2 Overall Operational****Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	355.8629	5.2891	342.5094	0.5677		43.9746	43.9746		43.9746	43.9746	4,166.9514	1,796.7553	5,963.7067	3.8930	0.3278	6,158.7038
Energy	1.8350	16.4620	12.3990	0.1001		1.2678	1.2678		1.2678	1.2678	0.0000	78,149.4494	78,149.4494	2.8247	0.8454	78,471.9804
Mobile	86.9374	725.0438	963.8118	4.8966	357.1432	2.5520	359.6952	95.6837	2.3828	98.0666	0.0000	455,247.1879	455,247.1879	26.4854	0.0000	455,909.3222
Waste						0.0000	0.0000		0.0000	0.0000	3,949.5140	0.0000	3,949.5140	233.4096	0.0000	9,784.7537
Water						0.0000	0.0000		0.0000	0.0000	877.1630	13,678.2522	14,555.4152	90.6578	2.2441	17,490.6090
<b>Total</b>	<b>444.6354</b>	<b>746.7949</b>	<b>1,318.7202</b>	<b>5.5643</b>	<b>357.1432</b>	<b>47.7944</b>	<b>404.9376</b>	<b>95.6837</b>	<b>47.6252</b>	<b>143.3090</b>	<b>8,993.6284</b>	<b>548,871.6447</b>	<b>557,865.2731</b>	<b>357.2704</b>	<b>3.4172</b>	<b>567,815.3690</b>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**3.0 Construction Detail****Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Building Construction	Building Construction	8/16/2019	8/15/2019	5	0	

**Acres of Grading (Site Preparation Phase): 0**



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**Acres of Grading (Grading Phase): 0****Acres of Paving: 0****Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

**Trips and VMT**

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Building Construction	9	8,195.00	2,900.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

**3.1 Mitigation Measures Construction**



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### 3.2 Building Construction - 2019

### Unmitigated Construction On-Site

[illegible]

### Unmitigated Construction Off-Site

[illegible]



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**3.2 Building Construction - 2019****Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

**4.0 Operational Detail - Mobile**



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**4.1 Mitigation Measures Mobile**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	86.9374	725.0438	963.8118	4.8966	357.1432	2.5520	359.6952	95.6837	2.3828	98.0666	0.0000	455,247.1879	455,247.1879	26.4854	0.0000	455,909.3222
Unmitigated	86.9374	725.0438	963.8118	4.8966	357.1432	2.5520	359.6952	95.6837	2.3828	98.0666	0.0000	455,247.1879	455,247.1879	26.4854	0.0000	455,909.3222

**4.2 Trip Summary Information**

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	19,410.00	16,175.00	16175.00	67,646,157	67,646,157
General Light Industry	37,944.30	15,177.72	7588.86	386,735,571	386,735,571
General Office Building	20,360.76	9,339.80	3735.92	45,308,862	45,308,862
Regional Shopping Center	224,162.40	224,162.40	224162.40	406,424,302	406,424,302
Single Family Housing	7,990.00	7,191.00	7191.00	28,403,022	28,403,022
Total	309,867.46	272,045.92	258,853.18	934,517,913	934,517,913

**4.3 Trip Type Information**



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	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3
General Light Industry	14.70	100.00	6.60	59.00	28.00	13.00	92	5	3
General Office Building	14.70	6.60	6.60	33.00	48.00	19.00	77	19	4
Regional Shopping Center	14.70	6.60	6.60	16.30	64.70	19.00	54	35	11
Single Family Housing	16.80	7.10	7.90	40.20	19.20	40.60	86	11	3

**4.4 Fleet Mix**

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Light Industry	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
General Office Building	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Regional Shopping Center	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834
Single Family Housing	0.551982	0.033881	0.176222	0.100333	0.014399	0.004821	0.008983	0.096266	0.001411	0.001973	0.008191	0.000705	0.000834

**5.0 Energy Detail**

Historical Energy Use: N

**5.1 Mitigation Measures Energy**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	59,988.9518	59,988.9518	2.4766	0.5124	60,203.5640
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	59,988.9518	59,988.9518	2.4766	0.5124	60,203.5640
NaturalGas Mitigated	1.8350	16.4620	12.3990	0.1001		1.2678	1.2678		1.2678	1.2678	0.0000	18,160.4976	18,160.4976	0.3481	0.3329	18,268.4164
NaturalGas Unmitigated	1.8350	16.4620	12.3990	0.1001		1.2678	1.2678		1.2678	1.2678	0.0000	18,160.4976	18,160.4976	0.3481	0.3329	18,268.4164



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**5.2 Energy by Land Use - NaturalGas****Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	5.03835e+007	0.2717	2.3216	0.9879	0.0148		0.1877	0.1877		0.1877	0.1877	0.0000	2,688.6558	2,688.6558	0.0515	0.0493	2,704.6332
General Light Industry	2.46562e+008	1.3295	12.0864	10.1526	0.0725		0.9186	0.9186		0.9186	0.9186	0.0000	13,157.4992	13,157.4992	0.2522	0.2412	13,235.6877
General Office Building	6.48181e+006	0.0350	0.3177	0.2669	1.9100e-003		0.0242	0.0242		0.0242	0.0242	0.0000	345.8941	345.8941	6.6300e-003	6.3400e-003	347.9496
Regional Shopping Center	1.2441e+007	0.0671	0.6099	0.5123	3.6600e-003		0.0464	0.0464		0.0464	0.0464	0.0000	663.8995	663.8995	0.0127	0.0122	667.8447
Single Family Housing	2.44463e+007	0.1318	1.1265	0.4793	7.1900e-003		0.0911	0.0911		0.0911	0.0911	0.0000	1,304.5489	1,304.5489	0.0250	0.0239	1,312.3012
<b>Total</b>		<b>1.8350</b>	<b>16.4620</b>	<b>12.3990</b>	<b>0.1001</b>		<b>1.2678</b>	<b>1.2678</b>		<b>1.2678</b>	<b>1.2678</b>	<b>0.0000</b>	<b>18,160.4976</b>	<b>18,160.4976</b>	<b>0.3481</b>	<b>0.3329</b>	<b>18,268.4164</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**5.2 Energy by Land Use - NaturalGas****Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	5.03835e+007	0.2717	2.3216	0.9879	0.0148		0.1877	0.1877		0.1877	0.1877	0.0000	2,688.6558	2,688.6558	0.0515	0.0493	2,704.6332
General Light Industry	2.46562e+008	1.3295	12.0864	10.1526	0.0725		0.9186	0.9186		0.9186	0.9186	0.0000	13,157.4992	13,157.4992	0.2522	0.2412	13,235.6877
General Office Building	6.48181e+006	0.0350	0.3177	0.2669	1.9100e-003		0.0242	0.0242		0.0242	0.0242	0.0000	345.8941	345.8941	6.6300e-003	6.3400e-003	347.9496
Regional Shopping Center	1.2441e+007	0.0671	0.6099	0.5123	3.6600e-003		0.0464	0.0464		0.0464	0.0464	0.0000	663.8995	663.8995	0.0127	0.0122	667.8447
Single Family Housing	2.44463e+007	0.1318	1.1265	0.4793	7.1900e-003		0.0911	0.0911		0.0911	0.0911	0.0000	1,304.5489	1,304.5489	0.0250	0.0239	1,312.3012
<b>Total</b>		<b>1.8350</b>	<b>16.4620</b>	<b>12.3990</b>	<b>0.1001</b>		<b>1.2678</b>	<b>1.2678</b>		<b>1.2678</b>	<b>1.2678</b>	<b>0.0000</b>	<b>18,160.4976</b>	<b>18,160.4976</b>	<b>0.3481</b>	<b>0.3329</b>	<b>18,268.4164</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**5.3 Energy by Land Use - Electricity****Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	1.57229e +007	5,009.665 9	0.2068	0.0428	5,027.588 1
General Light Industry	7.7027e +007	24,542.44 60	1.0132	0.2096	24,630.24 73
General Office Building	1.7783e +007	5,666.029 1	0.2339	0.0484	5,686.299 5
Regional Shopping Center	7.07792e +007	22,551.78 22	0.9310	0.1926	22,632.46 19
Single Family Housing	6.96447e +006	2,219.028 6	0.0916	0.0190	2,226.967 2
<b>Total</b>		<b>59,988.95 18</b>	<b>2.4766</b>	<b>0.5124</b>	<b>60,203.56 40</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**5.3 Energy by Land Use - Electricity****Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	1.57229e+007	5,009.6659	0.2068	0.0428	5,027.5881
General Light Industry	7.7027e+007	24,542.4460	1.0132	0.2096	24,630.2473
General Office Building	1.7783e+007	5,666.0291	0.2339	0.0484	5,686.2995
Regional Shopping Center	7.07792e+007	22,551.7822	0.9310	0.1926	22,632.4619
Single Family Housing	6.96447e+006	2,219.0286	0.0916	0.0190	2,226.9672
<b>Total</b>		<b>59,988.9518</b>	<b>2.4766</b>	<b>0.5124</b>	<b>60,203.5640</b>

**6.0 Area Detail****6.1 Mitigation Measures Area**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	355.8629	5.2891	342.5094	0.5677		43.9746	43.9746		43.9746	43.9746	4,166.951 4	1,796.755 3	5,963.706 7	3.8930	0.3278	6,158.703 8
Unmitigated	355.8629	5.2891	342.5094	0.5677		43.9746	43.9746		43.9746	43.9746	4,166.951 4	1,796.755 3	5,963.706 7	3.8930	0.3278	6,158.703 8

## 6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	24.7622					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	77.0715					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	253.1181	4.9431	312.4469	0.5661		43.8080	43.8080		43.8080	43.8080	4,166.951 4	1,747.558 6	5,914.510 0	3.8454	0.3278	6,108.318 3
Landscaping	0.9112	0.3460	30.0626	1.5900e-003		0.1665	0.1665		0.1665	0.1665	0.0000	49.1967	49.1967	0.0476	0.0000	50.3855
<b>Total</b>	<b>355.8629</b>	<b>5.2891</b>	<b>342.5094</b>	<b>0.5677</b>		<b>43.9746</b>	<b>43.9746</b>		<b>43.9746</b>	<b>43.9746</b>	<b>4,166.951 4</b>	<b>1,796.755 3</b>	<b>5,963.706 7</b>	<b>3.8930</b>	<b>0.3278</b>	<b>6,158.703 8</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**6.2 Area by SubCategory****Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	24.7622					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	77.0715					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	253.1181	4.9431	312.4469	0.5661		43.8080	43.8080		43.8080	43.8080	4,166.9514	1,747.5586	5,914.5100	3.8454	0.3278	6,108.3183
Landscaping	0.9112	0.3460	30.0626	1.5900e-003		0.1665	0.1665		0.1665	0.1665	0.0000	49.1967	49.1967	0.0476	0.0000	50.3855
<b>Total</b>	<b>355.8629</b>	<b>5.2891</b>	<b>342.5094</b>	<b>0.5677</b>		<b>43.9746</b>	<b>43.9746</b>		<b>43.9746</b>	<b>43.9746</b>	<b>4,166.9514</b>	<b>1,796.7553</b>	<b>5,963.7067</b>	<b>3.8930</b>	<b>0.3278</b>	<b>6,158.7038</b>

**7.0 Water Detail****7.1 Mitigation Measures Water**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	14,555.41 52	90.6578	2.2441	17,490.60 90
Unmitigated	14,555.41 52	90.6578	2.2441	17,490.60 90

**7.2 Water by Land Use****Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	210.773 / 132.879	1,411.6939	6.9236	0.1737	1,636.532 9
General Light Industry	1754.92 / 0	7,837.531 2	57.4848	1.4124	9,695.556 3
General Office Building	332 / 203.484	2,203.026 0	10.9048	0.2734	2,557.107 3
Regional Shopping Center	415.107 / 254.42	2,754.495 4	13.6345	0.3418	3,197.2117
Single Family Housing	52.0581 / 32.8192	348.6688	1.7100	0.0429	404.2009
<b>Total</b>		<b>14,555.41 52</b>	<b>90.6578</b>	<b>2.2441</b>	<b>17,490.60 90</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**7.2 Water by Land Use****Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	210.773 / 132.879	1,411.6939	6.9236	0.1737	1,636.5329
General Light Industry	1754.92 / 0	7,837.5312	57.4848	1.4124	9,695.5563
General Office Building	332 / 203.484	2,203.0260	10.9048	0.2734	2,557.1073
Regional Shopping Center	415.107 / 254.42	2,754.4954	13.6345	0.3418	3,197.2117
Single Family Housing	52.0581 / 32.8192	348.6688	1.7100	0.0429	404.2009
<b>Total</b>		<b>14,555.4152</b>	<b>90.6578</b>	<b>2.2441</b>	<b>17,490.6090</b>

**8.0 Waste Detail****8.1 Mitigation Measures Waste**



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	3,949.514 0	233.4096	0.0000	9,784.753 7
Unmitigated	3,949.514 0	233.4096	0.0000	9,784.753 7

**8.2 Waste by Land Use****Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	1488.1	302.0709	17.8519	0.0000	748.3678
General Light Industry	9410.19	1,910.183 5	112.8886	0.0000	4,732.398 8
General Office Building	1737.2	352.6359	20.8402	0.0000	873.6405
Regional Shopping Center	5884.26	1,194.451 6	70.5901	0.0000	2,959.203 3
Single Family Housing	936.85	190.1721	11.2389	0.0000	471.1433
<b>Total</b>		<b>3,949.514 0</b>	<b>233.4096</b>	<b>0.0000</b>	<b>9,784.753 7</b>



## 2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**8.2 Waste by Land Use****Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	1488.1	302.0709	17.8519	0.0000	748.3678
General Light Industry	9410.19	1,910.1835	112.8886	0.0000	4,732.3988
General Office Building	1737.2	352.6359	20.8402	0.0000	873.6405
Regional Shopping Center	5884.26	1,194.4516	70.5901	0.0000	2,959.2033
Single Family Housing	936.85	190.1721	11.2389	0.0000	471.1433
<b>Total</b>		<b>3,949.5140</b>	<b>233.4096</b>	<b>0.0000</b>	<b>9,784.7537</b>

**9.0 Operational Offroad**

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

**10.0 Stationary Equipment****Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

**Boilers**

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------



2018-001 Plus 2019-001 Annexations, Apple Valley - Mojave Desert AQMD Air District, Annual

**User Defined Equipment**

Equipment Type	Number
----------------	--------

**11.0 Vegetation**

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**Appendix B**  
**Biological Resources Study**





**BIOLOGICAL RESOURCES ASSESSMENT REPORT**  
**Apple Valley Annexation Project**

Town of Apple Valley  
San Bernardino County  
California

Submitted to:

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22 October 2019



## BIOLOGICAL RESOURCES ASSESSMENT REPORT Apple Valley Annexation Project

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## **BIOLOGICAL RESOURCES ASSESSMENT REPORT**

### **Apple Valley Annexation Project**

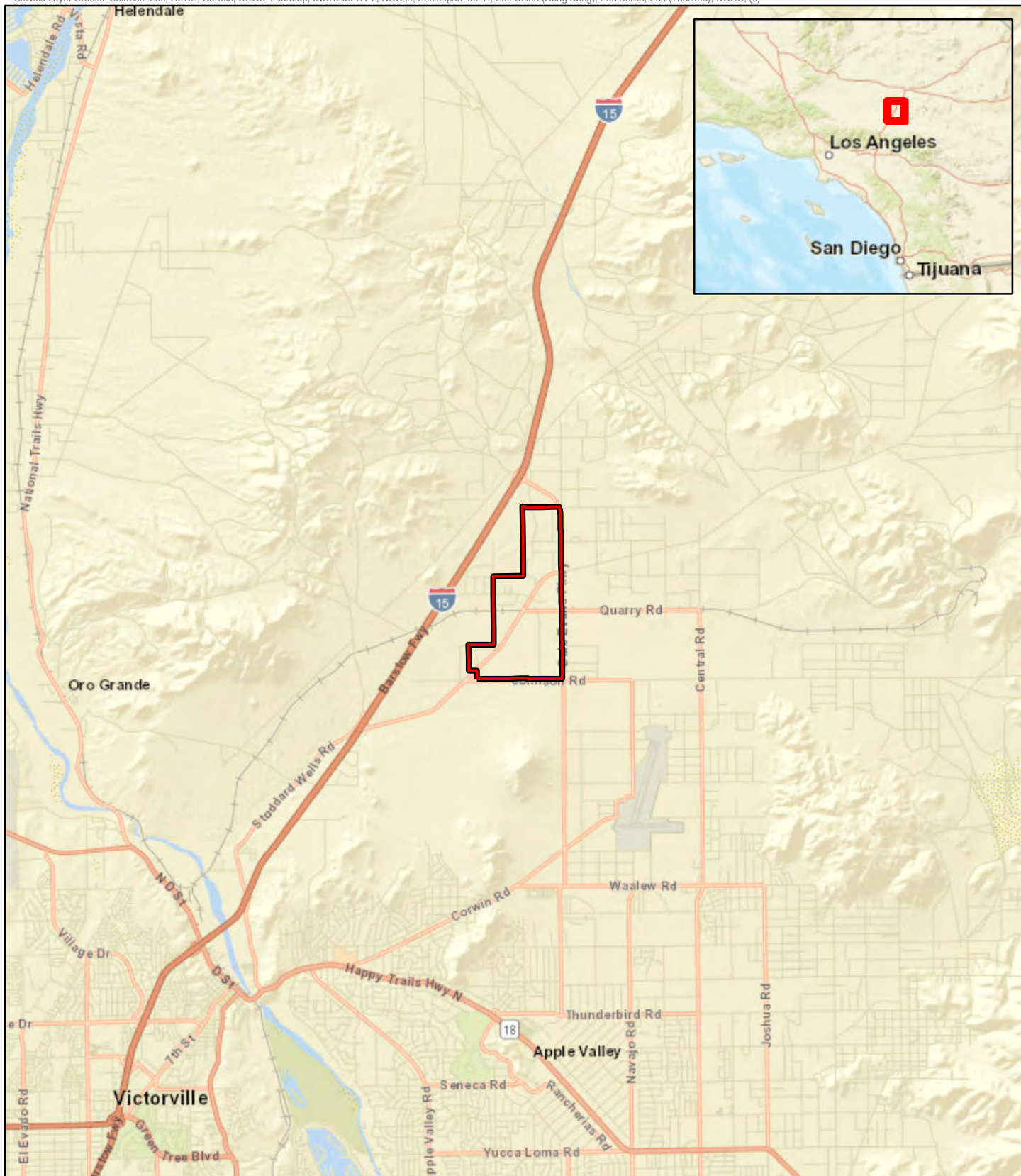
#### **1.0 INTRODUCTION**

The Town of Apple Valley (Apple Valley or Town) proposes to annex 1,407 acres of a portion of currently unincorporated land located in the northwestern portion of Apple Valley, San Bernardino County, California (Figure 1). The proposed annexation has the potential to affect a variety of special status biological resources that are protected and/or regulated by the California Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), United States Army Corps of Engineers (USACE) and/or Regional Water Quality Control Board (RWQCB). Furthermore, the Town of Apple Valley is in the planning and development phase of implementing a regional Multiple-species Habitat Conservation Plan/Natural Communities Conservation Plan (MSHCP/NCCP) that would address impacts to specified special status biological resources that are known to occur, or have the potential to occur within the boundaries of the planning area of the forthcoming MSHCP/NCCP, which extends beyond the boundaries of the proposed annexation. This assessment, prepared by Wood Environment & Infrastructure Solutions, Inc. (Wood) addresses the potential impacts to the special status biological resources present, or potentially present within the proposed annexation area, or “Biological Study Area (BSA)”, and outlines the management considerations for those special status resources. Until the MSHCP/NCCP is finalized and implemented, standard biological analysis, impact avoidance, minimization and mitigation for unavoidable project-related impacts to special status biological resources will continue to be required.

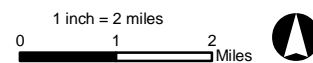
#### **2.0 PROJECT LOCATION**

The 1,407 -acre area of unincorporated lands are generally located in the northwestern corner of the existing Town limits. The BSA is generally bounded by Morro Road to the north; portions of Johnson Road, Cordova Road and Langley Street to the south; portions of Fairfield Avenue to the west, and Bell Mountain Road and Dale Evans Parkway to the east (Figure 2).





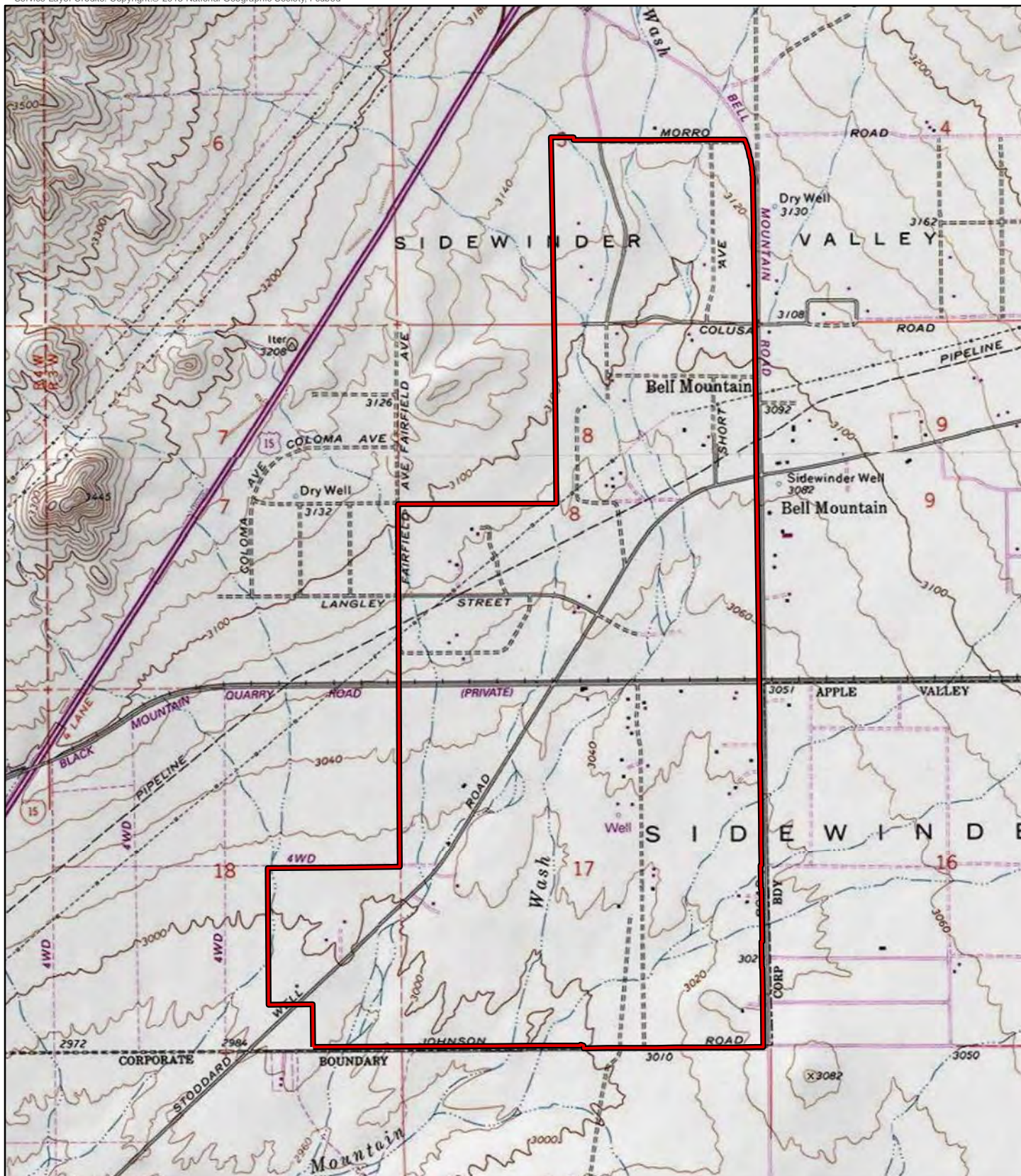
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 2019-001 Annexation Boundary

**FIGURE 1**  
Vicinity and Regional Location  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.





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**wood.**

2019-001 Annexation Boundary

**FIGURE 2**  
Vicinity and Regional Location  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.



From north to south, the BSA is located within Sections 5, 8, and 17 of Township 6 North, Range 3 West, as shown on the USGS 7.5' Apple Valley North and Turtle Valley, California quadrangles.

The elevational range of the BSA is from approximately 3,140 feet (957 meters) above mean sea level (ASML) along the northeast boundary (i.e., Bell Mountain Road), to approximately 2,987 feet (910 meters) ASML along the southwestern boundary (i.e., Johnson Road). The geographic coordinates for the approximate center of the BSA (i.e., junction of Langley Street and Stoddard Wells Road) are: 34°37'06.90" North latitude and 117°12'54.67" West longitude. Once annexed, the area would fall within the proposed planning area of the forthcoming MSHCP/NCCP, following plan implementation. Although the MSHCP/NCCP has not identified specific areas proposed to be set aside for conservation, it is considered to be unlikely that any of the BSA area would be considered for long-term conservation for any of the proposed fifty-one (51) covered species as the zoning map for this area indicates that it is currently zoned for development and the area is cut off from adjacent undeveloped open space by the I-15 to the northwest and somewhat cut off by existing development to the north and east. For the purposes of this assessment, these assumptions are made.

### **3.0 PROJECT DESCRIPTION & BACKGROUND**

Apple Valley is located in the southwest portion of San Bernardino County, California, within the western Mojave Desert. It lies between the city of Victorville to the west, the city of Hesperia to the southwest, Lucerne Valley to the southeast; and Barstow to the north. The area is comprised of low, rolling foothills, a coarse sandy floor and small intermittent drainages. Topographically, the area gradually slopes from northwest to southeast.

The 1,407 -acre BSA is located in an area that is referred by the Town of Apple Valley as the "Golden Triangle". Apple Valley proposes to annex this area and include it in the planning area of the MSHCP/NCCP. This area is currently comprised of undeveloped open space that is currently zoned for commercial, industrial, professional, residential and public facility development and surrounded on the three sides (north, south and east) by the existing town limits and I-15 along the northwestern boundary. Surrounding land uses generally consist of rural, single-family residential development and arterial roadways.

This study is intended to serve as a baseline assessing the special status biological resources present within the proposed BSA.



### **3.1 Apple Valley Multiple Species Habitat Conservation Plan Background**

Similar to the Apple Valley General Plan, the proposed MSHCP/NCCP is intended to serve as a guideline for future development. In general, qualifying applicants proposing to implement covered activities (e.g., grading, vegetation clearance, construction, etc.) would pay a standard, usually a per-acre development fee, which is used to implement conservation measures elsewhere (i.e., acquisition and management of conservation lands) or sometimes agree to conserve habitat on-site, to mitigate impacts resulting from the proposed covered activity, with some exceptions. While permitting covered activities, the MSHCP/NCCP will also steer Apple Valley's conservation efforts, preserving important open space areas, protecting habitat for thirteen (13) federal and/or state threatened and endangered species and thirty-eight (38) other special status species that are known to occur within the area and maintaining the natural aesthetics and functions of the Mohave Desert.

The MSHCP/NCCP will identify and protect features and areas that warrant conservation; in addition to ensuring that future development within Apple Valley and its "Sphere of Influence", which include unincorporated County lands, will be compliant with federal & state endangered species acts. Preliminary conservation objectives of the MSHCP/NCCP include:

- the conservation of covered species and natural communities in the planning area;
- the preservation of the diversity of the existing flora and fauna in the planning area;
- the minimization of "take" of covered species;
- the reduction of the likelihood of future species' listings;
- the implementation of species-specific and habitat-based goals and objectives for covered species, the establishment of goals and objectives for the determination of the locations, amount, quality and connectivity of habitat;
- the quantification of the extent of incidental take of listed species;
- and to provide a strategy for adaptive management and monitoring of covered species and natural communities in the planning area.

In addition to ensuring efforts are implemented to achieve the conservation goals and objectives, the MSHCP/NCCP is also intended to provide a streamlined permitting process for proposed development projects within the planning area. It will provide assurances to local government and citizens that their land use interests are protected while at the same time ensuring that covered projects will occur in a manner that supports the long-term survival, recovery and sustainability of threatened, endangered and otherwise special status species. Implementation of the MSHCP/NCCP will establish a new, more efficient and economical permitting process intended to significantly simplify development applications and increase the Town's control over the planning process, land use designations and the preservation of the Town's quality of life and its desert environment for the enjoyment of future generations.

Implementation of the MSHCP/NCCP is anticipated to cover and permit incidental take of the covered species, which include federally and state-listed as endangered and/or threatened species, species that are designated as "Species of Special Concern (SSC)" by the CDFW and



species managed as “Sensitive” by the BLM, resulting from potential development impacts to an estimated cumulative total of 23,000-27,800 acres of existing undeveloped open space within the town limits and 37,500 acres of impacts within the town’s sphere of influence. Anticipated covered activities include development of residential housing, commercial and industrial development, agricultural activities, adaptive habitat management and monitoring activities in the planning area. In addition, other potential impacts include: operation and maintenance of existing public facilities (3,200 acres), construction of new capital improvements and public facilities (1,400 acres) and the construction operation and maintenance of future renewable energy projects (5,000 acres).

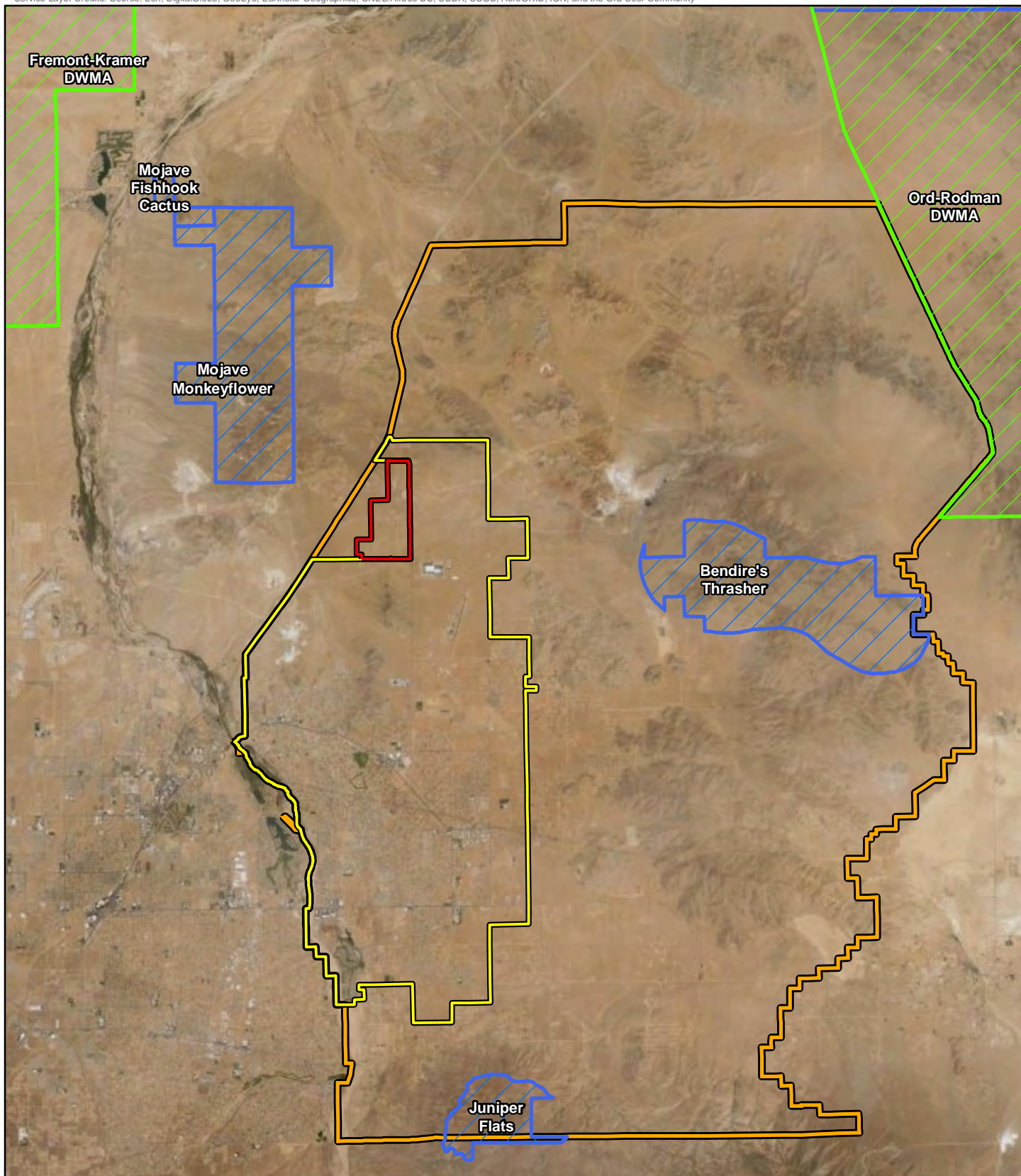
The MSHCP/NCCP planning area is located at the intersection of three significant wildlife linkages that are not only important to the region but also to the surrounding greater Mojave Desert. Therefore, the MSHCP/NCCP anticipates the identification and conservation of wildlife linkages that would provide a connection between the proposed conservation areas in the MSHCP/NCCP planning area and approximately 2.4 million acres of other existing conserved habitats in the Mojave Desert. Conservation of wildlife linkages are intended to facilitate wildlife movement and gene flow over the broader regional landscape, making this region of the greater Mojave Desert more resilient to the effects of climate change by ensuring the long-term viability of a number of BLM-designated Areas of Critical Environmental Concern (ACECs). Nearby ACEC’s include: the Mojave Monkeyflower ACEC to the northwest and northeast, the Mojave Fishhook Cactus ACEC to the northwest, the Bendire’s Thrasher ACEC to the east and the Juniper Flats ACEC to the south. Additionally, the Superior-Cronese Desert Wildlife Management Area (DWMA) occurs to the north, the ORD-Rodman DWMA occurs to the northeast and the San Bernardino National Forest occurs to the south.

On 14 September 2010, a Memorandum of Understanding (MOU) was approved by the Town of Apple Valley and San Bernardino County. The MOU serves as a foundation for the Town and County to establish a clear, consistent and predictable permitting process and procedure for future economic development. Once implemented, approval of future development applications within the MSCHP/NCCP planning area (Figure 3) will be expedited and provide an economic benefit to the Town and County, all while ensuring conservation of covered species and their habitats is also addressed and achieved accordingly.

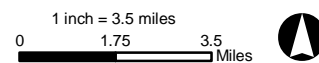
### **3.2 Town of Apple Valley General Plan**

The Town of Apple Valley General Plan General Plan describes the existing environment, provides a town history and establishes a hierarchy for land use policies, programs, goals, standards and guidelines for the development of the lands. The general plan also sets the guiding principles for residential, commercial and industrial structures; circulation; recreation; open space and conservation; safety; air quality; noise; and community design. More specifically, the Town’s General Plan Land Use Map designates and distributes land use for parks and recreation purposes, biological resources, natural resources (i.e., energy and water), and areas worthy of special protection, in addition to lands available for future development.





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- 2019-001 Annexation Boundary
- Town of Apple Valley Boundary
- Town of Apple Valley MSHCP/NCCP Area
- BLM ACEC
- BLM DWMA

**FIGURE 3**  
MSHCP Areas  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.



In addition to the lands within town limits, the General Plan includes other areas identified for annexation. The BSA is located in an area, referred to as the “Golden Triangle,” that has been identified and proposed for annexation.

## **4.0 METHODS**

### **4.1 Literature Review**

In preparation of the field assessment, a literature search was conducted to identify special status biological resources known from the vicinity of the BSA. In the context of, and for the purpose of this report, vicinity is defined as areas within a 1-mile radius of the BSA.

The literature search included a review of the following documents:

- California Natural Diversity Data Base (CNDDB) RareFind 5 (CDFW 2019a)
- Special Animals List (CDFW 2019b)
- California Native Plant Society's (CNPS) Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2019a)
- Town of Apple Valley Multiple Species Habitat Conservation Plan (Town of Apple Valley 2017a)
- Town of Apple Valley General Plan (Town of Apple Valley 2017b)
- Town of Apple Valley NCCP Planning Agreement, Public Review Draft (Town of Apple Valley 2017c)
- Desert Renewable Energy Conservation Plan (DRECP) Gateway (Conservation Biology Institute 2017)
- United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). 2017a. The PLANTS Database. National Plant Data Team, Greensboro, NC 27401-4901 USA (USDA, NRCS 2017a)
- USDA, NRCS. Web Soil Survey (USDA, NRCS 2019a)
- United States Geological Survey (USGS) 7.5' *Apple Valley North, Calif. and Turtle Valley, Calif.* quadrangles (USGS 2015)
- National Wetlands Inventory (USFWS 2017)

Scientific nomenclature for this document follows standard reference sources: For plant communities, MSHCP/NCCP (Apple Valley 2017c); Sawyer et al (2009) and/or Holland (1986); for flora, Jepson eFlora (2015) and the USDA NRCS PLANTS Database (2017); for amphibians, reptiles, and mammals, CDFW (2016); and for birds, American Ornithologists Union (2019).

### **4.2 Field Assessment**

The field assessment of the BSA was conducted on 22 October 2019 by Wood senior biologist Dale Hameister. On-site suitable habitats were assessed based on the presence or absence of habitat components (e.g., soils, vegetation and topography) characteristic of the potentially occurring special status biological resources determined by the literature review. The BSA was surveyed on foot to record pertinent field data and current site conditions. All flora and fauna observed or otherwise detected (e.g., through vocalizations, presence of scat, tracks, bones and/or remains) during the course of this assessment were identified and recorded in field notes and are included in Appendices 1 and 2. Dominant, co-dominant and co-occurring plant species



observed were recorded in field notes and used in the determination of the on-site vegetation communities. Printed aerial photographs were used to aid in locating parcel boundaries and edges of plant communities. Plant species of uncertain identity were collected, pressed and identified by Andrew C. Sanders, Herbarium Collections Manager, University of California, Riverside. General weather and site conditions were also recorded at the beginning and end of the survey. Temperatures and wind speeds were recorded with a handheld Kestrel 2000 anemometer. Percent cloud cover was estimated.

## 5.0 RESULTS

### 5.1 Weather Conditions

Weather conditions during the assessment were mild for this area at this time of year. Skies were cloudy with no cloud cover. Temperatures ranged from 80 to 83 degrees Fahrenheit. Winds were calm with wind speeds of mostly 0-1 mph.

### 5.2 Topography and Soils

The elevation of the BSA ranges from approximately 3,140 feet (957 meters) above mean sea level (ASML) along the southwestern boundary of the BSA, to approximately 2,987 feet (910 meters) ASML along the northeastern boundary.

The review of the on-site soils (based on the San Bernardino County, California, Mojave River Area, Soil Survey [USDA, NRCS Soil Survey Staff 2019b]) resulted in the following soil types mapped on the BSA (Figure 4):

- **Cajon Sands, 2-9% slopes.** A very deep somewhat excessively drained soil that forms in alluvium derived from mixed sources that occurs on alluvial fans (Tugel and Woodruff 1986).
- **Cajon-Arizo Complex, 2-15% slopes.** A very deep and somewhat excessively to excessively drained soil that formed in alluvium derived primarily from granitic material that occurs on alluvial fans (Tugel and Woodruff 1986).
- **Helendale-Bryman Loamy Sands, 2-5% slopes.** A very deep and well-drained soil that occurs on broad, smooth terraces and old alluvial fans with many areas dissected by deep intermittent drainages. This soil type was formed in alluvium, primarily derived from granitic parent material (Tugel and Woodruff 1986).
- **Nebona-Cuddeback Complex, 2-9% slopes.** A shallow (Nebona) to moderately (Cuddeback) deep soil that is well drained and occurs on terraces and old alluvial fans that have gravel desert pavement and are incised by moderately deep or shallow intermittent stream channels. Formed in alluvium and derived from mixed sources (Tugel and Woodruff 1986).
- **Rock Outcrop-Lithic Torriorthents Complex, 15-50% slopes.** A moderately deep soil that is excessively drained derived from residuum weathered from granite that occurs on mountains or hills (Tugel and Woodruff 1986).
- **Yermo-Kimberlina, Cool, Association, Sloping.** A very deep and well-drained soil formed in gravelly and cobbly alluvium derived from mixed sources that occurs on broad, smooth alluvial fans or hills. Some areas exhibit very deep, intermittent drainages (Tugel and Woodruff 1986).



Soils and substrates on the BSA varied from undisturbed, naturally sandy areas, gravelly areas, loamy areas, rocky outcrops, disturbed surfaces and developed areas. Existing disturbed and developed areas consisted of paved and unimproved public and private roads, paved and unpaved trails, vacant cleared areas and a railroad easement (Appendix 3, Photographic Exhibits). Areas of illegal dumping were also observed. No sand dunes, hummocks, clay lenses, springs, seeps, or natural bodies of water were evident in the BSA.

### **5.3 National Wetland Inventory**

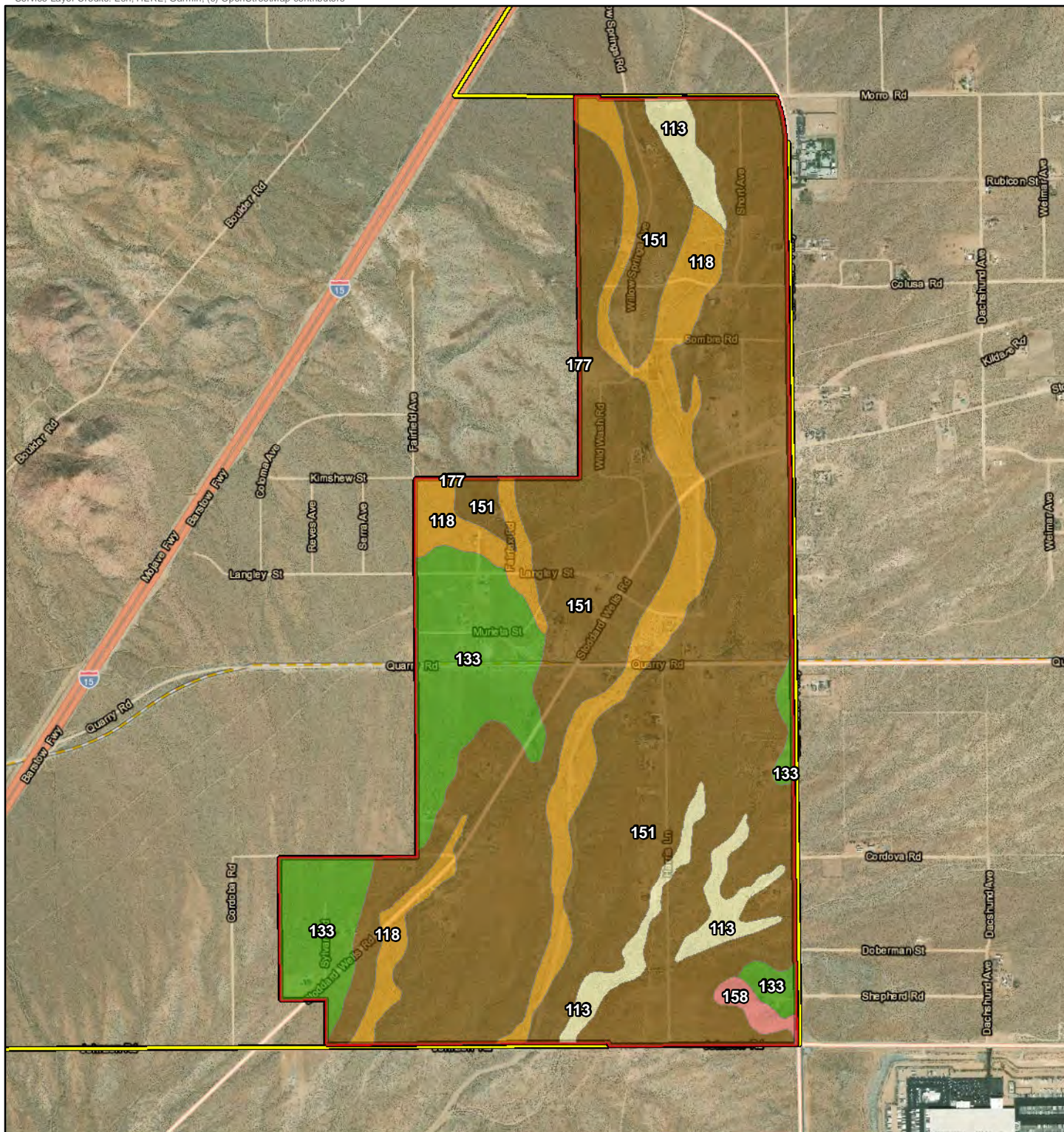
Review of the National Wetlands Inventory (NWI) indicated that approximately twenty-six (26) drainages, some of which are blue-line streams, traverse the BSA (Figure 5). A jurisdictional delineation was not conducted in the BSA for the proposed annexation, due to the programmatic nature of the analysis.

### **5.4 Habitat Description and Environmental Setting**

The BSA is located within the Mojave Desert biome in a portion of the western Mojave Desert in San Bernardino County, California. It appears to be on the dividing line between the “High Desert Plains and Hills” and the “Lucerne – Johnson Valley and Hills” ecological subsection of the California Mojave Desert (Miles et. al. 1998) and within the “South-Central Mojave” as illustrated by Webb et. al. (2009).

Although the immediate surrounding area is characterized by a patchwork-like distribution of undeveloped, relatively natural open space, more or less ranch-style, rural residential dwellings and a network of paved and unimproved roadways, the BSA remains largely undeveloped. The area is generally flat with some small rolling hills, rocky outcrops and intermittent small drainages (i.e., dry washes) present throughout. The paved and unimproved roadways bisecting the BSA include, but are not limited to: Johnson Road, Quarry Road, Stoddard Wells Road, Langley Street, Fairfield Avenue, Willow Springs Avenue, Short Avenue, Sombre Road, Harris Lane and Wild Wash Road. With the exception of adjacent habitat fragmentation resulting from the development of the existing residential dwellings, paved and unimproved roads, and the railroad easement; the open space within the BSA have received only relatively minor levels of disturbance, primarily as a result of off-road vehicular use, dumping and anthropogenic “edge effects”. These “edge effects” include some vegetation clearing/weed abatement, establishment of dirt trails, trash deposition/accumulation and use by domestic pets (sign of domestic dogs observed).





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- 2019-001 Annexation Boundary
- Town of Apple Valley Boundary

#### Soil Types

- 113: Cajon Sand, 2 to 9 Percent Slopes
- 118: Cajon-Arizo Complex, 2 to 15 Percent Slopes
- 133: Helendale-Bryman Loamy Sands, 2 to 5 Percent Slopes
- 151: Nebona-Cuddeback Complex, 2 to 9 Percent Slopes
- 158: Rock Outcrop-Lithic Torriorthents Complex, 15 to 50 Percent Slopes
- 177: Yermo-Kimberlina, Cool, Association, Sloping

1 inch = 2,000 feet  
0 1,000 2,000 Feet

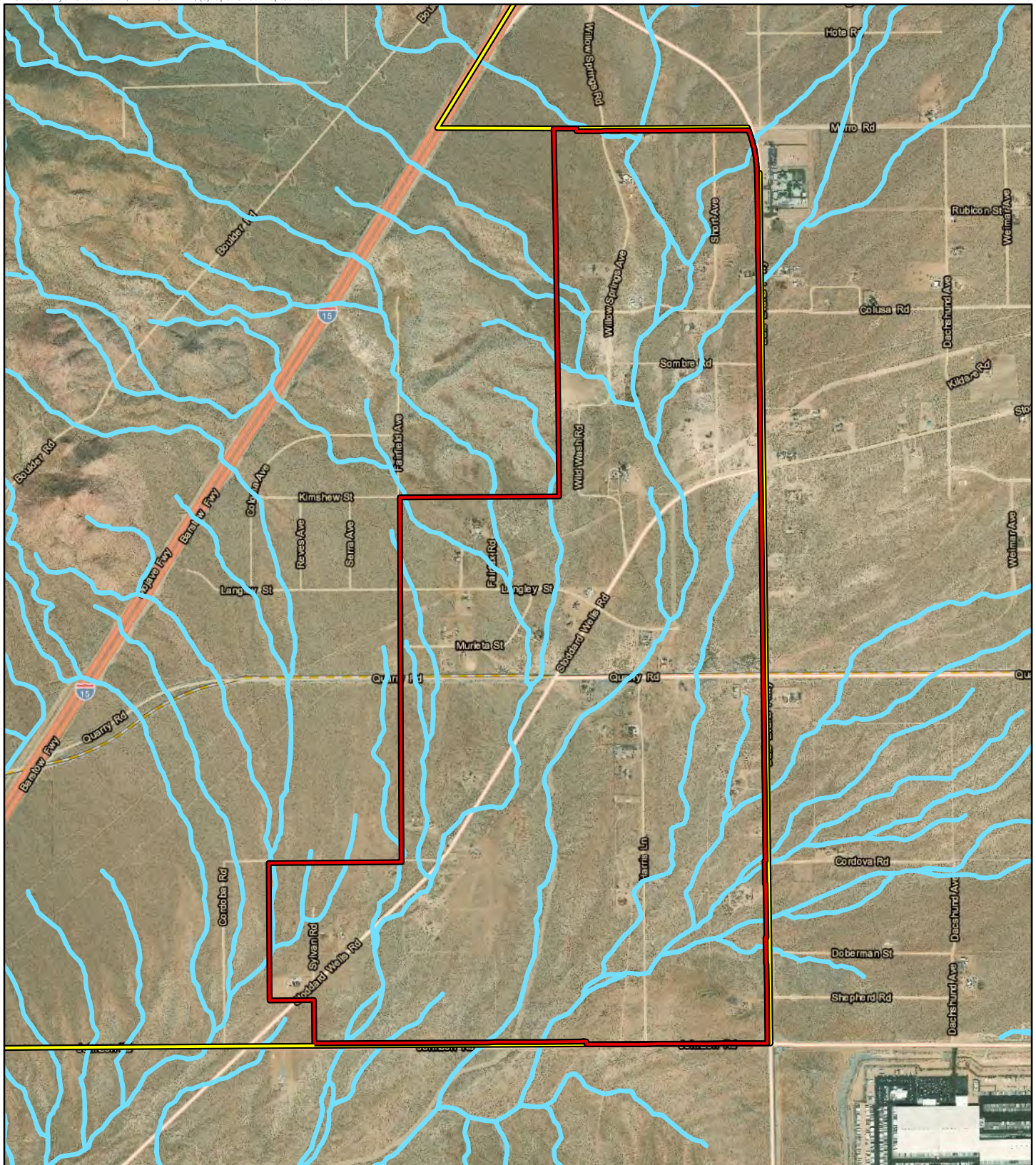


**wood.**

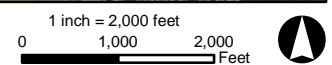
## FIGURE 4

Soil Types  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.





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- 2019-001 Annexation Boundary
- Town of Apple Valley Boundary
- National Wetlands Inventory**
- Riverine

**wood.**

**FIGURE 5**  
National Wetland Inventory  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.



## 5.5 Vegetation

The dominant vegetation community within the BSA is *Larrea tridentata* Shrubland Alliance (Creosote bush scrub) (Sawyer et. al 2009). Holland (1986) refers to these vegetation communities as “Mojave creosote bush scrub”, the draft MSHCP/NCCP (2008) refers to it as “Mojave Mid-Elevation Mixed Desert Scrub”, the draft planning agreement for the MSHCP/NCCP refers to it as “Sonora-Mojave Creosote bush-White Bursage Desert Scrub” (Town of Apple Valley 2017c) and the DRECP refers to it as “Mojave Desert Scrub” (Conservation Biology Institute 2017). (Figure 6).

Dominant perennial plant species observed included: creosote bush (*Larrea tridentata*), California buckwheat (*Eriogonum fasciculatum*), white bur-sage (*Ambrosia dumosa*), cheesebush (*Ambrosia salsola*), rubber rabbitbrush (*Ericameria nauseosa*), peach thorn (*Lycium cooperi*), Nevada ephedra (*Ephedra nevadensis*), sandpaper plant (*Petalonyx thurberi*), bladder-sage (*Scutellaria mexicana*) and saltbush (*Atriplex* spp). Dominant annual plant species observed included: Saharan mustard (*Brassica tournefortii*), tumble mustard (*Sisymbrium* sp.), short-pod mustard (*Hirschfeldia incana*), redstem filaree (*Erodium cicutarium*), cheat grass (*Bromus tectorum*), red brome (*Bromus madritensis* ssp. *rubens*), common Mediterranean grass (*Schismus barbatus*) and annual bur-sage (*Ambrosia acanthicarpa*). Sparse Mojave yucca (*Yucca schidigera*), Joshua tree (*Yucca brevifolia*), golden cholla (*Cylindropuntia echinocarpa*) and diamond cholla (*Cylindropuntia ramosissima*) were also intermittently present throughout the BSA.

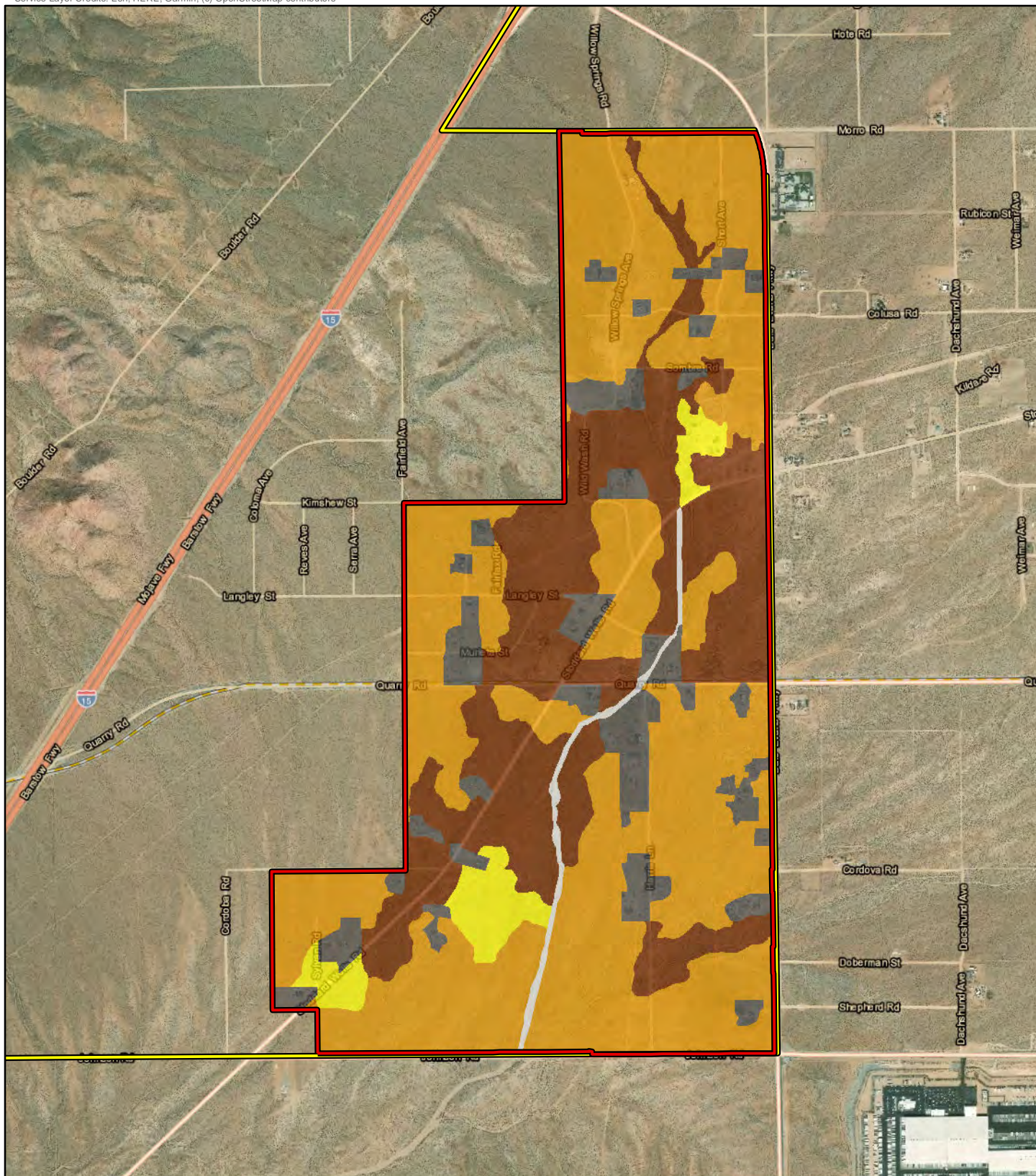
No special status vegetation communities were observed within the BSA. A list of the plant species (scientific and common names) observed is appended to this report (Appendix 1).

## 5.6 Wildlife

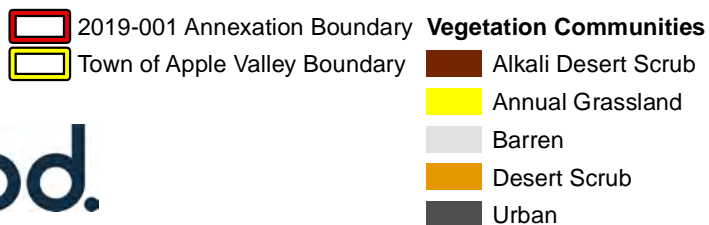
Wildlife directly observed and/or detected otherwise (e.g., scat, bones, prints, feathers, burrows, etc.) within the BSA was not abundant or diverse, possibly due to the inclement (i.e., rainy) weather present during the assessment. A total of fourteen (14) vertebrates were detected. Most were identified to species; with the exception of some rodents, which were identified to class through the presence of burrows. Identification of the species of rodents occurring on the site would require a live trapping effort. Vertebrate fauna detected included: one (1) reptile, seven (7) birds and six (6) mammals. No fish or amphibians were detected. See Appendices 2 & 3 for a complete list of all wildlife species detected.

Western side-blotched lizard (*Uta stansburiana elgans*) was the only reptile detected. A variety of other species are expected to occur, however. These include, but are not limited to: desert banded gecko (*Coleonyx variegatus variegatus*), yellow-backed spiny lizard (*Sceloporus uniformis*), northern desert horned lizard (*Phrynosoma platyrhinos platyrhinos*), western zebra-tailed lizard (*Callisaurus draconoides rhodostictus*), Great Basin whiptail (*Aspidoscelis tigris tigris*), glossy snake (*Arizona elegans eburnata*), Great Basin gopher snake (*Pituophis catenifer deserticola*), red racer (*Coluber flagellum piceus*) and northern Mojave rattlesnake (*Crotalus scutulatus scutulatus*).





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1 inch = 2,000 feet  
0 1,000 2,000 Feet



**FIGURE 6**  
Vegetation Communities  
Biological Assessment Report  
Apple Valley Annexation Project  
Apple Valley, CA.



The seven (7) common species of birds observed on-site included: mourning dove (*Zenaida macroura*), common poorwill (*Phalaenoptilus nuttallii*), common raven (*Corvus corax*), loggerhead shrike (*Lanius ludovicianus*), horned lark (*Eremophila alpestris*), European starling (*Sturnus vulgaris*) and house finch (*Haemorhous mexicanus*). Representative examples of other common bird species that are expected to occur include, but are not limited to: red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), Gambell's quail (*Callipepla gambelii*), greater roadrunner (*Geococcyx californianus*), verdin (*Auriparus flaviceps*) and Costa's hummingbird (*Calypte costae*).

The six (6) mammals detected included: black-tailed jackrabbit (*Lepus californicus*), desert woodrat (*Neotoma lepida*), coyote (*Canis latrans*), California ground squirrel (*Otospermophilus beecheyi*), white-tailed antelope squirrel (*Ammospermophilus leucurus*) and other small rodents (species undetermined but rodent burrows present). Other small mammals, particularly rodents, occur on the site as small mammal burrows were observed; however the species that are present cannot be conclusively determined without a more intensive trapping effort. Although not observed, bats also are likely foraging over the site as suitable roosting habitat is present nearby within rocky hillsides. Domestic mammals (i.e., dogs, cats and livestock) are also likely kept by residents surrounding the BSA. Larger carnivores such as the kit fox (*Vulpes macrotis*), gray fox (*Urocyon cinereoargenteus*) and bobcat (*Lynx rufus*) were not detected but have the potential to occur in the BSA as well.

It should be noted that relatively short-term biological studies of this nature are often limited by the timing of field surveys, the seasonality of annual plants, the migratory habits of many birds, the fossorial and nocturnal habits of many invertebrates, reptiles and mammals. Knowledge of habitat associations, natural history, seasonality, and distribution is essential in the assessment of the potential for occurrence of the various sensitive plants and animals known to occur throughout the various areas of San Bernardino County. For these reasons, other common and special status species that were not observed on-site may also have the potential to occur based on their geographic distribution, habitat preferences, and the regional location of the site. Tables 1 through 5 below summarize information on sensitive species known to occur in the vicinity of the BSA, including the status of each species based on the best available information and the collective expertise of Wood biologists.

## 5.7 Special Status Species

Plant or animal taxa may be considered "sensitive" or as having "special status" due to declining populations, vulnerability to habitat change, or because they have restricted ranges. Some are listed as threatened or endangered by the USFWS or by the CDFW and are protected by the federal and state Endangered Species acts and the NPPA. Others have been identified as sensitive or as special status species by the USFWS, the BLM, the CDFW, or by private conservation organizations, including the CNPS.

The review of the CNDDDB, CNPS Online Inventory of Rare Plants, draft MSHCP documents, other biological reports from the vicinity and consultation with other experienced biologists/naturalists resulted in the identification of fifty-one (51) special status biological resources known to occur in the vicinity (within an approximate 1-mile radius) of the BSA. These included: sixteen (16) plants, two (2) invertebrates, one (1) fish, two (2) amphibians, three (3) reptiles, nineteen (19) birds and eight (8) mammals. These include federal and state-listed

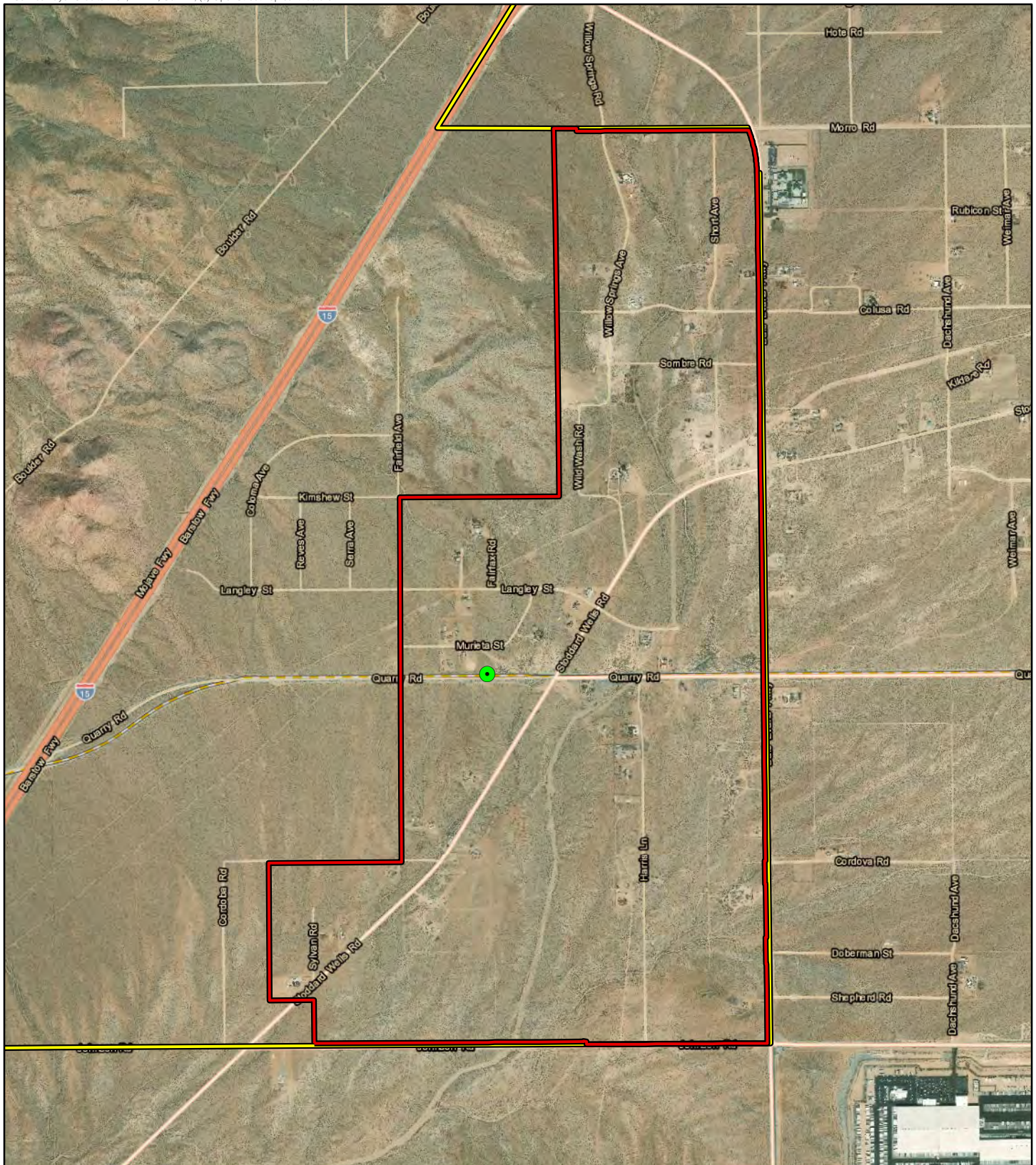


species, SSCs, BLM sensitive species and plant species designated as rare and/or imperiled by the CNPS. All but one (1) of these, tricolored blackbird (*Agelaius tricolor*), are proposed to be covered under and conserved by the forthcoming MSHCP/NCCP. Tables 1 through 6 provide a complete list of the special status species, their associated legal status, habitat associations and their respective on-site occurrence potentials.

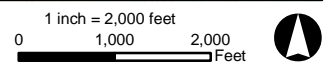
The Desert Renewable Energy Conservation Plan (DRECP) Gateway modeled habitat for Mojave monkeyflower (*Mimulus mohavensis*), desert tortoise (*Gopherus agassizii*), golden eagle (*Aquila chrysaetos*), burrowing owl (*Athene cunicularia*), Bendire's thrasher (*Toxostoma bendirei*), tricolored blackbird, pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), desert bighorn sheep (*Ovis canadensis nelsoni*) and Mohave ground squirrel (*Xerospermophilus mohavensis*) within the BSA (Conservation Biology Institute 2017).

One (1) special status species, loggerhead shrike, was observed perched on an electrical transmission line adjacent to a portion of the BSA, then flew across the site during the field assessment (Figure 7). This species is not listed as threatened or endangered by the USFWS or CDFW, but is designated as a SSC by the CDFW. It is also a species proposed to be covered and conserved by the MSHCP/NCCP. Suitable nesting (i.e., moderately sized shrubs) and foraging habitat for this species is present throughout the BSA. For these reasons, Wood considers there to be a high potential for loggerhead shrike to nest in the BSA.





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- 2019-001 Annexation Boundary
- Town of Apple Valley Boundary
- Loggerhead Shrike Observation



**FIGURE 7**  
 Loggerhead Shrike Observation  
 Biological Assessment Report  
 Apple Valley Annexation Project  
 Apple Valley, CA.



**Table 1. Special Status Plants**

Species	Status	Habitat	Probability
<i>Acanthoscyphus parishii</i> var. <i>goodmaniana</i> <b>Cushenbury oxytheca</b>	F: <b>END</b> C: None CNPS: List 1B.1 Global rank: G4?T1 State rank: S1 MSHCP/NCCP: <b>Yes*</b>	Sandy, carbonate soils (talus) in pinyon and juniper woodland; 1219-2377 m (3999-7799 ft.); B: May-Oct	<b>Absent</b> (habitat lacking, BSA below elevational range of species)
<i>Boechera dispar</i> <b>Pinyon rockcress</b>	F: None C: None CNPS: List 2B.3 Global rank: G3 State rank: S3 MSHCP/NCCP: <b>Yes*</b>	Granitic, gravelly soils in Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland; 1200-2540 m (3937-8333 ft.); B: Mar-Jun	<b>Absent</b> (BSA below elevational range of species)
<i>Boechera shockleyi</i> <b>Shockley's rockcress</b>	F: None C: None CNPS: List 2B.2 Global rank: G3 State rank: S2 MSHCP/NCCP: <b>Yes*</b>	Carbonate or quartzite, rocky or gravelly soils in Pinyon and juniper woodland; 875-2310 m (2871-7579 ft.); B: May-Jun	<b>Absent</b> (habitat lacking)
<i>Camissonia boothii</i> ssp. <i>boothii</i> <b>Booth's evening primrose</b>	F: None C: None CNPS: List 2B.3 Global rank: G5T4 State rank: S2 MSHCP/NCCP: <b>Yes*</b>	Joshua tree woodland, pinyon-juniper woodland, sandy areas; 900-2,400 m (2,953–7,874 ft.); B: Apr-Sept.	<b>Absent</b> (habitat lacking)
<i>Canbya candida</i> <b>white pygmy-poppy</b>	F: None C: None CNPS: List 4.2 Global rank: G3G4 State rank: S3S4 MSHCP/NCCP: <b>Yes*</b>	Gravelly, sandy & granitic soils in Joshua tree woodland, Mojavean desert scrub & Pinyon and juniper woodland; 725-1250 m. (2379–4101 ft.); B: Mar-Jun	<b>Low</b> (habitat suitable)
<i>Cymopterus deserticola</i> <b>Desert cymopterus</b>	F: None C: None CNPS List: 1B.2 Global Rank: G2 State Rank: S2 MSHCP/NCCP: <b>Yes*</b>	Sandy Mojavean Desert scrub, Joshua tree woodland sandy; 630-1500 m (2067-4921 ft.); B: Mar-May	<b>Low-Moderate</b> (habitat suitable)
<i>Deinandra mohavensis</i> <b>Mojave tarplant</b>	F: None C: <b>END</b> CNPS List: 1B.3 Global Rank: G2 State Rank: S2 MSHCP/NCCP: <b>Yes*</b>	Mesic chaparral, coastal scrub, riparian scrub; 640-1600 m (2100-5249 ft.); B: Jun-Oct	<b>Absent</b> (mesic habitat lacking)
<i>Diplacus mohavensis</i> <b>Mojave monkeyflower</b>	F: None C: None CNPS: List 1B.2 Global rank: G2 State rank: S2.2 BLM sensitive MSHCP/NCCP: <b>Yes*</b>	Joshua tree woodland, Mojavean desert scrub; dry sandy and/or gravelly washes along the Mojave River, 600-1200 m (1969-3937 ft.); B: Apr-Jun	<b>Low-Moderate</b> (habitat suitable, modeled habitat present)



**Table 1. Special Status Plants**

Species	Status	Habitat	Probability
<i>Dudleya abramsii</i> ssp. <i>affinis</i> <b>San Bernardino Mountains dudleya</b>	F: None C: None CNPS: List 1B.2 Global rank: G4T2 State rank: S2 MSHCP/NCCP: <b>Yes*</b>	Granitic, quartzite and/or carbonate soils in pebble (Pavement) plain, pinyon & juniper woodland & upper montane coniferous forest; 1250-2600 m (4101-8530 ft.); B: Apr-Jul	<b>Absent</b> (habitat lacking, BSA below elevational range of species)
<i>Eriogonum ovalifolium</i> var. <i>vineum</i> <b>Cushenbury buckwheat</b>	F: <b>END</b> C: None CNPS: List 1B.1 Global rank: G5T1 State rank: S1 MSHCP/NCCP: <b>Yes*</b>	Carbonate soils in Joshua tree woodland, Mojavean desert scrub, pinyon & juniper woodland; 1400-2440 m (4593-8005 ft.); B: May-Aug	<b>Absent</b> (BSA below elevational range of species)
<i>Eriophyllum mohavense</i> <b>Barstow woolly sunflower</b>	F: None C: None CNPS List: 1B.2 Global Rank: G2 State Rank: S2 MSHCP/NCCP: <b>Yes*</b>	Chenopod scrub, Mojavean desert scrub, playas; 500-960 m (1640-3150 ft.); B: Mar-May	<b>Low-Moderate</b> (habitat suitable)
<i>Mentzelia tridentata</i> <b>creamy blazing star</b>	F: None C: None CNPS List: 1B.3 Global Rank: G3 State Rank: S3 MSHCP/NCCP: <b>Yes*</b>	Mojavean Desert scrub; rocky, gravelly, sandy; 700-1175 m (2297-3855 ft); B: Mar-May	<b>Low-Moderate</b> (habitat suitable)
<i>Pediomelum castoreum</i> <b>Beaver Dam breadroot</b>	F: None C: None CNPS: List 1B.2 Global Rank: G3 State Rank: S2 MSHCP/NCCP: <b>Yes*</b>	Sandy soils, washes, and roadcuts in Joshua Tree woodland, Mojavean desert scrub; 610-825m (2,001-2,707 ft); B: Apr-May	<b>Low-Moderate</b> (habitat suitable)
<i>Saltugilia latimeri</i> <b>Latimer's woodland-gilia</b>	F: None C: None CNPS: List 1B.2 Global Rank: G3 State Rank: S3 MSHCP/NCCP: <b>Yes*</b>	Rocky, sandy, often granitic, sometimes washes in chaparral, Mojavean desert scrub, pinyon and juniper woodland. 400-1900 m (1312-6234 ft.); B: Mar-Jun	<b>Low-Moderate</b> (habitat suitable)
<i>Scutellaria bolanderi</i> ssp. <i>austromontana</i> <b>Southern mountains skullcap</b>	F: None C: None CNPS: List 1B.2 Global rank: G4T3 State rank: S3 MSHCP/NCCP: <b>Yes*</b>	Chaparral, cismontane woodland, lower montane coniferous forest/mesic areas; 600-2,000 m (1,969-6,562 ft.)	<b>Absent</b> (habitat lacking)



**Table 1. Special Status Plants**

Species	Status	Habitat	Probability
<i>Symphotrichum defoliatum</i> <b>San Bernardino aster</b>	F: None C: None CNPS: List 1B.2 Global rank: G2 State rank: S2 MSHCP/NCCP: <b>Yes*</b>	Cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic), near ditches, streams & springs; 2-2040 m (6.5-6,693 ft.)	<b>Absent</b> (habitat lacking)

**Table 2. Special Status Invertebrates**

Species	Status	Habitat	Probability
<i>Helminthoglypta mohaveana</i> <b>Victorville shoulderband</b>	F: None C: None Global rank: G1 State rank: S1 MSHCP/NCCP: <b>Yes*</b>	granite rocky outcrops, base of rocky cliffs along Mojave River	<b>Absent</b> (Rocky habitat extremely limited in BSA; BSA not immediately adjacent to Mojave River)
<i>Plebulina emigdionis</i> <b>San Emigdio blue</b>	F: None C: None Global rank: G1G2 State rank: S1S2 Other: USFS sensitive MSHCP/NCCP: <b>Yes*</b>	Desert canyons and along riverbeds, known from Mojave River in vic. of Victorville	<b>Absent</b> (habitat lacking in BSA)

**Table 3. Special Status Fish**

Species	Status	Habitat	Probability
<i>Siphateles bicolor mohavensis</i> <b>Mojave tui chub</b>	F: <b>END</b> C: <b>END, FP</b> Global Rank: G4T1 State Rank: S1 MSHCP/NCCP: <b>Yes*</b>	Historically from deep pools and slough-like areas of the Mojave River. It now only occurs in highly modified refuge sites in San Bernardino County.	<b>Absent</b> (habitat lacking in BSA)

**Table 4. Special Status Amphibians & Reptiles**

Species	Status	Habitat	Probability
<i>Bufo californicus</i> <b>arroyo toad</b>	F: <b>END</b> C: SSC Global Rank: G2G3 State Rank: S2S3 MSHCP/NCCP: <b>Yes</b>	high-order streams, rivers, drainages; usually with sandy banks and bottoms	<b>Absent</b> (habitat lacking in BSA)



**Table 4. Special Status Amphibians & Reptiles**

Species	Status	Habitat	Probability
<i>Actinemys pallida</i> <b>southwestern pond turtle</b>	F: None C: SSC Global Rank: G3G4 State Rank: S3 Other: BLM sensitive, USFS sensitive MSHCP/NCCP: <b>Yes</b>	Permanent or near permanent waters in varied habitats, to 8000'	<b>Absent</b> (habitat lacking in BSA)
<i>Gopherus agassizi</i> <b>desert tortoise</b>	F: <b>THR</b> C: <b>THR</b> Global: G3 State: S2S3 MSHCP/NCCP: <b>Yes*</b>	Various desert communities and habitats (Mojavean creosote bush scrub, Joshua tree woodland, saltbush scrub); washes, arroyos, bajadas, rocky hillsides, open flat desert	<b>Moderate-High</b> (habitat suitable, modeled habitat present)
<i>Phrynosoma blainvillii</i> <b>coast horned lizard</b>	F: none C: SSC Global: G3G4 State: S3S4 Other: BLM Sensitive MSHCP/NCCP: <b>Yes*</b>	Variety of scrub and woodland habitats, grasslands; loose soils	<b>Absent</b> (habitat lacking, only from along Mojave River and immediately adjacent areas in vicinity)
<i>Rana (aurora) draytonii</i> <b>California red-legged frog</b>	F: <b>THR</b> C: SSC Global: G2G3 State: S2S3 MSHCP/NCCP: <b>Yes*</b>	Requires sources of permanent water, usually deep pools or ponded areas in foothill and lowland areas.	<b>Absent</b> (presumed extinct from segment of Mojave River in planning area; habitat lacking in BSA)

**Table 5. Special Status Birds**

Species	Status	Habitat	Probability
<i>Accipiter cooperii</i> <b>Cooper's hawk</b> (nesting)	F: MBTA C: WL Global: G5 State: S4 MSHCP/NCCP: <b>Yes*</b>	Forest and woodlands, landscaped suburbs with ample trees. Nests in woodlands and forests; occurs in many habitats in winter	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Moderate-High</b> (primarily during migration)
<i>Accipiter striatus</i> <b>sharp-shinned hawk</b> (nesting)	F: MBTA C: WL Global: G5 State: S4 MSHCP/NCCP: <b>Yes*</b>	Forest and woodlands, landscaped suburbs with ample trees. Nests in woodlands and forests; occurs in many habitats in winter	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Moderate-High</b> (primarily during migration)
<i>Agelaius tricolor</i> <b>tricolored blackbird</b>	F: MBTA, BCC C: <b>THR, SSC</b> Global: G2G3 State: S1S2 Other: BLM Sensitive MSHCP/NCCP: No	Freshwater cattail, tule and bulrush marshes; forages in agricultural and fallow fields and livestock grazing areas.	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Absent</b> (habitat lacking)



**Table 5. Special Status Birds**

Species	Status	Habitat	Probability
<i>Aquila chrysaetos</i> <b>golden eagle</b> (nesting & wintering)	F: MBTA, BCC, BGEPA C: FP, WL Global: G5 State: S3 Other: BLM Sensitive MSHCP/NCCP: <b>Yes*</b>	Open and semi-open areas with native vegetation. Primarily in mountains (up to 12,000 feet), around canyons, rimrock terrain, and riverside cliffs and bluffs. Nest, cliffs, steep escarpments and transmission line towers in grassland, chapparal, shrubland, forest, and other vegetated areas. Avoids developed areas and uninterrupted stretches of forest.	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Moderate</b> (habitat suitable, modeled habitat present)
<i>Asio otus</i> <b>long-eared owl</b> (nesting)	F: MBTA C: SSC Global: G5 State: S3? MSHCP/NCCP: <b>Yes*</b>	Riparian bottomlands grown to tall willows & cottonwoods; also, belts of live oak paralleling stream courses	<b>Nesting: Absent</b> (habitat lacking in BSA)  <b>Foraging: Absent</b> (same as above)
<i>Athene cunicularia</i> <b>burrowing owl</b> (nesting & wintering)	F: MBTA, BCC C: SSC Global: G4 State: S3 Other: BLM sensitive MSHCP/NCCP: <b>Yes*</b>	Open, dry annual or perennial grassland, deserts & scrublands characterized by low-growing vegetation. Burrow sites essential.	<b>Nesting: Moderate</b> (habitat suitable, modeled habitat present)  <b>Foraging: Moderate-High</b> (Same as above. May also nest on adjacent properties and forage on-site)
<i>Buteo swainsoni</i> <b>Swainson's hawk</b> (nesting)	F: MBTA, BCC C: <b>THR</b> Global: G5 State: S3 Other: BLM Sensitive MSHCP/NCCP: <b>Yes*</b>	Grasslands, plains, agricultural areas. Nests in tall trees (including Joshua trees) near waterways.	<b>Nesting: Absent</b> (species rare in area)  <b>Foraging: Low</b> (migration only)
<i>Coccyzus americanus occidentalis</i> <b>western yellow-billed cuckoo</b> (nesting)	F: <b>THR</b> C: <b>END</b> Global: G5T2T3 State: S1 Other: BLM Sensitive MSHCP/NCCP: <b>Yes*</b>	In CA, mature riparian forest with dense cover and surface water.	<b>Nesting: Absent</b> (habitat lacking in BSA)  <b>Foraging: Absent</b> (same as above)
<i>Empidonax trailii extimus</i> <b>southwestern willow flycatcher</b> (nesting)	F: END C: END (full species) Global: G5T2 State: S1 MSHCP/NCCP: <b>Yes*</b>	Willow riparian scrub and riparian forest	<b>Nesting: Absent</b> (habitat lacking in BSA)  <b>Foraging: Low</b> (migration only)
<i>Falco mexicanus</i> <b>prairie falcon</b> (nesting)	F: MBTA, BCC C: WL Global: G5 State: S4 MSHCP/NCCP: <b>Yes*</b>	Breeding sites located on cliffs, but forages far afield.	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: High</b> (hills and mountains in vicinity may provide suitable habitat; species is known to forage widely)



**Table 5. Special Status Birds**

Species	Status	Habitat	Probability
<i>Icteria virens</i> <b>yellow-breasted chat</b> (nesting)	F: MBTA, BCC C: SSC Global: G5 State: S3 MSHCP/NCCP: <b>Yes*</b>	In the arid regions of the southwest nests in shrubby riparian habitats along rivers.	<b>Nesting: Absent</b> (habitats lacking in BSA)  <b>Foraging: Low</b> (migration only)
<i>Lanius ludovicianus</i> <b>loggerhead shrike</b> (nesting)	F: MBTA, BCC C: SSC Global: G4 State: S4 MSHCP/NCCP: <b>Yes*</b>	Breeds mainly in shrublands or open woodlands with some grass cover & areas of bare ground. Requires tall plants or structures for hunting & vocalization perches and open areas of short grasses, forbs, or bare ground for hunting.	<b>Nesting: High</b> (suitable habitat present)  <b>Foraging: Occurs</b> (observed)
<i>Myiarchus tyrannulus</i> <b>brown-crested flycatcher</b> (nesting)	F: MBTA C: WL Global: G5 State: S3 MSHCP/NCCP: <b>Yes*</b>	In CA, tall sycamores or cottonwoods along streams, in lowlands or canyons.	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Absent</b> (habitat lacking)
<i>Piranga rubra</i> <b>summer tanager</b> (nesting)	F: None C: SSC Global Rank: G5 State Rank: S1 MSHCP/NCCP: <b>Yes*</b>	In the southwest, nests in low-elevation willow and cottonwood woodlands & in higher-elevation mesquite and saltcedar stands.	<b>Nesting: Very Low</b> (sparse Saltcedar present)  <b>Foraging: Low</b> (Same as above and during migration)
<i>Pyrocephalus rubinus</i> <b>vermillion flycatcher</b> (nesting)	F: MBTA, BCC C: SSC (nesting) Global: G5 State: S2S3 MSHCP/NCCP: <b>Yes*</b>	Usually associated with desert riparian habitats, forages from open perch. Also known to nest in landscaped, ornamental areas such as parks, golf courses and possibly residential.	<b>Nesting: Absent</b> (habitat lacking in BSA)  <b>Foraging: Low</b> (Same as above)
<i>Setophaga petechia</i> <b>yellow warbler</b> (nesting)	F: None C: SSC Global Rank: G5 State Rank: S3S4 MSHCP/NCCP: <b>Yes*</b>	Riparian forests, woodlands & thickets.	<b>Nesting: Absent</b> (habitat lacking in BSA)  <b>Foraging: Low</b> (migration only)
<i>Toxostoma bendirei</i> <b>Bendire's thrasher</b>	F: MBTA, BCC C: SSC Global Rank: G4G5 State Rank: S3 Other: BLM Sensitive MSHCP/NCCP: <b>Yes*</b>	Desert, especially areas of tall vegetation, cholla cactus, creosote bush and yucca, and in juniper woodland	<b>Nesting: Low</b> (modeled habitat present but limited)  <b>Foraging: Low</b> (same as above)



**Table 5. Special Status Birds**

Species	Status	Habitat	Probability
<i>Toxostoma lecontei</i> <b>Le Conte's thrasher</b>	F: MBTA, BCC C: SSC (San Joaquin population only) Global Rank: G4 State Rank: S3 Other: BLM sensitive MSHCP/NCCP: <b>Yes*</b>	Primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats; commonly nests in a dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground	<b>Nesting: Low</b> (habitat suitable but limited)  <b>Foraging: Low</b> (habitat suitable)
<i>Vireo bellii pusillus</i> <b>least Bell's vireo</b> (nesting)	F: END C: END Global Rank: G5T2 State Rank: S2 MSHCP/NCCP: <b>Yes*</b>	Riparian vegetation in the vicinity of water or in dry river bottoms; below 2000 feet elevation. Nests usually in willow, <i>Baccharis</i> , or mesquite.	<b>Nesting: Absent</b> (habitat lacking)  <b>Foraging: Absent</b> (habitat lacking)

**Table 6. Special Status Mammals**

Species	Status	Habitat	Probability
<i>Antrozous pallidus</i> <b>pallid bat</b>	F: None C: SSC Global: G5 State: S3 Other: BLM sensitive, USFS sensitive WBWG: H MSHCP/NCCP: <b>Yes*</b>	Arid or semi-arid areas; usually associated with rocky, mountainous areas near water. Also found over open, sparsely vegetated grasslands, appear to prefer to forage in the open.	<b>Roosting: Absent</b> (habitat lacking)  <b>Foraging: High</b> (may roost nearby)
<i>Chaetodipus fallax pallidus</i> <b>pallid San Diego pocket mouse</b>	F: None C: SSC Global: G5T3T4 State: S3S4 MSHCP/NCCP: <b>Yes*</b>	Desert border areas in desert wash, desert scrub, desert succulent scrub, pinon-juniper, etc. Sandy herbaceous areas usually in association with rocks or coarse gravel.	<b>Low</b> (habitat marginal)
<i>Corynorhinus townsendii</i> <b>Townsend's big-eared bat</b>	F: None C: SSC Global: G3G4 State: S2 Other: BLM sensitive, USFS sensitive WBWG: H MSHCP/NCCP: <b>Yes*</b>	Variety of habitats near caves or other roosting areas; found from montane coniferous forest to arid desert scrub. Prefers large open areas for roosting.	<b>Roosting: Absent</b> (habitat lacking)  <b>Foraging: High</b> (may roost nearby)
<i>Lasiurus cinereus</i> <b>hoary bat</b>	F: None C: None Global: G5 State: S4 WBWG: M MSHCP/NCCP: <b>Yes*</b>	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for foraging. Roosts in dense foliage of medium to large tree	<b>Roosting: Low</b> (trees limited)  <b>Foraging: High</b> (may roost nearby)



**Table 6. Special Status Mammals**

Species	Status	Habitat	Probability
<i>Microtus californicus mohavensis</i> <b>Mohave River vole</b>	F: None C: SSC Global: G5T1 State: S1 MSHCP/NCCP: <b>Yes*</b>	Damp bottomland of the Mojave River, including riparian forest and freshwater marsh	<b>Absent</b> (habitat lacking)
<i>Ovis canadensis nelsoni</i> <b>desert bighorn sheep</b>	F: None C: FP Global: G4T4 State: S3 MSHCP/NCCP: <b>Yes*</b>	Open, rocky, steep areas with available water and herbaceous forage	<b>Absent</b> (habitat lacking)
<i>Vulpes macrotis arsipus</i> <b>desert kit fox</b>	F: None C: Protected fur-bearing mammal Global: None State: None MSHCP/NCCP: <b>Yes*</b>	Scrub habitats in the Mojave Desert and Colorado Desert	<b>Moderate-High</b> (suitable habitat present, BSA within geographic range)
<i>Xerospermophilus mohavensis</i> <b>Mohave ground squirrel</b>	F: none C: <b>THR</b> Global: G2G3 State: S2S3 Other: BLM sensitive MSHCP/NCCP: <b>Yes*</b>	Creosote bush scrub, saltbush scrub; restricted to a small portion of the Mojave Desert	<b>Low</b> (suitable habitat present, BSA at edge of geographic range)

\* Species proposed to be conserved and covered under the MSHCP/NCCP.

**Definitions of status designations and occurrence probabilities for Tables 1-5**

**Definitions of occurrence probability:**

**Occurs:** Observed in the BSA by Wood personnel or recently reported by another credible source.

**High:** Observed in similar habitat in region by qualified biologists, or habitat on the BSA is a type often utilized by the species and the BSA is within the known range of the species.

**Moderate:** Reported sightings in surrounding region, or BSA is within the known range of the species and habitat on the BSA is a type occasionally used by the species.

**Low:** PPA/APE is within the known range of the species but habitat on the BSA is rarely used by the species

**Very Low:** Habitat is of marginal suitability and/or BSA is at the edge of species known range or distribution.

**Absent:** A focused study failed to detect the species, suitable habitat not present, or BSA is outside the geographic distribution of the species.

**Unknown:** No focused surveys have been performed in the region, and the species' distribution and habitat are poorly known.

**MSHCP/NCCP designations**

**Yes:** Proposed to be conserved and covered by the plan

**No:** Not proposed to be conserved or covered by the plan

**Federal designations:** (F = federal Endangered Species Act or USFWS designations)

**END:** Federally listed, Endangered

**THR:** Federally listed, Threatened

**CAN:** Candidate for Federal listing

**MBTA:** Migratory Bird Treaty Act

**BGEPA:** Bald & Golden Eagle Protection Act

**BCC:** Birds of Conservation Concern

**BLM sensitive:** Bureau of Land Management Sensitive

**USFS sensitive:** U.S. Forest Service Sensitive

**None:** No designation

**State designations:** (C = California Endangered Species Act or CDFW designations)

**END:** State listed, Endangered

**THR:** State listed, Threatened

**CAN:** Candidate for State listing



**RARE: State listed, Rare**

**FP:** Fully Protected Species

**SSC:** Species of Special Concern

**WL:** Watch List Species

**CDFW State (S) Rankings** are a reflection of the overall condition of a resource throughout its range in California. The number after the decimal point represents a threat designation attached to the assigned rank:

**S1** = Critically Imperiled. Less than (<) 6 Element Occurrences (EOs) OR < 1,000 individuals OR < 2,000 acres

**S1.1** = very threatened

**S1.2** = threatened

**S1.3** = no current threats known

**S2** = Imperiled. 6-20 EOs OR 1,000-3,000 individuals OR 2,000-10,000 acres

**S2.1** = very threatened

**S2.2** = threatened

**S2.3** = no current threats known

**S3** = Vulnerable. 21-80 EOs OR 3,000-10,000 individuals OR 10,000-50,000 acres

**S3.1** = very threatened

**S3.2** = threatened

**S3.3** = no current threats known

**S4** = Apparently Secure. Uncommon but not rare in the state; some cause for long-term concern.

**S5** = Secure. Common, widespread, and abundant in the state.

**SH** = All known California sites are historical, not extant

**CDFW Global (G) Rankings** are a reflection of the overall status of an element throughout its global range. Both Global and State rankings are represented with a letter and number score that reflects a combination of Rarity, Threat, and Trend factors, with weighting being heavier on Rarity than the other two.

**Species or Natural Community Levels:**

**G1** = Critically Imperiled. At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.

**G2** = Imperiled. At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.

**G3** = Vulnerable. At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.

**G4** = Apparently Secure. Uncommon but not rare; some cause for long-term concern due to declines or other factors.

**G5** = Secure. Common; widespread and abundant.

**Subspecies Levels:** Taxa which are subspecies or varieties receive a taxon rank (T-rank) attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies.

**California Native Plant Society (CNPS) designations:**

Primary Categories

LIST 1A: Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere

LIST 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere

LIST 2A: Plants Presumed Extirpated in California, But Common Elsewhere

LIST 2B: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

LIST 3: Plants About Which More Information is Needed - A Review List

LIST 4: Plants of Limited Distribution - A Watch List

Subdivisions within Categories

0.1: Seriously threatened in California

0.2: Moderately threatened in California

0.3: Not very threatened in California



## 6.0 DISCUSSION

### 6.1 Discussion of the Special Status Species Tables

Of the fifty-one (51) special status species reported from the vicinity of, or having modeled habitat in the BSA, thirty-four (34) are considered to be absent from the site due to a lack of suitable habitats and/or the location of the BSA outside of the species geographic range (Tables 1 through 6). Representative examples include, but are not limited to: Booth's evening primrose (*Camissonia boothii* ssp. *boothii*), Mojave tarplant (*Deinandra mohavensis*), San Bernardino aster (*Symphyotrichum defoliatum*), Victorville shoulderband (*Helminthoglypta mohaveana*), Mojave tui chub (*Siphateles bicolor mohavensis*), arroyo toad (*Anaxyrus californicus*), California red-legged frog (*Rana [aurora] draytonii*), southwestern pond turtle (*Actinemys pallida*), coast horned lizard (*Phrynosoma blainvillii*), tricolored blackbird, brown-crested flycatcher (*Myiarchus tyrannulus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), least Bell's vireo (*Vireo bellii pusillus*) and Mohave river vole (*Microtus californicus mohavensis*). These species will not be discussed further. Although generally considered to be absent, due to a lack of nesting or roosting habitats, some of the special status species have the potential to nevertheless occur on-site during migration and/or during the winter, for foraging purposes only. Representative examples include: Cooper's hawk (*Accipiter cooperii*), golden eagle, Swainson's hawk (*Buteo swainsoni*), prairie falcon (*Falco mexicanus*), pallid bat and Townsend's big-eared bat. These species will also not be discussed further as their potential occurrence is considered to be transient and/or intermittent, not resident. With the exception of obvious measures to prevent direct mortality, conservation and/or management considerations and actions are generally not required for foraging/wintering species. Even if these above referenced species that are generally considered to absent from the site were to occur on-site, all but one (1), tricolored blackbird, are proposed to be covered under and conserved by the MSHCP/NCCP. Therefore, impacts to these species, would be fully mitigated through participation in and compliance with the forthcoming plan.

Seventeen (17) special status species known from the area have at least some potential (low to high) to occur in the BSA. Representative examples include: desert cymopterus, Mojave monkeyflower, desert tortoise, burrowing owl, loggerhead shrike, desert kit fox (*Vulpes macrotis arsipus*) and Mohave ground squirrel. These species have the potential to either grow or reside (i.e., nest, breed, roost and live) on-site, either permanently or seasonally due to the presence of suitable habitat and the location of the BSA within the geographic and elevational ranges of these species. All of the species are proposed to be covered under the MSHCP/NCCP. Participation in, and compliance with the MSHCP/NCCP, once implemented, would generally mitigate any future project-related impacts to these species. Additional management actions and measures, however, may be required for some of these species to avoid and/or minimize impacts. These species will not be discussed further in regards to the MSHCP/NCCP, with the exception of those species that are likely to require further actions.

Impacts to special status biological resources that are not proposed to be covered under the MSHCP/NCCP must be addressed, avoided and/or minimized to less than significant levels per the applicable federal and state endangered species acts, National Environmental Policy Act (NEPA) and/or California Environmental Quality Act (CEQA) as participation in the MSHCP/NCCP would not provide coverage or contribute to conservation efforts. Representative examples



include, but are not limited to: jurisdictional areas and nesting bird species protected under the MBTA.

#### **6.1.1 Special Status Species Covered under the MSHCP/NCCP Potentially Requiring Additional Impact Avoidance and/or Minimization Measures**

Although participation in the MSHCP/NCCP and payment of the requisite development fees would generally provide coverage for and mitigate impacts to the special status species covered under the plan, some of these species will likely require additional impact avoidance and/or minimization measures for full MSHCP/NCCP compliance. Available draft MSHCP/NCCP documents do not yet list which species (if any) would require additional conservation measures or define what those measures may include; however, based on other MSHCP/NCCP's implemented in other areas of Southern California (i.e., Western Riverside County and Coachella Valley), the covered species with potential to occur in the BSA that may require additional actions by plan participants include, but are not necessarily limited to: desert tortoise, burrowing owl, loggerhead shrike, Le Conte's thrasher and Bendire's thrasher. These species are discussed separately below.

There is a moderate to high potential for desert tortoise to occur in the BSA based on the presence of suitable habitat and the known occurrence of the species in the vicinity. The desert tortoise is state and federally-listed as threatened. Although this species is also proposed to be covered under and conserved by the forthcoming MSHCP/NCCP, plan participants will also likely be required to implement additional actions, beyond the payment of a standard development fee, to ensure that impacts are avoided where possible and minimized to the maximum extent possible where avoidance is not possible. These additional actions may require, but not necessarily be limited to: 1) implementation of a Worker Environmental Awareness Program (WEAP), 2) pre-construction clearance surveys, 3) relocation (where necessary and authorized by the USFWS, CDFW and/or BLM, where applicable), 4) construction monitoring, 5) exclusion fencing, 6) trash containment and control to avoid or minimize the likelihood of attracting predators, and possibly a common raven management/control plan.

Although no sign (i.e., burrows, whitewash, pellets, feathers, etc.) of burrowing owl was observed during the assessment, suitable habitat is present and the BSA is within the geographic range of this species. Furthermore, California ground squirrels and their burrows, which are suitable for and often used by burrowing owls, were also observed. For these reasons, Wood considers there to be at least a moderate potential for burrowing owl to occur on, and in the immediate vicinity. Burrowing owls are not state or federally-listed as threatened or endangered, however are designated as a SSC by the CDFW. This species is proposed to be covered under, and conserved by, the MSHCP/NCCP, which means impacts would generally be mitigated through participation in and compliance with the plan. Although proposed to be covered and conserved by the MSHCP/NCCP, like the desert tortoise above, this species may require additional measures, beyond the payment of the standard development fee, by plan participants to ensure that impacts are avoided where possible and minimized to the maximum extent possible. Although burrowing owl would be a MSHCP-covered species, the federal permit that allows take of special status species under the plan would not likely permit take of burrowing owl under the MBTA; therefore, surveys would likely be required where habitat is present. Burrowing owls are also sensitive to excessive noise and activities such as grading and operation of heavy equipment up to 500 feet away from occupied burrows may result in nest/burrow abandonment if/when such activities



occur. Therefore, consideration of off-site impacts to burrowing owls would also likely be required. For these reasons, burrow searches, focused surveys (where burrows are found), pre-construction clearance surveys and monitoring (if the species is present) may be required in addition to the requisite development fee. When found to occur on or adjacent to a particular site proposed for development, the CDFW would also need to be contacted on a case-by-case basis for further guidance. Other actions that may be required include, but are not necessarily limited to, the following: 1) attendance at and compliance with a project-specific WEAP, 2) pre-construction clearance surveys, 3) biological monitoring, 4) establishment and observance of no disturbance buffer zones around occupied burrows until the nestlings have fledged, and 5) trash containment and disposal to avoid attracting potential predators. Avoidance of activities (i.e., operation of heavy equipment) that might disrupt burrowing owl behavior may also apply. No disturbance buffer zone distances vary according to season. Outside of the breeding season (i.e., 1 September through 31 January), the CDFW recommends avoidance of disturbance to a 50 m radius around occupied burrows. During the nesting season (i.e., 1 February through 31 August), the CDFW recommends avoidance of disturbance to a 75 m radius around occupied burrows.

Loggerhead shrike was observed at one location in the BSA during the assessment. This species also has a high potential to occur (i.e., nest) throughout the BSA as this species nests in sparsely vegetated shrublands throughout the Mojave Desert and the southwest. Loggerhead shrike is not state or federally-listed as threatened or endangered, however is designated as a SSC by the CDFW and protected under the MBTA while nesting. This species is not proposed for coverage/conservation under the MSHCP/NCCP. For these reasons, any/all impacts to nesting loggerhead shrike must be avoided. The most effective, efficient and cost-effective way to avoid impacts to nesting loggerhead shrike, in addition to the other nesting bird species protected by the MBTA, is to avoid activities that have the potential to impact nesting birds during the nesting season (generally 1 February through 31 August for most species). Avoidance of the nesting season generally negates any further consideration of this, and most other bird species. If avoidance of the nesting season is not possible, pre-construction clearance surveys, biological monitoring and establishment of avoidance buffer zones (where necessary) around active nests would likely be required to minimize and mitigate impacts to nesting birds. Avoidance buffer zones are generally 300 feet for songbirds such as the loggerhead shrike but can be reduced on a case-by-case (often at the discretion of the biological monitor and with CDFW concurrence) basis depending on a variety of factors (i.e., topography, vegetation, existing structures, project-specific activities, etc.).

Le Conte's thrasher was not observed during the assessment conducted in the BSA. Le Conte's thrasher is associated with a variety of desert scrub habitats where spiny vegetation such as cacti occurs and provides suitable habitat for nesting. Cacti, peach thorn, Mojave yucca and Joshua trees were observed throughout the BSA and provide suitable nesting and foraging habitat for this species. For these reasons, there is at least a low potential for Le Conte's thrasher to nest and occur in the BSA. Le Conte's thrasher is not listed as threatened or endangered by the USFWS or the CDFW. The San Joaquin Valley population is, however, designated as a SSC by the CDFW. This species is also proposed to be covered and conserved under the MSHCP/NCCP. Although Le Conte's thrasher is proposed to be a covered species, the federal permit that would allow take of special status species under the plan will not likely allow take of nesting bird species that are protected under the MBTA. Like most of the other nesting bird species occurring or



potentially occurring in the BSA, avoidance of activities potentially impacting nesting birds during the nesting season would negate any further consideration of this, and most other bird species. If avoidance of the nesting season is not possible, pre-construction clearance surveys, biological monitoring and establishment of avoidance buffer zones (where necessary) around active nests may be required to avoid and/or minimize impacts to nesting birds occurring on- and/or adjacent to the site.

Bendire's thrasher was not observed during the assessment conducted in the BSA. This species is associated with a variety of desert scrub habitats, including Mojave creosote bush scrub, particularly areas providing tall vegetation, creosote bush, yuccas and cholla cactus. For these reasons, there is at least a low potential for Bendire's thrasher to nest and occur in the BSA. Bendire's thrasher is not listed as threatened or endangered by the USFWS or the CDFW. This species is, however, designated as a SSC by the CDFW. Like Le Conte's thrasher above, Bendire's thrasher is proposed to be covered and conserved under the MSHCP/NCCP. Although proposed for coverage under the plan, MBTA protection and provisions will likely still apply requiring the avoidance of impacts to nesting birds, including Bendire's thrasher. Avoidance of disturbance during the nesting season (generally 1 February through 31 August) is the most affordable and easiest way to avoid potentially impacting nesting birds. Pre-construction clearance surveys during the nesting season, biological monitoring and/or establishment of avoidance buffer zones (where necessary) around nest sites may be required, when avoidance of the nesting season is not possible.

## **6.1.2 Special Status Biological Resources likely not Covered under the MSHCP/NCCP**

### **6.1.2.1 Migratory Bird Treaty Act**

Likely to be excluded from coverage or conservation under the MSHCP/NCCP are a variety of common bird species that have no special status designations but are nevertheless protected by the MBTA. This includes virtually all native migratory and resident bird species, including birds already known to occur or have the potential to occur in the vicinity. Representative examples include, but are not limited to: killdeer (*Charadrius vociferous*), common raven, common poorwill, greater roadrunner, verdin and black-throated sparrow (*Amphispiza bilineata*). Avoidance of impacts to all nesting migratory and resident birds will likely be a requirement of the federal permit issued for the MSHCP/NCCP. In order to avoid impacting nesting birds, avoidance of disturbance during the nesting season (generally 1 February 1 through 31 August) is recommended whenever and wherever possible. If avoidance of the nesting season is not feasible, additional impact avoidance and minimization measures may be required. These measures may include, but not necessarily limited to, the following: 1) attendance of and compliance with a project-specific WEAP, 2) pre-construction clearance surveys, 3) biological monitoring, 4) establishment and observance of no disturbance buffer zones around active bird nests found during the daily pre-construction surveys until the young birds have fledged and 5) trash containment and disposal to avoid attracting potential predators.

If nesting birds are found on a project site, work would not likely be permitted near the nest site (i.e., within the no disturbance buffer zone[s] surrounding nests) until young have fledged. While there is no established protocol for nest avoidance, when consulted the CDFW generally recommends avoidance buffers of about 500 feet for birds-of-prey, and 100–300 feet for songbirds. Routine monitoring of nests would document when the young have fledged and when



potentially disruptive project activities in the vicinity could be implemented without impacting nesting birds.

#### **6.1.2.2 Jurisdictional Areas**

Many unnamed, mostly small, drainages (i.e., dry washes) are present throughout the BSA. None of the observed drainages were flowing or exhibited surface water at the time of the assessment and no riparian or hydrophytic vegetation, one of the indicators of “wetlands”, was observed. Although these drainages would not likely meet the definition for wetlands, many would likely meet the definition of “waters of the United States” and/or “waters of the state of California” and thus fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB) and/or the CDFW. For these reasons, impacts (i.e., changes to the bed, bank or channel of rivers, streams and lakes) to these jurisdictional areas would require permitting by these agencies. Programmatic permits and/or authorizations for MSHCP/NCCP-covered activities, however, may be issued at some time in the future. Until such time, however, jurisdictional delineations, nationwide permits, individual permits, streambed alteration agreements, water quality certifications and/or any other required authorizations would need to be obtained by each individual project proponent, or the Town of Apple Valley on their behalf.

Avoidance of impacts to jurisdictional areas is recommended wherever possible. For unavoidable impacts, however, minimization and mitigation will likely be required. Standard mitigation for impacts to jurisdictional areas usually includes compensation of off-site “like” habitat, usually at a ratio of at least a 1:1. The establishment of buffer zones around retained/avoided drainages will likely be required. Buffer zones are typically at least 50 feet in width.

### **6.2 Multiple Species Habitat Conservation Plan**

The BSA is to be located within the coverage area for the MSHCP/NCCP. Projects permitted under the MSHCP/NCCP have the potential to affect a variety of occurring or potentially-occurring special status species that are proposed to be covered under the MSHCP/NCCP. Participation in (i.e., payment of a requisite development fee) and compliance with the requirements and provisions of the MSCHP/NCCP would ensure that project-related impacts to these species are permitted, covered, minimized and mitigated. Participation in the MSHCP/NCCP may, however, require additional actions for full coverage for some of these species, as described above.

### **6.3 Recommended Impact Avoidance and Minimization Measures**

In addition to the payment of the requisite development fees and participation in the MSCHP/NCCP, which is designed to mitigate potential project impacts to covered special status biological resources occurring or potentially-occurring in the coverage area, additional measures designed to avoid and minimize impacts to the covered special status biological resources potentially occurring on the project site and/or immediately adjacent may also be required. Representative examples may include:

- 1) A pre-construction clearance survey within and adjacent to the project disturbance footprint prior to commencement of project-related activities on-site. The survey is intended to detect any special status biological resources (i.e., all special status species and active bird nests) prior to project implementation so that impacts can be avoided (where possible) or minimized (where necessary). Any/all special status biological resources found in the immediate vicinity would be marked/mapped with a handheld GPS



and these “Environmentally Sensitive Areas” will be flagged and/or staked in the field for avoidance and monitored during construction to ensure that impacts to these resources are avoided and/or minimized to the greatest extent possible.

- 2) Biological monitoring of all project-related disturbances that have the potential to affect special status biological resources. The biological monitor would be qualified in the identification of the special status biological resources potentially occurring on-site and would have the authority to temporarily halt any and all project-related activities that threaten special status resources in order to avoid and/or minimize impacts, and to contact the resource agencies (i.e., USFWS, CDFW, CVAG, etc.) should special status biological resources be encountered during construction.
  - a. Impact avoidance and/or minimization measures implemented by the biological monitor would include:
    - i. Daily pre-construction clearance sweeps of the project site. The biological monitor would conduct pre-construction clearance sweeps immediately prior (i.e., the morning of and/or the day prior) to commencement of daily operations to detect special status biological resources present within the current work zone. Any/all special status biological resources found in the immediate vicinity would be marked/mapped with a handheld GPS, flagged in the field for avoidance and monitored during construction to ensure that impacts to these resources are avoided and/or minimized to the greatest extent possible.
    - ii. Issue a temporary stop work order to allow special status species (i.e., desert tortoise, burrowing owl, Mohave ground squirrel, etc.) to voluntarily move away from the active work zone without interference from project personnel, including the biological monitor.
    - iii. Physical capture, temporary handling and immediate relocation of special status species, when voluntary dispersal cannot be achieved, after receipt of authorization from respective resource agencies. This would likely include contacting the USFWS, CDFW and/or BLM to determine the best course of action, potential relocation areas and/or handling protocols.
3. Implementation of a WEAP to inform project personnel working in the field of the potential presence of special status biological resources along the alignment. The WEAP would include photographs, descriptions, conservation status, impact avoidance and minimization measures proposed and penalties associated with unauthorized impacts to the special status species potentially occurring along the alignment. Project personnel would be required to attend the WEAP and sign an acknowledgment of attendance and agreement to comply with the measures outlined in the WEAP, MSHCP/NCCP and specific project permit requirements.
4. A trash containment plan and proper disposal to avoid attracting scavengers and predators to the project site.
5. Completion of a jurisdictional delineation to determine the areas of the project disturbance footprint that are within jurisdictional areas and the permits, agreements and certifications



as well as any mitigation required to compensate for unavoidable project impacts to jurisdictional areas.

6. Restoration of the pre-existing topography, contours and native vegetation communities temporarily impacted by project implementation. This applies to all on-site and adjacent areas temporarily impacted by the project. Restoration aids in the recovery of the undeveloped, temporarily impacted vegetation, habitats and drainage.
7. Avoidance of landscaping with invasive and/or toxic plant species.
8. Avoidance of night work involving the use of bright lighting to avoid potential impacts to nocturnal wildlife such as bats.
9. Participation in and compliance with the all requirements, terms and conditions of the MSHCP/NCCP.

#### **6.4 Recommended Actions Prior to Adoption of the MSHCP/NCCP**

Until the MSHCP/NCCP is finalized and implemented, any/all proposed projects would need to individually comply with existing laws and regulations protecting listed and special status biological resources. Project proponents would be required to individually fund and conduct a biological resources assessment for each project. When habitat for the potentially-occurring special status species is not present on-and/or immediately adjacent to a given site, no direct or indirect disturbance or “take” of habitat would result, and disturbance to jurisdictional areas are entirely avoided, generally nothing more would be required and the proposed project could proceed. Biological resources assessments are generally considered to be valid for a one (1) year period. If project implementation exceeds one (1) year following the biological resources assessment, the process may need to be repeated.

When a biological resources assessment determines that habitat for special status species (e.g., desert tortoise, Mohave ground squirrel, burrowing owl, nesting birds) is present on a given project site, usually focused surveys conducted in accordance with regulatory agency protocols are required. Depending on the species in question, these surveys have seasonal requirements, temperature requirements, daily time period requirements, surveyor qualifications requirements, etc. and can take months, sometimes even years to complete.

In lieu of conducting surveys, proponents can simply assume presence and mitigate accordingly. When focused surveys determine impacts to the occurring or potentially-occurring listed or special status species are possible, impacts would need to be entirely avoided or permitted individually through a Section 7 incidental take permit (for those projects having a federal nexus) or through a Section 10 incidental take permit (for those projects not having a federal nexus) under the FESA, section 2081 incidental take permit under the CESA, where applicable.

For projects potentially impacting special status species habitat, focused surveys to determine each of the potentially-occurring special status species would also likely be required. Focused surveys for Mohave ground squirrel involves an intensive trapping effort conducted by permitted biologists and in accordance with CDFW protocol. If evidence of any of these species is found to occur on, or adjacent to, a proposed project site, the respective above-referenced incidental take permits would be required. Permitting would include a list of terms, conditions and requirements



for project implementation. Depending on the species in question, these terms, conditions and requirements may include, but are not limited to:

- Pre-construction clearance surveys
- Specific measures to avoid or minimize impacts
- Relocation of special status species (i.e., desert tortoise, burrowing owl) to off-site areas where impact avoidance is not possible
- Biological monitoring
- A project-specific WEAP
- Trash containment and disposal
- Designated project speed limits
- Common raven control plan
- Restoration of temporarily disturbed areas
- The acquisition of compensatory habitat off-site

Projects potentially resulting in impacts to drainages would be required to quantify and delineate the limits of those impacts and apply for and receive various permits, authorizations and/or certificates from the USACOE, CDFW and/or RWQCB.

## **7.0 CONCLUSION**

The proposed annexation of the 1,407-acre area commonly referred to as “the golden triangle” is not anticipated to significantly alter the conceptual landscape for the implementation of the forthcoming MSHCP/NCCP. This area is currently zoned for future residential, commercial and/or industrial development and does not appear to offer any viable long-term conservation value for any of the proposed covered species under the plan. This area is also not located immediately adjacent to any conservation areas proposed by the plan. Suitable habitat for a variety special status species that are proposed to be covered by and conserved under the MSHCP/NCCP is, however, present within the proposed BSA. Although specific project-related impacts to the potentially-occurring MSHCP/NCCP-covered species are not currently known at this time, most anticipated future impacts (i.e., development) would generally be mitigated through participation in and compliance with the requirements of the plan (i.e., usually payment of a per-acre development fee), once the plan is finalized and implemented. Additional conservation actions, however, may be required to further minimize impacts for some of the covered species. Representative examples of special status biological resources that may require additional conservation measures include, but are not limited to: desert tortoise, burrowing owl and other nesting bird species protected under the MBTA. Examples of additional conservation measures may include: 1) pre-construction clearance surveys for desert tortoise and burrowing owl, 2) relocation of any on-site desert tortoises and/or burrowing owl with project-specific agency concurrence and following specific requirements and guidelines for each, 3) avoidance of impacts to nesting bird species protected by the MBTA, 4) administration of a project-specific WEAP outlining required impact avoidance and minimization measures, 5) temporary exclusion fencing



for desert tortoise, 6) implementation of a litter control and trash abatement program, 7) implementation of a common raven control/management plan, 8) landscaping with only approved plant species, and 9) avoidance of planting invasive and/or toxic exotic plant species. Additional conservation measures (if any) required for MSHCP/NCCP compliance and participation will be outlined and stipulated in their entirety by the plan.

In addition to participation and compliance with the MSHCP/NCCP, applicants proposing actions that may impact special status biological resources that are not covered by the plan will either need to avoid impacts to those resources or ensure impacts are minimized to acceptable levels. Participants impacting jurisdictional areas will likely need to delineate the limits of the jurisdictional areas, define and quantify the impacts and apply for permits, agreements and/or certifications from the USACE, CDFW and/or RWQCB for authorization prior to project implementation.

With participation in and compliance with the MSHCP/NCCP, the payment of required development fees and the implementation of any and all additional conservation measures for the 0occurring or potentially-occurring special status species covered under the plan, as well as avoidance or mitigation of impacts to the occurring or potentially-occurring biological resources that are not covered under the plan (i.e., jurisdictional areas and nesting bird species protected by the MBTA), projects proposed in the BSA are anticipated to be in compliance with the proposed MSHCP/NCCP.

Until the MSHCP/NCCP is implemented and the associated take permits for the plan have been finalized and signed by all associated parties including the resource agencies, project proponents proposing disturbance to habitat within the BSA would be subject to current regulatory processes. These include conducting biological studies (i.e., assessments, focused surveys and/or jurisdictional delineations) to determine if the proposed action may impact potentially-occurring threatened or endangered species or otherwise special status biological resources. If it is determined that a project has the potential to affect a threatened or endangered species, the proponent must apply for and receive an incidental take permits for unavoidable impacts. Projects resulting in impacts to other special status biological resources (i.e., SSCs, nesting birds, jurisdictional areas) must also be avoided or minimized to acceptable levels. Once issued, permits will likely contain terms, conditions and requirements that are designed to avoid (where possible) and/or minimize project-related impacts to the greatest extent possible. These measures may include, but not limited to: 1) pre-construction clearance surveys, 2) relocation of special status species off-site, 3) biological monitoring, 4) a WEAP, 5) trash containment, 6) speed limits, 7) common raven management plan, 8) restoration of temporarily disturbed areas, and 9) acquisition of compensatory habitat.



## 8.0 LITERATURE CITED AND REFERENCES

- American Ornithologists' Union. 2019. Check-list of North American Birds, 7th edition + supplements. Accessed online at: <http://americanornithology.org/content/aou-checklist-north-and-middle-american-birds-7th-edition-and-supplements>
- California Department of Fish and Wildlife (CDFW). 2019a. California Natural Diversity Data Base, Rarefind 5. Report for the *Apple Valley North, Calif.* and *Turtle Valley, Calif.* quadrangles. Accessed online at: [dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp](http://dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp)
- CDFW. 2019b. Special Animals List. July. Periodic publication. Sacramento, CA. Accessed online on 17 Oct 19 at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline=1>
- CDFW. 2017c. Special Vascular Plants, Bryophytes, and Lichens List. Accessed online at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383>
- CDFW. 2016. Complete List of Amphibian, Reptile, Bird and Mammal Species in California. Accessed online at: [nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=87155&inline=1](http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=87155&inline=1) [4/11/17]
- CDFW. 2015c. Fish and Game Code of California. <http://www.leginfo.ca.gov/calaw.html>
- CDFW. 2015d. California Wildlife Habitat Relationships, Life History Accounts and Range Maps. Accessed online at: <http://www.dfg.ca.gov/biogeodata/cwhr/cawildlife.aspx>
- CDFW. 2015e. Threatened and Endangered Species, Species Lists and Accounts, Species Accounts-Fish. Accessed online at: [https://www.dfg.ca.gov/wildlife/nongame/t\\_e\\_spp/](https://www.dfg.ca.gov/wildlife/nongame/t_e_spp/)
- CDFG. 2012. Staff Report on Burrowing Owl Mitigation. March 7.
- California Native Plant Society (CNPS), Rare Plant Program. 2019a. Inventory of Rare and Endangered Plants of California, Reports for *Apple Valley North, Calif.* and *Turtle Valley, Calif.* quadrangles (online edition, v8-03 0.38). Website <http://www.rareplants.cnps.org> (accessed 18 October 2019).
- CNPS. 2019b. The California Rare Plant Ranking System. Accessed online at: <https://www.cnps.org/cnps/rareplants/ranking.php>
- Conservation Biology Institute. 2017. Desert Renewable Energy Conservation Plan (DRECP) Gateway. Website (<http://www.drecp.org/>) accessed on 21 August 2017.
- Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Prepared for the California Department of Fish and Game.
- Jepson Flora Project. 2017. Jepson eFlora. Accessed online at: <http://ucjeps.berkeley.edu/IJM.html>
- National Wetlands Inventory. 2019. <https://www.fws.gov/wetlands/index.html>
- Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2009. A manual of California vegetation (2<sup>nd</sup> ed.). California Native Plant Society, Sacramento, CA.
- Shuford, W. D., and Gardali, T., editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field



Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

Town of Apple Valley. 2017a. Multi-Species Habitat Conservation Plan, Apple Valley, California. Website accessed on 23 August 2017 at: <http://www.applevalley.org/services/planning-division/multi-species-habitat-conservation-plan>.

Town of Apple Valley. 2017b. 2009 General Plan, Apple Valley, California. Website accessed on 23 August 2017 at: <http://www.applevalley.org/services/planning-division/2009-general-plan>.

Town of Apple Valley NCCP. 2017c. Planning Agreement, Public Review Draft, Planning Agreement 2810-2017-001-06. Unpublished document accessed on 6 September 2017 at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=141435&inline>

Tugel A. J., and G. A. Woodruff. 1986. Soil Survey of San Bernardino County, California, Mojave River Area. Publication of the U.S.D.A. Soil Conservation Service.

United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). 2017a. The PLANTS Database. National Plant Data Team, Greensboro, NC 27401-4901 USA (<http://plants.usda.gov>, 25 August 2017).

USDA, NRCS. 2017b. Soil Survey Staff. Web Soil Survey. Available online at <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [8/25/2017].

USFWS. 2017a. Bird Laws and Treaties. Accessed online at: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>

USFWS. 2019b. National Wetlands Inventory website. U.S. Department of the Interior, Fish and Wildlife Service, Washington D.C. <http://www.fws.gov/wetlands/>

United States Geological Survey (USGS). 2019. US Topo and Historical Topographic Map Collection. Accessed online at: <http://geonames.usgs.gov/apex/f?p=262:1:0::NO:RP:>

Webb, R.H., J.S. Heaton, M.L. Brooks, and D.H. Miller. 2009. "Introduction." In *The Mojave Desert, Ecosystem Processes and Sustainability*, eds. Webb, R.H., L.F., Fenstermaker, J.S. Heaton, D.L. Hughson, E.V. McDonald, and D.H. Miller. 1-6. University of Nevada Press, Reno & Las Vegas, NV.



## **APPENDIX 1**

### **SPECIES LIST: VASCULAR PLANTS**



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## APPENDIX 1

### SPECIES LIST: VASCULAR PLANTS

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This list reports only plants observed on the site by this study. Other species may have been overlooked or undetectable due to their growing season. Unless noted otherwise, nomenclature and systematics follows Jepson Flora Project (2014) = non-native species, sp. = identified only to genus, cf= compares favorably with]. Common names not provided by Jepson Flora Project follows those provided by USDA, NRCS (2015b). [*t*= *special status species*, \* = non-native species, sp. = identified only to genus, cf= compares favorably with]

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#### CONIFERAE

##### GNETAE

##### Ephedraceae

*Ephedra nevadensis*

#### DICOTYLEDONEAE

##### Asteraceae

*Ambrosia acanthicarpa*

*Ambrosia dumosa*

*Ambrosia salsola*

*Ericameria nauseosa*

*Ericameria* sp.

*Stephanomeria pauciflora*

##### Brassicaceae

\**Brassica tournefortii*

\**Hirschfeldia incana*

\**Lepidium* sp.

\**Sisymbrium irio*

\**Sisymbrium* sp.

##### Cactaceae

*Cylindropuntia echinocarpa*

*Cylindropuntia ramosissima*

##### Chenopodiaceae

*Atriplex canescens*

*Atriplex polycarpa*

\**Salsola tragus*

##### Euphorbiaceae

*Euphorbia albomarginata*

#### CONE BEARING PLANTS

##### JOINT FIRS

##### Ephedra Family

Nevada ephedra

#### DICOT FLOWERING PLANTS

##### Sunflower Family

annual bur-sage

white bur-sage

common burrowbrush, cheesebush

rubber rabbitbrush

goldenbush

wire-lettuce

##### Mustard Family

Saharan mustard

short-pod mustard

pepper grass

London rocket

tumble mustard

##### Cactus Family

golden cholla

diamond cholla, pencil cactus

##### Goosefoot Family

four-wing saltbush

allscale saltbush

Russian thistle, tumbleweed

##### Spurge Family

rattlesnake sandmat



**Geraniaceae**

*\*Erodium cicutarium*

**Lamiaceae**

*Scutellaria mexicana*

**Loasaceae**

*Petalonyx thurberi*

**Polygonaceae**

*Eriogonum fasciculatum*

*Eriogonum inflatum*

*Eriogonum angulosum*

**Solanaceae**

*Datura wrightii*

*Lycium cooperi*

**Tamaricaceae**

*\*Tamarix ramosissima*

**Zygophyllaceae**

*Larrea tridentata*

MONOCOTYLEDONEAE

**Liliaceae**

*Yucca brevifolia*

*Yucca schidigera*

**Poaceae**

*Achnatherum hymenoides*

*\*Bromus madritensis ssp. rubens*

*\*Bromus tectorium*

*\*Schismus barbatus*

**Geranium Family**

redstem filaree

**Mint Family**

bladder-sage

**Stickleaf Family**

sandpaper plant

**Buckwheat Family**

California buckwheat

desert trumpet

angle-stem wild buckwheat

**Nightshade Family**

jimsonweed

peach thorn

**Tamarisk Family**

salt cedar

**Caltrop Family**

creosote bush

MONOCOT FLOWERING PLANTS

**Lily Family**

Joshua tree

Mojave yucca

**Grass Family**

Indian ricegrass

red brome

cheat grass

common Mediterranean grass



## **APPENDIX 2**

### **SPECIES LIST: VERTEBRATES**



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## APPENDIX 2

### SPECIES LIST: VERTEBRATES

---

This list reports the vertebrate animals observed and/or detected in the BSA during the field work conducted by Wood on 3 August 2017. Many other species are expected to occur but were undetectable due to their activity patterns and/or current weather conditions. [*t* = *special status species*, \* = non-native species, sp. = identified only to genus, *cf* = compares favorably with]

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#### VERTEBRATES

##### REPTILIA

###### Phrynosomatidae

*Uta stansburiana elegans*

##### AVES

###### Columbidae

*Zenaida macroura*

###### Caprimulgidae

*Phalaenoptilus nuttallii*

###### Corvidae

*Corvus corax*

###### Alaudidae

*Eremophila alpestris*

###### Laniidae

\*\**Lanius ludovicianus*

###### Sturnidae

\**Sturnus vulgaris*

###### Fringillidae

*Haemorhous mexicanus*

##### MAMMALIA

###### Canidae

\**Canis domesticus*

*Canis latrans*

##### REPTILES

###### Horned Lizards, Spiny Lizards & Relatives

western side-blotched lizard

##### BIRDS

###### Pigeons and Doves

mourning dove

###### Goatsuckers

common poorwill

###### Crows, Ravens & Jays

common raven

###### Larks

horned lark

###### Shrikes

loggerhead shrike

###### Starlings and Allies

European Starling

###### Cardueline Finches & Allies

house finch

##### MAMMALS

###### Dogs, Foxes, Coyotes and Wolves

domestic dog (scat, tracks, digs)

coyote (scat, tracks)



**Leporidae**

*Lepus californicus*

**Cricetidae**

*Neotoma cf. lepida* (middens)

**Squiridae**

*Ammospermophilus leucurus*

*Otospermophilus beecheyi*

**Rodentia**

*Unknown* (burrows)

**Rabbits and Hares**

black-tailed jackrabbit

**New World Mice and Rats**

desert woodrat (middens)

**Squirrels and Relatives**

white-tailed antelope squirrel

California ground squirrel

**Rodents**

unknown (burrows)



## **APPENDIX 3**

### **PHOTOGRAPHIC EXHIBITS**



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## Apple Valley Annexation Project Biological Resources Assessment



**Photo 1.** Representative condition of the BSA. View facing east.



**Photo 2.** Representative drainage in the BSA. View facing east.



## Apple Valley Annexation Project Biological Resources Assessment



**Photo 3.** Representative condition of the BSA. Single-family residential dwelling in background. View facing west.



**Photo 4.** Representative drainage in the BSA. View facing northwest.



## Apple Valley Annexation Project Biological Resources Assessment



**Photo 5.** Example of an on-site somewhat rocky knoll. View facing northeast.



**Photo 6.** Example of an on-site somewhat rocky knoll. View facing north.





**Photo 6.** Example of barren area and single family homes. View facing east.



**Photo 8.** Example of Joshua tree in desert scrub area. View facing north.



**Appendix C**  
**Traffic Update Letter**



October 31, 2019

Ms. Nicole Criste  
Terra Nova Planning & Research  
42635 Melanie Place #101  
Palm Desert, CA 92211

**SUBJECT:      APPLE VALLEY LAND ANNEXATION TRIP GENERATION ASSESSMENT**

Dear Ms. Nicole Criste:

This letter summarizes the findings for the trip generation assessment prepared for the proposed Apple Valley Land Annexation, which is located east of the I-15 Freeway, north of Johnson Road, and west of Dale Evans Parkway in the Town of Apple Valley.

The purpose of this letter is to determine if the 2017 Annexation and proposed 2019 Annexation ("2017 & 2019 Annexation") would generate more or fewer trips than that previously evaluated as part of the 2009 General Plan ("2009 Annexation"). The trip generation comparisons are based on the 10<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual (2017).

## **SUMMARY OF ANALYSIS FINDINGS**

To make the necessary comparisons, trip generation estimates (based on the most current version of the ITE Trip Generation Manual) have been prepared for: 1) the 2009 Annexation Area; and 2) the 2017 & 2019 Annexation Area. Implementation of the 2017 & 2019 Annexation would result in an overall increase of 478 trip-ends per day with a reduction of 758 vehicle trips during the AM peak hour and 535 fewer vehicle trips during the PM peak hour compared to the approved 2009 Annexation. The change in trip generation is attributable to an increase or reduction to the land area and intensity of the proposed uses. The following summarizes the changes between the currently adopted and proposed annexation areas:

- Estate Residential: increase of 57 dwelling units
- Medium Density Residential: reduction of 2,659 dwelling units
- Multi-Family Residential: increase of 2,569 dwelling units
- Mixed-Use Residential: reduction of 188 dwelling units
- Commercial Retail: increase of 223,326 square feet
- Office: increase of 113,318 square feet
- Industrial: reduction of 242,652 square feet

The traffic analysis previously performed for the 2009 Annexation indicated that the Preferred Scenario



land use plan could be accommodated by the Town's planned circulation network at the target LOS C and D. Although the 2017 & 2019 Annexation would result in a minor increase in daily trips from the 2009 General Plan, the peak hour traffic would be lower than trips analyzed in the 2009 General Plan analysis. This is due to the differences in daily and peak hour rates for the change in mix of uses. Peak hour traffic is critical for determination of traffic operational. Based on the reduction in peak hour trips identified for the 2017 & 2019 Annexation, it is anticipated that the LOS previously projected for the roadways and intersections near the Annexation Area would be the same or in some cases improved as compared to the 2009 Annexation. Further, the increase in daily trips is less than 0.2% and is not anticipated to change projected roadway LOS as compared to the 2009 Annexation. As such, no new traffic impacts beyond those previously disclosed in the 2009 Annexation traffic study would occur as a result of the 2017 & 2019 Annexation.

## **PROJECT DESCRIPTION**

### **CURRENTLY ADOPTED: 2009 ANNEXATION**

The 2009 General Plan Traffic Study included the following land use assumptions for the 2009 Annexation area:

- Estate Residential: 722 dwelling units
- Medium Density Residential: 2,659 dwelling units
- Mixed-Use Residential: 854 dwelling units
- Commercial Retail (Mixed-Use, Regional Commercial, General Commercial): 5,380,731 square feet
- Office: 1,754,639 square feet
- Industrial: 7,782,275 square feet

The 2009 Annexation area included the area bounded by the I-15 Freeway, Johnson Road, and Dale Evans Parkway (Annexation Area #1 or Golden Triangle area) and an area bounded by Central Road, Quarry Road, and Lafayette Street (Annexation Area #2 or northeast annexation area). Exhibit 1 shows the currently adopted annexation area.

### **PROPOSED: 2017 & 2019 ANNEXATION**

Exhibit 2 shows the 2017 & 2019 Annexation areas. The following is a summary of the land use assumptions for the 2017 & 2019 Annexation area:

- Estate Residential: 779 dwelling units
- Multi-Family Residential: 2,569 dwelling units
- Mixed-Use Residential: 666 dwelling units
- Commercial Retail (Regional Commercial and General Commercial): 5,604,057 square feet



- Office: 1,867,957 square feet
- Industrial: 7,539,623 square feet

## PROJECT TRIP GENERATION

Trip generation represents the amount of traffic which is both attracted to and produced by a development. Determining traffic generation for a specific project is therefore based upon forecasting the amount of traffic that is expected to be both attracted to and produced by the specific land uses being proposed for a given development. The trip generation rates used for this assessment are based upon information collected by the Institute of Transportation Engineers (ITE) as provided in their latest Trip Generation Manual (10<sup>th</sup> Edition, 2017). The ITE Trip Generation Manual is a nationally recognized source for estimating site-specific trip generation.

In an effort to compare the net change in vehicle trips to be generated by the proposed 2017 & 2019 Annexation as compared to the 2009 Annexation, current ITE trip generation rates for the land use categories general light industrial, single family residential, multifamily housing, general office, and commercial retail have been applied to each annexation scenario in order to provide an “apples to apples” comparison of trip generation. Trip generation rates used for the purposes of this assessment are shown in Table 1.

**TABLE 1: TRIP GENERATION RATES**

Land Use	ITE LU Code	Units <sup>2</sup>	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
General Light Industrial <sup>3</sup>	110	TSF	0.616	0.084	0.700	0.082	0.548	0.630	4.960
Passenger Cars			0.484	0.066	0.550	0.064	0.431	0.495	3.899
2-Axle Trucks (PCE = 1.5)			0.074	0.010	0.084	0.010	0.066	0.076	0.595
3-Axle Trucks (PCE = 2.0)			0.048	0.007	0.055	0.006	0.043	0.049	0.387
4-Axle+ Trucks (PCE = 3.0)			0.176	0.024	0.200	0.023	0.156	0.180	1.414
Single Family Detached Residential	210	DU	0.19	0.56	0.74	0.62	0.37	0.99	9.44
Multifamily Housing (Low-Rise)	220	DU	0.11	0.35	0.46	0.35	0.21	0.56	7.32
Public Park	411	AC	0.01	0.01	0.02	0.06	0.05	0.11	0.78
General Office	710	TSF	1.00	0.16	1.16	0.18	0.97	1.15	9.74
Shopping Center	820	TSF	0.58	0.36	0.94	1.83	1.98	3.81	37.75

<sup>1</sup> Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition (2017).

<sup>2</sup> DU = dwelling units; TSF = thousand square feet

<sup>3</sup> General Light Industrial Vehicle Mix Source: City of Fontana Truck Trip Generation Study for LU 110, August 2003. PCE rates are per SBCTA.



## CURRENTLY ADOPTED: 2009 ANNEXATION

Table 2 summarizes the resulting trip generation estimates based on the 2009 Annexation land use assumptions. The adopted land uses for Annexation Area #1 generates a net total of approximately 309,190 trip-ends per day with 17,148 AM peak hour trips and 32,929 PM peak hour trips.

**TABLE 2: TRIP GENERATION SUMMARY: 2009 ANNEXATION**

Land Use	Quantity	Units <sup>2</sup>	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Estate Residential	722	DU	134	401	535	450	264	714	6,816
Medium Density Residential	2,659	DU	492	1,476	1,968	1,658	974	2,632	25,102
Mixed-Use Residential	854	DU	158	474	632	533	313	846	8,062
Commercial Retail	5,380.731	TSF	3,136	1,922	5,058	9,840	10,660	20,500	203,124
General Office	1,754.639	TSF	1,750	285	2,035	323	1,695	2,018	17,092
General Light Industrial	7,782.275	TSF							
Passenger Cars:			3,767	514	4,281	498	3,354	3,852	30,344
Truck Trips:									
2-axle:			576	78	654	78	514	592	4,632
3-axle:			374	54	428	47	335	382	3,012
4+-axle:			1,370	187	1,557	179	1,214	1,393	11,006
- Net Truck Trips (PCE) <sup>2</sup>			2,320	319	2,639	304	2,063	2,367	18,650
<b>Total</b>			<b>11,757</b>	<b>5,391</b>	<b>17,148</b>	<b>13,606</b>	<b>19,323</b>	<b>32,929</b>	<b>309,190</b>

<sup>1</sup> Trip Generation Source: Institute of Transportation Engineers (ITE), [Trip Generation Manual](#), Tenth Edition (2017).

<sup>2</sup> DU = dwelling units; TSF = thousand square feet

## PROPOSED: 2017 & 2019 ANNEXATION

The 2017 & 2019 Annexation is anticipated to generate a net total of approximately 309,668 trip-ends per day with 16,390 AM peak hour trips and 32,394 PM peak hour trips.



**TABLE 3: TRIP GENERATION SUMMARY: 2017 & 2019 ANNEXATION AREAS**

Land Use	Quantity	Units <sup>2</sup>	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Estate Residential	779	DU	144	432	576	486	285	771	7,354
Mixed-Use Residential	666	DU	123	370	493	415	244	659	6,288
Multi-Family Residential	2,569	DU	272	910	1,182	906	532	1,438	18,806
Commercial Retail	5,604.057	TSF	3,266	2,002	5,268	10,249	11,103	21,352	211,554
General Office	1,867.957	TSF	1,863	303	2,166	344	1,804	2,148	18,194
General Light Industrial	7,539.623	TSF							
Passenger Cars:			3,649	498	4,147	483	3,250	3,733	29,398
Truck Trips:									
2-axle:			558	75	633	75	498	573	4,488
3-axle:			362	53	415	45	324	369	2,918
4+-axle:			1,327	181	1,508	173	1,176	1,349	10,662
- Net Truck Trips (PCE) <sup>2</sup>			2,247	309	2,556	293	1,998	2,291	18,068
Public Facilities	5.14	AC	1	1	2	1	1	2	6
<b>Grand Total</b>			<b>11,565</b>	<b>4,825</b>	<b>16,390</b>	<b>13,177</b>	<b>19,217</b>	<b>32,394</b>	<b>309,668</b>

<sup>1</sup> Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition (2017).

<sup>2</sup> DU = dwelling units; TSF = thousand square feet

## TRIP GENERATION COMPARISON

As shown in Table 4, the development of the 2017 & 2019 Annexation is anticipated to generate 478 more trip-ends per day with 758 fewer AM peak hour trip and 535 fewer PM peak hour trips as compared to the currently adopted land uses within the 2009 Annexation.

**TABLE 4: TRIP GENERATION COMPARISON**

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
2009 Annexation <sup>1</sup>	11,757	5,391	17,148	13,606	19,323	32,929	309,190
2017 & 2019 Annexation <sup>2</sup>	11,565	4,825	16,390	13,177	19,217	32,394	309,668
<b>Variance<sup>3</sup></b>	<b>-192</b>	<b>-566</b>	<b>-758</b>	<b>-429</b>	<b>-106</b>	<b>-535</b>	<b>478</b>

<sup>1</sup> Total from Table 2.

<sup>2</sup> Total from Table 3.

<sup>3</sup> Variance = 2017 & 2019 Annexation - 2009 Annexation. Negative value represents a reduction in trips.



## CONCLUSION

The traffic analysis previously performed for the 2009 Annexation indicated that the Preferred Scenario land use plan could be accommodated by the Town's planned circulation network at the target LOS C and D. Although the 2017 & 2019 Annexation would result in a nominal increase in daily trips from the 2009 General Plan, the peak hour traffic would be lower than trips analyzed in the 2009 General Plan analysis. Based on the reduction in peak hour trips identified for the 2017 & 2019 Annexation, it is anticipated that the LOS previously projected for the roadways and intersections near the Annexation Area would be the same or in some cases improved as compared to the 2009 Annexation. As such, no new traffic impacts beyond those previously disclosed in the 2009 Annexation traffic study would occur as a result of the 2017 & 2019 Annexation.

If you have any questions or comments, I can be reached at (949) 336-5992.

URBAN CROSSROADS, INC.

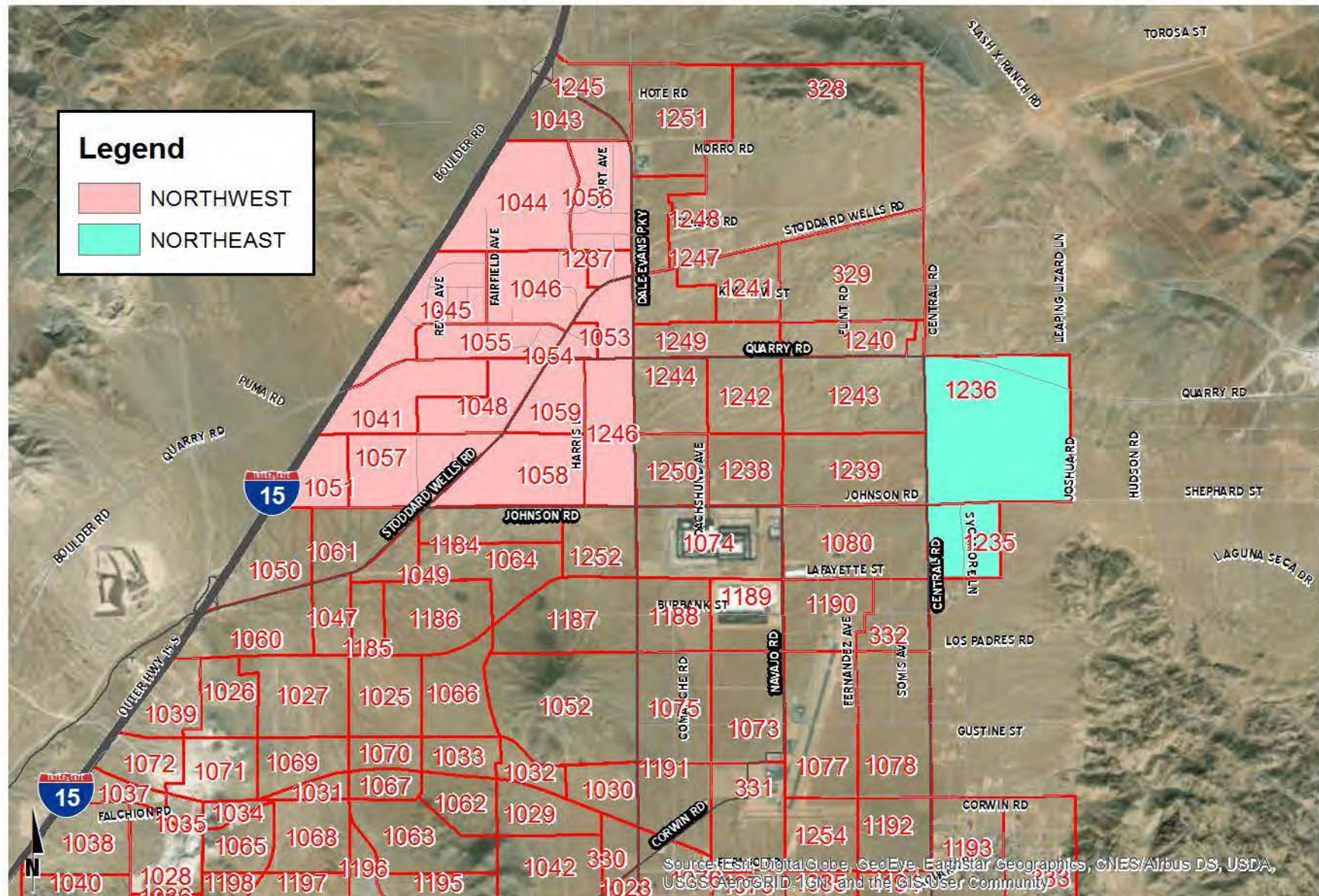


Pranesh Tarikere, PE  
Senior Engineer

Attachments

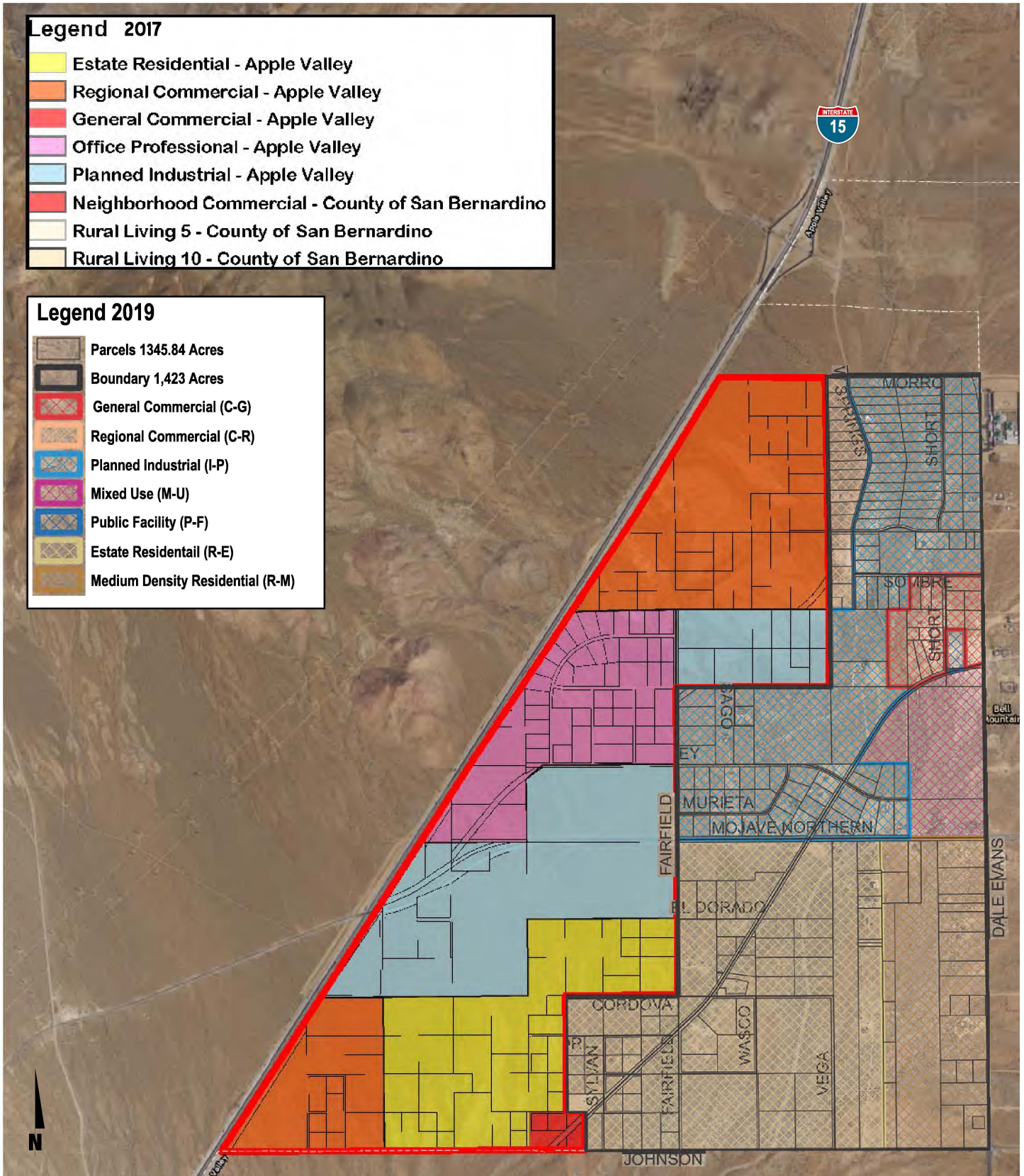


# EXHIBIT 1: CURRENTLY ADOPTED ANNEXATION AREA





## EXHIBIT 2: PROPOSED 2017 & 2019 ANNEXATION AREA





**ENVIRONMENTAL DOCUMENTS RELATED TO THE  
TOWN OF APPLE VALLEY'S APPROVAL OF THE  
APPLE VALLEY GENERAL PLAN AND  
ANNEXATIONS 2008-001 & 2008-002**

- ❖ [Notice of Determination](#)
- ❖ [Resolution No. 12009-30 - Resolution Certifying the Environmental Impact Report Prepared for the General Plan Update and Annexations 2008-001 and 2008-002](#)
- ❖ [Final Environmental Impact Report for the Town of Apple Valley General Plan Update and Annexations 2008-001 and 2008-002 \(SCH #2008091077\)](#)
- ❖ [Draft Environmental Impact Report for the Town of Apple Valley General Plan Update and Annexations 2008-001 and 2008-002 including Appendices \(SCH #2008091077\)](#)



# **Draft Resolution No. 3326**

**Attachment 4**



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**PROPOSAL NO.: LAFCO 3244**

**HEARING DATE: JANUARY 20, 2021**

## **RESOLUTION NO. 3326**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3244 -- REORGANIZATION TO INCLUDE ANNEXATION TO THE TOWN OF APPLE VALLEY AND DETACHMENT FROM COUNTY SERVICE AREA 70 (ANNEXATION NO. 2019-001). The reorganization area encompasses approximately 1,424 acres, which includes the remaining Town of Apple Valley unincorporated island located in the Town's northwestern sphere of influence.**

**On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed reorganization in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for January 20, 2021, at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved;



## RESOLUTION NO. 3326

and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

### **CONDITIONS:**

**Condition No. 1.** The boundaries of this change of organization are approved as set forth in Exhibits "A" and "A-1" attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3244.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Town of Apple Valley (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The Town of Apple Valley shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

**Condition No. 6.** The date of issuance of the Certification of Completion shall be the effective date of the reorganization.

**SECTION 2. DETERMINATIONS.** The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The reorganization area is legally inhabited containing 64 registered voters as certified by the Registrar of Voters as of December 9, 2020.
2. The County Assessor's Office has determined that the total assessed value of land and improvements within the reorganization area is \$13,745,276 (\$10,119,098--land; \$3,626,178--improvements) as of August 21, 2020.
3. The reorganization area is within the sphere of influence assigned the Town of Apple Valley.



## RESOLUTION NO. 3326

4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Daily Press*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (273) and registered voters (64) within the reorganization area (totaling 337 notices) and to landowners (287) and registered voters (9) within the reorganization area (totaling 296 notices). Comments from registered voters, landowners, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The Town of Apple Valley pre-zoned the reorganization area through its 2009 General Plan Update, which include the following: Estate Residential, Medium Density Residential, Mixed Use, General Commercial, Regional Commercial, Planned Industrial, and Public Facility. These zoning designations are consistent with the Town's General Plan and are generally compatible with the surrounding land uses in the area. The Town's pre-zone designations will remain in effect for a minimum of two years following annexation unless specific actions are taken by the Town Council.
7. The Southern California Associated Governments ("SCAG") recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. The Plan includes the widening of Dale Evans Parkway from the I-15 Freeway to Thunderbird Road (most of which is adjacent to LAFCO 3244) from two to four lanes by 2030. The I-15 Freeway section of the Victor Valley is also scheduled to include an Express Lane in each direction by 2045.
8. The Town of Apple Valley's Local Hazard Mitigation Plan was updated in 2017. The plan does not identify threats for flood, wildfire, and/or earthquake and other natural and human-caused hazards. The reorganization area is not within a flood zone or a fault zone but is considered to be within a moderate fire hazard severity zone.
9. An Addendum to the Environmental Impact Report (SCH#2008091077) was prepared and certified by the Town of Apple Valley for its 2009 General Plan and Annexation 2008-001. The Commission, its staff, and its Environmental Consultant have independently reviewed the Town's General Plan Environmental Impact Report and Addendum.

The Commission certifies that it has considered the Town's Addendum to the Environmental Impact Report prepared by the Town for the Apple Valley 2009 General Plan Amendment and Annexation 2008-001 and the environmental effects as outlined in the Addendum prior to reaching a decision on the project and finds the information substantiating the Addendum adequate for the reorganization decision as a CEQA responsible agency. The Commission further finds that it does not intend to adopt alternatives or additional mitigation measures for this project as all



## RESOLUTION NO. 3326

changes, alternations, and mitigation measures are within the responsibility and jurisdiction of the Town and/or other agencies and not the Commission, and find that it is the responsibility of the Town to oversee and implement these measures.

The Commission directs its Executive Officer to file a Notice of Determination within five (5) days within the San Bernardino County Clerk of the Board of Supervisors. The Commission, as a responsible agency, also notes that this proposal is exempt from the California Department of Fish and Wildlife fees because the fees were the responsibility of the Town of Apple Valley as a CEQA lead agency.

10. The reorganization area is served by the following local agencies: Apple Valley Fire Protection District, County of San Bernardino, County Service Area 60 (airport), County Service Area 70 (unincorporated County-wide multi-function), Mojave Desert Resource Conservation District (portion), and Mojave Water Agency.

County Service Area 70 will be detached upon successful completion of this proposal. None of the other agencies will be directly affected by the completion of this proposal through an adjustment in their boundaries as they are regional in nature.

11. The Town of Apple Valley has submitted a plan for the extension of municipal services to the study area as required by Government Code Section 56653, which indicate that the Town of Apple Valley can, at a minimum, maintain the existing level of service delivery and can improve the level and range of services currently available in the area.

The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use be included within a City/Town so that the full range of municipal services can be planned, funded, extended and maintained.
13. The reorganization area can benefit from the availability and extension of municipal services from the Town of Apple Valley upon future development.
14. This proposal will assist the Town of Apple Valley's ability to achieve its fair share of the regional housing needs as some of the assigned land use designations for the area include Estate Residential, Medium Density Residential, and Mixed Use (residential), all of which allow for some type of residential development in the area.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the approval of the reorganization to annex the entire island will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.



**RESOLUTION NO. 3326**

16. The County of San Bernardino and the Town of Apple Valley have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

**SECTION 3.** Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

**SECTION 4.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**SECTION 5.** The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

**SECTION 6.** Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

**SECTION 7.** Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA           )  
  ) ss.  
COUNTY OF SAN BERNARDINO )

**I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of**



**RESOLUTION NO. 3326**

**the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 20, 2021.**

**DATED:**

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**SAMUEL MARTINEZ**  
**Executive Officer**

DRAFT



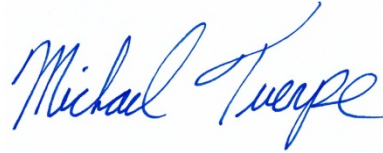
# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3<sup>rd</sup> Street, Unit 150 San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** JANUARY 13, 2021  
**FROM:** MICHAEL TUERPE, Senior Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM 7: Update on Sustainability of the City of Adelanto, related to LAFCO 3232 - Sphere of Influence Amendment for the City of Adelanto

---

## **RECOMMENDATION:**

Staff recommends that the Commission:

1. Receive and file this report.
2. Schedule an update for the City of Adelanto for the March 2021 meeting, unless otherwise directed by the Commission.

## **BACKGROUND:**

As an outgrowth from LAFCO's 2017 Countywide Service Review for Water (LAFCO 3187) and its 2018 Countywide Service Review for Wastewater (LAFCO 3190), the Commission initiated a sphere of influence amendment for the City of Adelanto ("City") to determine the appropriate sphere of influence for the City.

At its April 2019 hearing, the Commission reduced the sphere for the City of Adelanto by approximately 8.4 square miles, and directed staff to return with periodic updates on the City's sustainability. The updates to the Commission were at its January 2020, April 2020, and September 2020 meetings. The remaining outstanding issue related to the updates is for the City to be current with its audits.

## **JANUARY 2021 UPDATE:**

It was hoped that the FY 2018-19 audit would be completed as of this staff report. The City provided an update via letter (attached to this report) that the sole outstanding audit will not be available for this Commission meeting due to work restrictions and available resources related to COVID-19. The City's letter, along with its enclosure letter from its auditor, identify that the FY 2018-19 audit will be available by the Commission's next meeting, March 17.

SM/MT

Attachment





**Gabriel Reyes**  
*Mayor*

**Gerardo Hernandez**  
*Mayor Pro Tem*

**Stevevonna Evans**  
*Council Member*

**Joy Jeannette**  
*Council Member*

**Daniel Ramos**  
*Council Member*

**Jessie Flores**  
*City Manager*

January 11, 2021

Samuel Martinez, Executive Director  
Local Agency Formation Commission  
1170 West 3rd Street, Unit 150  
San Bernardino, CA 92415-0490

RE: Status Update on City of Adelanto

Dear Mr. Martinez:

The purpose of this letter is to provide you and members of the LAFCO Commission an update regarding the City of Adelanto and its financial audits in anticipation of the LAFCO Commission meeting scheduled for January 20, 2021.

As we are all aware, the ongoing and worsening COVID-19 pandemic has severely affected governmental operations throughout the nation. As a precautionary measure, and to protect its employees from contracting the virus, the City of Adelanto ("City") has been closed to the public with limited staffing onsite since March of 2020. However, even while following Federal, State, and local guidelines, several City employees have contracted the virus, resulting in multiple closures of City Hall. In fact, since the City's last update to the Commission on September 16, 2020, the City has halted administrative operations for more than 20 days due to positive COVID cases among City staff.

These circumstances, which are beyond the City's control, have resulted in delays in completing the City's outstanding Fiscal Year 2018/2019 (FY18/19) audit. As such, the City's FY18/19 audit will not be available for the Commission's review at its January 20, 2021 meeting as expected. According to the enclosed letter provided to the City by its auditor, Teaman, Ramirez & Smith, it is anticipated that the FY18/19 audit reports will be available on February 12, 2021.

Although the impacts of the COVID-19 pandemic continue to evolve rapidly, the City remains fully committed to pursuing the completion of our work in a safe, diligent, and reasonable manner under the current circumstances. Moreover, it should be noted that despite these challenges, the City has completed five of the six outstanding audits in a two-year timeframe, with only one outstanding audit remaining.



Status Update on City of Adelanto

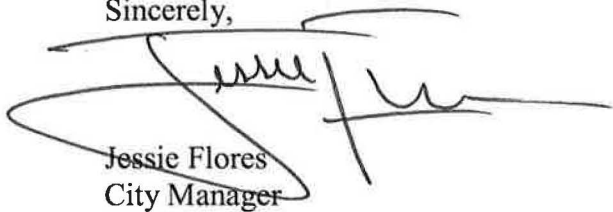
January 11, 2021

Page 2

Given the progress and commitment that the City has demonstrated by addressing these issues in a very short period of time, we respectfully request that the LAFCO Commission extend the next status review of the City until sometime after February 12, 2021.

We welcome any questions the LAFCO Commission may have and look forward to continuing to build a positive working relationship.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jessie Flores', is written over a horizontal line. The signature is stylized with a large loop on the left and a long horizontal stroke extending to the right.

Jessie Flores  
City Manager

Enclosure



January 11, 2021

Ward Komers, Finance Director  
City of Adelanto  
11600 Air Expressway  
Adelanto, California 92301

Dear Ward,

You requested our understanding of the circumstances of the delay from the initial planned and expected completion of the 2019 financial statements audit of the City of Adelanto, as well as the updated tentative time for the completion of the 2019 and 2020 financial statement audits for the City.

*Circumstances Related to the Delay of the 2019 Financial Statement Audit:* In March 2020, the World Health Organization declared a global pandemic on a novel strain of coronavirus (COVID-19). This led to certain restrictions required by the Governor of California, as well as restrictions by local governments. Due to the pandemic, this created certain changes at the City and our audit firm in order to adjust to the current pandemic environment including doing the fieldwork remotely. This slowed the City's progress in providing the requested items for the 2019 audit and delayed the audit.

*Updated Audit Tentative Timeline:*

Audit	Dates	Description
Fiscal Year 2019 Financial Statements Audit:	01-11-2021 to 01-14-2021	Final Year-End Fieldwork
	01-29-2021	Draft Reports
	02-12-2021	Final Reports
Fiscal Year 2020 Financial Statements Audit:	04-05-2021 to 04-09-2021	Interim Fieldwork
	04-12-2021 to 04-15-2021	Final Year-End Fieldwork
	05-03-2021	Draft Reports
	05-14-2021	Final Reports

We appreciate the opportunity to be of service to the City and believe this letter addresses the understanding we have regarding the delay from the initial planned and expected completion of the 2019 and 2020 financial statement audits. Please let me know if you have any questions.

Very truly yours,

**TEAMAN, RAMIREZ & SMITH, INC.**




Richard A. Teaman  
Certified Public Accountant



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

---

**DATE:** JANUARY 13, 2020   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Senior Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT:** Agenda Item #8: Review and Accept Audit Report for Fiscal Year  
Ended June 30, 2020

---

## **RECOMMENDATION:**

Staff recommends that the Commission receive and file the materials submitted by Davis Farr LLP related to the Commission's audit for Fiscal Year 2019-20.

## **BACKGROUND:**

The public accounting firm of Davis Farr LLP has conducted the Commission's annual audit for the period July 1, 2019 through June 30, 2020 (copy attached to this staff report). The auditor has independently verified the financial documents prepared by LAFCO staff, outlined its professional responsibilities and findings, and disclosed its compliance with current *Government Auditing Standards*.

The auditor identified that it performed tests on internal controls of LAFCO and the County, which resulted in no material weaknesses. However, the auditor identified significant deficiencies related to the year-end closing process. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control over financial reporting, that is less severe than a material weakness yet important enough to merit attention by those responsible for oversight of the agency's financial reporting. To remedy this circumstance, staff has (1) reviewed particular auditing requirements with the Auditor, and (2) formulated and reviewed a Corrective Action Plan with the Auditor and the LAFCO Administrative Committee.

### **1. Meeting with Audit/Budget Committee**

On December 18 the LAFCO Administrative Committee (composed of Chair McCallon, Vice-Chair Curatalo, and Commissioner Rowe), LAFCO management, and the auditor discussed the draft audit.



## 2. Additional Pension Payments

For the past two years, the Commission had made additional payments to SBCERA as a credit towards LAFCO's net pension liability (NPL). These payments will amortize as a percent of pay over twenty years, and it will credit with earnings based on the Plan's market value investment return every year.

The \$183,963 payment made during the last audit period, June 2019, is: (1) used to reduce the NPL in this audit (highlighted in the chart below), and (2) reflected in the employer contribution rates for FY 20/21.

In June 2020, the Commission made an additional payment of \$42,500. This payment will: (1) be used to reduce the NPL for the FY 20/21 audit and (2) reflect in the FY 21/22 employer contribution rates. Below is the yearly information:

Audit Year	LAFCO Payment			Net Pension Liability			
	Payment date	Reduce NPL for audit year:	Reflect in the employer rates for:	Actuary Increase	LAFCO Payment	Net	End NPL
2013/14							\$581,103
2014/15				\$3,628		\$3,628	\$588,359
2015/16				\$96,716		\$96,716	\$681,447
2016/17				\$87,726		\$87,726	\$769,173
2017/18				\$95,787		\$95,787	\$864,960
2018/19				\$20,287		\$20,287	\$885,247
2019/20	June 2019	FY 19/20	FY 20/21	\$273,317	(\$184,963)	\$88,354	\$973,601
2020/21	June 2020	FY 20/21	FY 21/22	TBD	(\$42,500)		
	June 2021						
2021/22	(scheduled)	FY 21/22	FY 22/23	TBD	(\$43,852)		

In April 2021, as a part of the Third Quarter financial report, staff will request that the Commission submit an additional contribution to SBCERA for \$43,852.

## 3. Net Position

The financial statements show a negative change of \$78,497 for Total Net Position. The primary reasons for the decrease in net position are:

- Depreciation of Capital Assets by \$76,915.
- Increase of Net Pension Liability by \$88,355.
- The Note Payable for repayment of the office improvement remains until June 2022.



#### **4. Fund Balance**

The year started on a normal note, a bit of a development slowdown ensued, then the pandemic hit. On a cash basis, total expenditures were within appropriation authority (94.2%) and total revenues were less than budgeted (95.2%). The budget projected the receipt of 11 proposals; however, four proposals were received during the year. With revenues roughly five percent less than the budget, the result was a cash deficit of \$30,727. The Commission transferred funds from its Contingency Reserve to cover this amount.

#### **5. Adjustments Detected and Corrected by the Auditor**

The following is from the Auditor's report regarding adjustments detected through the audit process.

*An important element of control over financial reporting is for management to identify adjustments necessary for financial statements to be fairly stated. Whenever possible, adjustments should be reflected in the accounting records prior to the start of the audit. When this is not possible, management should identify and communicate to the auditors the potential areas of adjustment that may need to be addressed during the audit process.*

*There were material adjustments that were identified during the audit for the year ended June 30, 2020. These material adjustments detected by the audit process included recording unrealized gains on investments, correcting accounts receivable, correcting unearned revenue, and correcting compensated absences.*

*Additionally, the LAFCO relies upon the County of San Bernardino to provide a majority of their accounting procedures, including the provision of a year-end trial balance based upon its account balances at year end. It appears that in some cases the entries proposed by auditors are not communicated to the County, and result in discrepancies in beginning fund balance amounts. Additionally, the trial balance provided to the auditors included errors in accounts receivable and compensated absences due to the timing of when the report was generated. Best practice in these scenarios would be to have management or a management consultant to review all accounts to ensure that all necessary adjustments are being made prior to beginning the audit.*

*Auditing standards require the reporting of material adjustments identified through the audit process as weaknesses in an entity's internal control structure. We recommend management take necessary efforts to enhance the LAFCO's year-end closing procedures to include areas that resulted in audit adjustments in 2020, which may include hiring an accounting consultant to prepare year-end adjusting entries prior to the beginning of the audit.*



Management's Response Regarding Corrective Action Taken or Planned

LAFCO staff conducted a root cause analysis of the material adjustments identified and has determined that there is an inappropriate reliance on the County's accounting system. Specifically, LAFCO lacks the ability to override the controls in the County's system over the year-end closing process. For example, the deadline to submit accrual packages and make adjustments to cash balances to reflect on the trial balance was July 9, 2020. For the errors identified, LAFCO could not make adjustments before the July 9 adjustment deadline because the data was not available to LAFCO staff until after the deadline. As for correcting any misstatements that it detected, staff lacked the knowledge of applying corrections after the County's deadline.

To remedy this circumstance, staff has (1) reviewed particular auditing requirements with the Auditor, and (2) formulated and reviewed a Corrective Action Plan with the Auditor and LAFCO Administrative Committee. In most of the matters identified by the auditor, LAFCO already possesses the data. Therefore, the corrective measures are for staff to update the trial balance before the audit begins with data it already possesses. For this audit, staff has implemented the new controls as an exercise to detect and correct any errors. For subsequent audits, staff will implement these controls and log them in a continuity manual. The Corrective Action Plan is shown below.

Simply detecting a misstatement is not sufficient, the agency must also correct the error. The definition of good internal controls is that they allow errors and other misstatements to be prevented or detected and corrected by its employees in the normal course of performing their duties (before the audit begins). Management sees this as an opportunity to improve the knowledge and processes of the Commission's finances.



### Corrective Action Plan

Misstatement	LAFCO Action	Auditor Action	Root Cause	LAFCO Corrective Actions
(1) <u>Unrealized Gains on Investments</u> LAFCO does not possess this data	<input type="checkbox"/> detect <input type="checkbox"/> correct  Requested County provide data directly to Auditor. Therefore, staff did not detect the error.	<input checked="" type="checkbox"/> detect <input checked="" type="checkbox"/> correct	<ul style="list-style-type: none"> <li>Inappropriate reliance on the County's accounting system</li> <li>LAFCO lacks the ability to override the County's controls in the County's system over the year-end closing process</li> <li>Staff lacked the knowledge of applying these corrections after the County issued the trial balance</li> </ul>	1. Staff reviewed requirements and potential corrective actions with Auditor  2. Implement new controls to detect and correct errors  3. Update the trial balance before the audit begins <b>with data obtained from the County</b>
(2) <u>Accounts Receivable</u> County prepared the 20/21 apportionment in June 2020, recorded as accounts receivable for June 2020, and mailed invoices in July 2020	<input checked="" type="checkbox"/> detect <input type="checkbox"/> correct	<input type="checkbox"/> detect <input checked="" type="checkbox"/> correct		1. Staff reviewed requirements and potential corrective actions with Auditor  2. Implement new controls to detect and correct errors
(3) <u>Accounts Receivable and Unearned Revenue</u> LAFCO made a deposit July 15, 2020 for 19/20 activity  County's deadline for year-end entries to trial balance was July 9, 2020	<input checked="" type="checkbox"/> detect <input type="checkbox"/> correct	<input type="checkbox"/> detect <input checked="" type="checkbox"/> correct		3. Update the trial balance before the audit begins <b>with data it already possesses</b>
(4) <u>Compensated Absences</u> Annual increase not shown in County trial balance	<input type="checkbox"/> detect <input type="checkbox"/> correct  Provided data to Auditor	<input checked="" type="checkbox"/> detect <input checked="" type="checkbox"/> correct		



## **Conclusion**

The Administrative Committee and LAFCO management staff have discussed the draft audit with the independent auditors. Neither party have issues or concerns with the conduct of the audit or letters provided by the auditors. Per Commission policy, an auditor representative will present the audit at this hearing.

Staff recommends that the Commission receive and file the materials submitted by Davis Farr LLP related to the Commission's audit for Fiscal Year 2019-20. Once accepted the audit will be posted on the LAFCO website under the "Open Government Portal".

Should you have any questions, LAFCO staff would be glad to answer them prior to or at the hearing.

SM/MT

Attachment



To the Board of Commissioners  
Local Agency Formation Commission for San Bernardino County

We have audited the financial statements of the governmental activities, and each major fund of the Local Agency Formation Commission for San Bernardino County ("Commission") for the year ended June 30, 2020. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 20, 2020. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Findings**

#### ***Qualitative Aspects of Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Commission are described in Note 1 to the financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during the year. We noted no transactions entered into by the Commission during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the Commission's financial statements was allocations of the net pension liability and related amounts. These amounts were calculated by an actuary and audited by another firm.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was Footnote 9: Pension Plan.

The financial statement disclosures are neutral, consistent, and clear.

#### ***Difficulties Encountered in Performing the Audit***

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### ***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The following material misstatements detected as a result of audit procedures were corrected by management: An adjustment to record unearned revenue, an adjustment to correct



investment balances to fair market value, an adjustment to remove a receivable recorded for the 20/21 apportionment, and an entry to correct ending compensated absences.

### ***Disagreements with Management***

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### ***Management Representations***

We have requested certain representations from management that are included in the management representation letter dated January 4, 2021.

### ***Management Consultations with Other Independent Accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### ***Other Audit Findings or Issues***

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### ***Other Matters***

We applied certain limited procedures to the *Management's Discussion and Analysis*, the *Schedule of the Plan's Proportionate Share of the Net Pension Liability*, the *Schedule of Pension Plan Contributions*, and the *Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual* which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.



***Restriction on Use***

This information is intended solely for the use of Board of Commissioners and management of the San Bernardino County Local Agency Formation Commission and is not intended to be, and should not be, used by anyone other than these specified parties.

A handwritten signature in blue ink, appearing to read "Davis", followed by a flourish.

Irvine, California  
January 4, 2021



**Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards***

The Commission Members  
Local Agency Formation Commission  
for San Bernardino County  
San Bernardino, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the Local Agency Formation Commission for San Bernardino County (the Commission), as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated January 4, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Commission's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We consider the following deficiencies in internal control to be significant deficiencies:

(2020-001) Adjustments Detected Through the Audit Process

An important element of control over financial reporting is for management to identify adjustments necessary for financial statements to be fairly stated. Whenever possible, adjustments should be reflected in the accounting records prior to the start of the audit. When this is not possible, management should identify and communicate to the auditors the potential areas of adjustment that may need to be addressed during the audit process.



There were material adjustments that were identified during the audit for the year ended June 30, 2020. These material adjustments detected by the audit process included recording unrealized gains on investments, correcting accounts receivable, correcting unearned revenue, and correcting compensated absences.

Additionally, the LAFCO relies upon the County of San Bernardino to provide a majority of their accounting information, including the provision of a year end trial balance based upon its account balances at year end. It appears that in some cases the entries proposed by auditors are not communicated to the County, and result in discrepancies in beginning fund balance amounts. Additionally, the trial balance provided to the auditors included errors in accounts receivable and compensated absences due to the timing of when the report was generated. Best practice in these scenarios would be to have management or a management consultant to review all accounts to ensure that all necessary adjustments are being made prior to beginning the audit.

#### Recommendation

Auditing standards require the reporting of material adjustments identified through the audit process as weaknesses in an entity's internal control structure. We recommend management take necessary efforts to enhance the LAFCO's year-end closing procedures to include areas that resulted in audit adjustments in 2020, which may include hiring an accounting consultant to prepare year end adjusting entries prior to the beginning of the audit.

#### Management's Response Regarding Corrective Action Taken or Planned

LAFCO staff conducted a root cause analysis of the material adjustments identified and has determined that there is an inappropriate reliance on the County's accounting system. Specifically, LAFCO lacks the ability to override the controls in the County's system over the year-end closing process. For example, the deadline to submit accrual packages and make adjustments to cash balances to reflect on the trial balance was July 9, 2020. For the errors identified, LAFCO could not make adjustments before the July 9 adjustment deadline because the data was not available to LAFCO staff until after the deadline. As for correcting any misstatements that it detected, staff lacked the knowledge of applying corrections after the County's deadline.

To remedy this circumstance, staff has (1) reviewed particular auditing requirements with the Auditor, and (2) formulated and reviewed a Corrective Action Plan with the Auditor and LAFCO Admin Committee. In most of the matters identified by the auditor, LAFCO already possesses the data. Therefore, the corrective measures are for staff to update the trial balance before the audit begins with data it already possesses. For this audit, staff has implemented the new controls as an exercise to detect and correct any errors. For subsequent audits, staff will implement these controls and log them in a continuity manual.

Simply detecting a misstatement is not sufficient, the agency must also correct the error. The definition of good internal controls is that they allow errors and other misstatements to be prevented or detected and corrected by its employees in the normal course of performing their duties (before the audit begins). Management sees this as an opportunity to improve the knowledge and processes of the Commission's finances.



### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Commission's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in blue ink that reads "Davis Lane" followed by a stylized flourish.

Irvine, California  
January 4, 2021



**LOCAL AGENCY FORMATION COMMISSION  
FOR SAN BERNARDINO COUNTY**

**Basic Financial Statements**

**Year ended June 30, 2020**



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Basic Financial Statements**

**Year ended June 30, 2020**

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## **Independent Auditor's Report**

Board of Commissioners  
Local Agency Formation Commission for San Bernardino County  
San Bernardino, California

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities and governmental fund of the Local Agency Formation Commission for San Bernardino County (the Commission) as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these basic financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the governmental fund of the Commission, as of June 30, 2020, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### ***Report on Summarized Comparative Information***

We have previously audited the Commission's 2019 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated January 7, 2020. In our opinion, the summarized comparative information presented herein as of and for the year ended June 30, 2019 is consistent, in all material respects, with the audited financial statements from which it has been derived.

### ***Other Matters***

#### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that management's discussion and analysis, the budgetary comparison information, schedule of the plan's proportionate share of the net pension liability and the schedule of plan contributions, identified as required supplementary information (RSI) in the accompanying table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the RSI in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during the audit of the basic financial statements. We do not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated January 4, 2021 on our consideration of the Commission's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control over financial reporting and compliance.

A handwritten signature in blue ink that reads "Davis Fan" followed by a stylized mark.

Irvine, California  
January 4, 2021



## MANAGEMENT'S DISCUSSION AND ANALYSIS

The following discussion and analysis of the financial performance of the Local Agency Formation Commission for San Bernardino County (Commission) provides an overview of the Commission's financial activities for the fiscal year ended June 30, 2020. Please read it in conjunction with the financial statements as outlined in the table of contents.

### Using the Accompanying Financial Statements

This annual report consists of a series of financial statements. The Statement of Net Position and the Statement of Activities provide information about the activities of the Commission as a whole and present a longer view of the Commission's finances. Also included in the accompanying report are fund financial statements. For governmental activities, the fund financial statements tell how the services were financed in the short-term as well as what remains for future spending.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The annual report consists of two parts - management's discussion and analysis (this section), and the basic financial statements. The basic financial statements provide both long-term and short-term information about the Commission's overall financial status. The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. The basic financial statements also include additional budgetary information.

### Reporting the Commission as a Whole – Net Position

The accompanying Government-wide financial statements include two statements that present financial data for the Commission as a whole. An important question to be asked about the Commission's finances is, "Is the Commission as a whole better off or worse off as a result of the year's activities?" The Statement of Net Position and the Statement of Activities report information about the Commission as a whole and about its activities in a way that helps answer this question. These statements include all assets and liabilities using the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the time of related cash flows.

The statements report the Commission's net position and changes in them. You can think of the Commission's net position – the difference between assets and liabilities – as one way to measure the Commission's financial health or financial position. Over time, increases and decreases in the Commission's net position are one indicator of whether its financial health is improving or deteriorating. You will need to consider other factors, such as changes in the Commission's revenues, to assess the overall health of the Commission.



The following table provides the Statement of Net Position for the past two fiscal years:

**TABLE 1**  
**NET POSITION – GOVERNMENTAL ACTIVITIES**

	<u>2020</u>	<u>2019</u>	<u>Variance</u>
<b>Assets:</b>			
Cash and investments	\$ 282,083	289,081	(6,998)
Accounts receivable	4,840	-	4,840
Capital assets, net	<u>153,831</u>	<u>230,746</u>	<u>(76,915)</u>
<b>Total assets</b>	<b><u>440,754</u></b>	<b><u>519,827</u></b>	<b><u>(79,073)</u></b>
<b>Deferred outflow of resources:</b>			
Deferred outflows from pension plan	<u>622,783</u>	<u>632,522</u>	<u>(9,739)</u>
<b>Liabilities:</b>			
Accounts payable	2,694	9,529	(6,835)
Other accrued liabilities	57,998	46,897	11,101
Unearned revenues	32,722	56,002	(23,280)
Long-term liabilities:			
Due within one year	80,913	76,579	4,334
Due beyond one year	143,738	167,426	(23,688)
Net pension liability	<u>973,602</u>	<u>885,247</u>	<u>88,355</u>
<b>Total liabilities</b>	<b><u>1,291,667</u></b>	<b><u>1,241,680</u></b>	<b><u>49,987</u></b>
<b>Deferred inflow of resources:</b>			
Deferred inflows from pension plan	<u>59,842</u>	<u>120,144</u>	<u>(60,302)</u>
<b>Net position:</b>			
Net investment in capital assets	86,242	129,364	(43,122)
Unrestricted	<u>(374,214)</u>	<u>(338,839)</u>	<u>(35,375)</u>
<b>Total net position</b>	<b><u>\$ (287,972)</u></b>	<b><u>(209,475)</u></b>	<b><u>(78,497)</u></b>



The following table provides the Statement of Activities for the past two fiscal years:

**TABLE 2**  
**CHANGE IN NET POSITION – GOVERNMENTAL ACTIVITIES**

	<b>2019-20</b>	<b>2018-19</b>	<b>Difference</b>
<b>Revenues:</b>			
Charges for services	160,065	107,861	52,204
Apportionment	1,090,497	1,105,497	(15,000)
Interest	32,855	21,762	11,093
<b>Total Revenues</b>	<b>\$ 1,283,417</b>	<b>\$ 1,235,120</b>	<b>\$ 48,297</b>
<b>Expenses</b>	<b>\$ 1,361,914</b>	<b>\$ 1,350,383</b>	<b>\$ 11,531</b>
<b>Change in Net Position</b>	<b>(78,497)</b>	<b>(115,263)</b>	<b>36,766</b>
Net Position Beginning	(209,475)	(94,212)	(115,263)
<b>Net Position Ending</b>	<b>\$ (287,972)</b>	<b>\$ (209,475)</b>	<b>\$ (78,497)</b>

#### Explanation of Change in Net Position

The tables presented above show an overall decrease in the receipt of revenues, as well as increase in expenditures. Some of the significant reasons for the changes in the revenues and expenses of the Commission's governmental activities are outlined as follows:

- The year started on a normal note, then the pandemic hit.
- On a cash basis:
  - Total Expenditures were within appropriation authority (94.2%).
  - Salaries and Benefits were within appropriation authority (97.2%).
  - Total Revenues were less than budgeted (95.2%). The budget projected the receipt of 11 proposals; however, four proposals were received.
  - With revenues roughly five percent less than the budget, the result was a cash deficit of \$30,727. The Commission transferred funds from its Contingency Reserve to cover this amount.
- For the past two years, the Commission had made additional payments to SBCERA as a credit towards LAFCO's net pension liability (NPL). These payments will amortize as a percent of pay over twenty years, and it will credit with earnings based on the Plan's market value investment return every year.

The \$184,963 payment made during the last audit period, June 2019, is: (1) used to reduce the NPL in this audit (highlighted in the chart below) and (2) reflected in the employer contribution rates for FY 20/21.

In June 2020, the Commission made an additional payment of \$42,500. This payment will: (1) be used to reduce the NPL for the FY 20/21 audit and (2) reflect in the FY 21/22 employer contribution rates. Below is the yearly information:



Audit Year	LAFCO Payment			Net Pension Liability			
	Payment date	The Payment will:		Actuary Increase	LAFCO Payment	Net	End NPL
		Reduce NPL for audit year:	Reflect in the employer rates for:				
2013/14							\$581,103
2014/15				\$3,628		\$3,628	\$588,359
2015/16				\$96,716		\$96,716	\$681,447
2016/17				\$87,726		\$87,726	\$769,173
2017/18				\$95,787		\$95,787	\$864,960
2018/19				\$20,287		\$20,287	\$885,247
2019/20	June 2019	FY 19/20	FY 20/21	\$273,317	(\$184,963)	\$88,354	\$973,601
2020/21	June 2020	FY 20/21	FY 21/22	TBD	(\$42,500)		
	June 2021						
2021/22	(scheduled)	FY 21/22	FY 22/23	TBD	(\$43,852)		

### Reporting the Commission's Fund Activity

The fund financial statements provide detailed information about the Commission's governmental fund as it operates under a single-program government fund. All of the Commission's basic services are reported in its General Fund. The fund is reported using the current financial resources measurement focus and the modified accrual basis of accounting. We describe the relationship or differences between governmental activities (reported in the Statement of Net Position and the Statement of Activities) in the reconciliation following the fund financial statements.

### Long-Term Liabilities

The following table provides a summary of the Long Term Liabilities for the past two fiscal years:

**TABLE 3  
LONG-TERM LIABILITIES**

	2019-20	2018-19	Difference
<b>Compensated Absences</b>	157,062	142,623	14,439
<b>Notes Payable</b>	67,589	101,382	(33,794)
<b>TOTAL</b>	<b>\$ 224,651</b>	<b>\$ 244,005</b>	<b>\$ (19,354)</b>

Compensated Absences is comprised of the year-end balances for administrative, holiday, vacation, and sick leaves. For sick-leave calculations, LAFCO's Benefits Plan Section 108 (E) – Retirement Medical Trust – states that those employees with more than five years of service shall receive 75% of their accumulated sick leave, up to a max of 1,400 hours, paid into the Trust at their current rate of pay upon leaving the employ of the Commission. The calculation within the financial statements of compensated absences accommodates this Benefit Plan determination. During Fiscal Year 2019-20 compensated absences increased by \$14,439, and notes payable decreased by \$33,794, calculated as follows:

- Additions of \$97,698 comprised of natural balance accruals for five employees.
- Deletions of \$83,259 comprised of leave taken during the fiscal year for five employees.



- Deletions of \$33,793 comprised of payments made against the outstanding notes payable.

***Contacting the Commission's Financial Management:***

This financial report is designed to provide our citizen's, taxpayers, governments, and creditors with a general overview of the Commission's finances and to show the Commission's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the Executive Officer at 1170 W. Third Street, Unit 150, San Bernardino, CA 92415-0490, or 909-388-0480.



## **BASIC FINANCIAL STATEMENTS**



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Statement of Net Position**

**June 30, 2020**  
**(with comparative totals as of June 30, 2019)**

	Governmental Activities	
	2020	2019
Assets:		
Cash and investments (note 3)	\$ 282,083	289,081
Accounts receivable	4,840	-
Capital assets, net (note 4)	153,831	230,746
Total assets	<u>440,754</u>	<u>519,827</u>
Deferred outflow of resources:		
Deferred outflows from pension plan (note 9)	<u>622,783</u>	<u>632,522</u>
Liabilities:		
Accounts payable	2,694	9,529
Other accrued liabilities	57,998	46,897
Unearned revenues (note 5)	32,722	56,002
Long-term liabilities:		
Due within one year (note 6)	80,913	76,579
Due beyond one year (note 6)	143,738	167,426
Net pension liability (note 9)	973,602	885,247
Total liabilities	<u>1,291,667</u>	<u>1,241,680</u>
Deferred inflow of resources:		
Deferred inflows from pension plan (note 9)	<u>59,842</u>	<u>120,144</u>
Net position (deficit):		
Net investment in capital assets	86,242	129,364
Unrestricted	<u>(374,214)</u>	<u>(338,839)</u>
Total net position	<u>\$ (287,972)</u>	<u>(209,475)</u>

See accompanying notes to the basic financial statements



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Statement of Activities**

**Year ended June 30, 2020  
(with comparative totals for the year ended June 30, 2019)**

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenues</u>			<u>Net (Expense) Revenue and Changes in Net Position - Governmental Activities</u>	
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>	<u>2020</u>	<u>2019</u>
Governmental activities:						
General government	<u>\$ 1,361,914</u>	<u>160,065</u>	<u>-</u>	<u>-</u>	<u>(1,201,849)</u>	<u>(753,227)</u>
Total governmental activities	<u>\$ 1,361,914</u>	<u>160,065</u>	<u>-</u>	<u>-</u>	<u>(1,201,849)</u>	<u>(753,227)</u>
General revenues:						
Apportionment					1,090,497	1,105,497
Investment income					<u>32,855</u>	<u>21,762</u>
Total general revenues					<u>1,123,352</u>	<u>1,127,259</u>
Change in net position					(78,497)	(115,263)
Net position (deficit), beginning of year					<u>(209,475)</u>	<u>(94,212)</u>
Net position (deficit), end of year					<u>\$ (287,972)</u>	<u>(209,475)</u>

See accompanying notes to the basic financial statements



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Balance Sheet - Governmental Funds**

**June 30, 2020**  
**(with comparative totals as of June 30, 2019)**

		General Fund	
		2020	2019
<u>Assets</u>			
Cash and investments	\$	282,083	289,081
Accounts receivable		<u>4,840</u>	<u>-</u>
Total assets	\$	<u>286,923</u>	<u>289,081</u>
<u>Liabilities and Fund Balance</u>			
Liabilities:			
Accounts payable	\$	2,694	9,529
Salaries and benefits payable		57,998	46,897
Unearned revenues		<u>32,722</u>	<u>56,002</u>
Total liabilities		<u>93,414</u>	<u>112,428</u>
Fund balance:			
Nonspendable:			
Committed:			
Compensated absences		110,146	97,377
Assigned:			
General reserve		64,763	29,276
Contingency		<u>18,600</u>	<u>50,000</u>
Total fund balance		<u>193,509</u>	<u>176,653</u>
Total liabilities and fund balance	\$	<u>286,923</u>	<u>289,081</u>

See accompanying notes to the basic financial statements



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position**

**June 30, 2020**

Fund balances of governmental funds		\$ 193,509
Amounts reported for governmental activities in the Statement of Net Position are different because:		
Capital assets and accumulated depreciation have not been included as financial resources in governmental fund activity:		
Capital assets	392,768	
Accumulated depreciation	<u>(238,937)</u>	153,831
Pension related deferred outflows of resources, net of accumulated amortization, have not been reported in the governmental funds:		
Employer contributions subsequent to the measurement date	228,262	
Differences between actual and expected experience	12,988	
Changes in actuarial assumptions	127,156	
Changes in proportion and differences between employer contributions and the proportionate share of contributions	234,992	
Differences in projected and actual earnings on investments	<u>19,385</u>	622,783
Long-term liabilities are not available to pay for current-period expenditures and, therefore, are not reported in the governmental funds. Long-term liabilities consist of the following:		
Net pension liability	(973,602)	
Notes payable	(67,589)	
Compensated absences	<u>(157,062)</u>	(1,198,253)
Pension related deferred inflows of resources, net of accumulated amortization, have not been reported in the governmental funds:		
Differences in expected and actual experience	(31,305)	
Changes in proportion and differences between employer contributions and the proportionate share of contributions	<u>(28,537)</u>	<u>(59,842)</u>
Net position of governmental activities		\$ <u>(287,972)</u>

See accompanying notes to the basic financial statements



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Statement of Revenue, Expenditures, and Changes in  
Fund Balance - Governmental Funds**

**Year ended June 30, 2020**

**(with comparative totals for the year ended June 30, 2019)**

	General Fund	
	2020	2019
Revenues:		
Apportionment	\$ 1,090,497	1,105,497
Charges for services	160,065	107,861
Investment income	32,855	21,762
Total revenues	<u>1,283,417</u>	<u>1,235,120</u>
Expenditures:		
General government:		
Salaries and employee benefits	847,658	1,006,606
Services and supplies	418,903	437,394
Total expenditures	<u>1,266,561</u>	<u>1,444,000</u>
Excess (deficiency) of revenues over (under) expenditures	16,856	(208,880)
Fund balances at beginning of year	<u>176,653</u>	<u>385,533</u>
Fund balances at end of year	<u>\$ 193,509</u>	<u>176,653</u>

See accompanying notes to the basic financial statements



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Reconciliation of the Statement of Revenues, Expenditures and**

**Changes in Fund Balance of Governmental Funds to the Statement of Activities**

**Year ended June 30, 2020**

Net changes in fund balances - total governmental funds	\$	16,856
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Amounts reported for governmental activities in the Statement of Activities are different because:

The governmental fund reports capital outlay as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. The following are the capital outlays, if any, and depreciation in the current period.

Depreciation expense	(76,915)
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Pension Expense reported in the governmental fund includes the actual contributions made in the fiscal year. Pension expense reported in the Statement of Activities includes the changes in the net pension liability and pension related deferred outflows/inflows of resources.

Change in net pension liability	(88,355)	
Change in notes payable	33,792	
Change in deferred outflows of resources related to pensions	(9,739)	
Change in deferred inflows of resources related to pensions	<u>60,302</u>	(4,000)

Accrued compensated absence expenses reported in the Statement of Activities do not require the use of current financial resources and therefore, are not reported as expenditures in the government fund.

(14,438)
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Change in net position of governmental activities	\$	<u>(78,497)</u>
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See accompanying notes to the basic financial statements



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

### 1. Summary of Significant Accounting Policies:

The accounting policies of the Local Agency Formation Commission for San Bernardino County (the Commission) conform to generally accepted accounting principles as applicable to governments. The following is a summary of the significant policies.

#### a. Reporting Entity

Following the end of World War II, California entered a new era of demographic growth and diversity, and economic development. With this growth came the need for housing, jobs and public services. To provide for these services, California experienced a wave of newly formed cities and special districts, but with little forethought as to how the new agencies should plan for services. The lack of coordination and adequate planning for future governance led to a multitude of overlapping, inefficient jurisdictional and service boundaries.

In 1963, the State Legislature created Local Agency Formation Commissions (Commissions) to help direct and coordinate California's growth in a logical, efficient, and orderly manner. Each county within California is required to have a Commission. The Commissions are charged with the responsibility of making difficult decisions on proposals for new cities and special districts, spheres of influence, consolidations, and annexations.

The Commission is composed of seven voting members, with four alternate members who vote only in the absence or abstention of a voting member. Two members are elected county supervisors and are selected by the Board of Supervisors. Two members are elected city council members and are selected by the mayors of the cities within San Bernardino County. Two members are elected members of a special district board of directors and are selected by the presidents of the independent special districts in San Bernardino County. These six elected officials select a "public" member who is not affiliated with county, city, or special district governments. Alternate members for the county, city, special district, and public categories are selected in the same manner. Each commissioner and alternate serve a four-year term.

#### b. Government-wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the Commission.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment.

Program revenues include charges for services that are restricted to meeting the operational or capital requirements of particular function or segment. Investment income and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for the governmental fund. The Commission operates under a single-program governmental fund.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 1. **Summary of Significant Accounting Policies (Continued):**

#### c. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the time of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, expenditures related to compensated absences are not recognized until paid.

Intergovernmental revenues, charges for services and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the government.

Amounts reported as program revenues include charges for services and operating contributions from members.

#### d. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position and the governmental fund balance sheet will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to future periods and so will not be recognized as an outflow of resources (expense/expenditure) until that time. The Commission has four items that qualify for reporting in this category for the fiscal year ended June 30, 2020, all of which relate to pensions. These include pension contributions subsequent to the measurement date, net difference between projected and actual earnings on pension plan investments, differences between actual and expected experience, change in assumptions, and change in employer's proportion and differences between the employer's contributions and employer's proportionate share of contributions.

The first of these items will be amortized in full in the following fiscal year. The second item is a deferred outflow related to pensions for the net difference between projected and actual earnings on plan investments. This amount is amortized over a closed 5-year period. These last three items are amortized over a closed period equal to the average of the expected remaining service lives of all employees that are provided with pensions through the Plan.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 1. Summary of Significant Accounting Policies (Continued):

In addition to liabilities, the statement of net position and the governmental fund balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. The Commission has two items that qualify for reporting in this category for the fiscal year ended June 30, 2020, both of which relate to pensions. These include differences between expected and actual experience, and changes in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions. These amounts are amortized over a closed period equal to the average of the expected remaining service lives of all employees that are provided with pensions through the Plan.

#### e. Cash and Investments

Cash and investments include the cash balances of substantially all funds, which are pooled and invested by the County Treasurer to increase interest earnings through investment activities. Investment activities are governed by the California Government Code Sections 53601, 53635, and 53638 and the County's Investment Policy.

Interest income, and realized gains and losses earned on pooled investments are deposited quarterly to the Commission's accounts based upon the Commission's average daily deposit balances during the quarter. Unrealized gains and losses of the pooled investments are distributed to the Commission annually. Cash and investments are shown at fair value.

#### f. Fair Value Measurements

Certain assets and liabilities are required to be reported at fair value. The fair value framework provides a hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of fair value hierarchy are described as follows:

Level 1 - Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 1. Summary of Significant Accounting Policies (Continued):

Level 2 - Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly and fair value is determined through the use of models or other valuation methodologies including:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in markets that are inactive;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

Level 3 - Inputs to the valuation methodology are unobservable and significant to the fair value measurement. These unobservable inputs reflect the Commission's own assumptions about the inputs market participants would use in pricing the asset or liability (including assumptions about risk). These unobservable inputs are developed based on the best information available in the circumstances and may include the Commission's own data.

#### g. Capital Assets

Capital assets are reported as governmental activities in the government-wide financial statements. Capital assets are defined by the Commission as assets with an initial, individual cost of more than \$5,000 and have an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. Equipment of the Commission is depreciated using the straight-line method over a 5 to 7 year estimated useful life.

The cost of normal maintenance and repairs that does not add to the value of the asset or materially extend asset life is not capitalized.

#### h. Employee Compensated Absences

Liabilities for vacation, holidays, sick pay and compensatory time are accrued when incurred in the government-wide financial statements. Upon retirement or termination, an employee is compensated for 100% of unused accrued vacation and holiday time. Those with more than five years of LAFCO service receive 75% of their accumulated sick leave up to a maximum of fourteen hundred (1,400) hours. A liability for accrued leave is reported in the governmental fund financial statements only if it has matured. A matured liability may result from employees who terminate prior to year-end and are paid for their leave subsequent to year-end.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 1. Summary of Significant Accounting Policies (Continued):

#### i. Fund Balance

Nonspendable fund balances includes amounts that cannot be spent because they are either not spendable in form (such as prepaid expenses) or legally or contractually required to be maintained intact.

Restricted fund balance includes amounts that can be spent only for specific purposes stipulated by constitution, external resource providers, or through enabling legislation. If the Commission action limiting the use of funds is included in the same action (legislation) that created (enables) the funding source, then it is restricted.

Committed fund balance includes amounts that can be used only for the specific purposes determined by a formal action of the Commission's highest level of authority. The governing board is the highest level of decision-making authority that can commit fund balances. Once adopted, the limitation imposed by the commitment remains in place until a similar action is taken to remove or revise the limitation.

Assigned fund balance includes amounts to be used by the Commission for specific purposes but do not meet the criteria to be classified as restricted or committed.

Unassigned fund balance includes the residual amounts that have not been committed or assigned to specific purposes.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balances are available, the Commission's policy is to apply restricted fund balance first. When an expenditure is incurred for purposes for which committed, assigned, or unassigned fund balances are available, the Commission's policy is to apply committed fund balance first, then assigned fund balance, and finally unassigned fund balance.

#### j. Pensions

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Commission's San Bernardino County Employees' Retirement Association (SBCERA) plan (Plan) and additions to/deductions from the Plan's fiduciary net position have been determined on the same basis as they are reported by SBCERA. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

GASB 68 requires that the reported results must pertain to liability and asset information within certain defined timeframes. For this report, the following timeframes are used:



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 1. Summary of Significant Accounting Policies (Continued):

Valuation Date (VD)	June 30, 2018
Measurement Date (MD)	June 30, 2019
Measurement Period (MP)	July 1, 2018 to June 30, 2019

#### k. Use of Estimates

The preparation of financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### l. Comparative Data

Selected information regarding the prior year has been included in the accompanying financial statements. This information has been included for comparison purposes only and does not represent a complete presentation in accordance with generally accepted accounting principles. Accordingly, such information should be read in conjunction with the government's prior year financial statements, from which this selected financial data was derived.

### 2. Stewardship, Compliance and Accountability: General Budget Policies:

In accordance with provisions of Section 56381 of the Government Code of the State of California, commonly known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), the Commission shall adopt a proposed budget by May 1 and a final budget by June 15 of each fiscal year.

Budgets are prepared on the cash basis of accounting. After adoption of a final budget, the County of San Bernardino Auditor shall apportion one-third of net operating expenses of the Commission to each of the following: the county, cities, and independent special districts. The legal level of budgetary control is the fund level.

Any deficiency of budgeted revenues and other financing sources over expenditures and other financing uses is financed by beginning available fund balance as provided for in the County Budget Act.

### 3. Cash and Investments:

Cash and investments as of June 30, 2020 consist of the following:

Petty cash	\$ 250
Investment in County of San Bernardino Investment Pool	<u>281,833</u>
Total Cash and Investments	<u>\$ 282,083</u>



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 3. **Cash and Investments (Continued):**

#### Investments Authorized by the Commission's Investment Policy

The Commission's investment policy authorizes investments only in the County of San Bernardino Investment Pool.

#### Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of the fair value to changes in market interest rates. As of June 30, 2020, the Commission's cash was voluntarily invested in the County of San Bernardino Investment Pool, and therefore was not exposed to any interest rate risk as described above.

The County of San Bernardino Investment Pool is a pooled investment fund program governed by the San Bernardino County Board of Supervisors, and is administered by the County Treasurer. Investments in the pool are highly liquid as deposits and withdrawal can be made at any time without penalty. The Commission's fair value of its share in the pool is the same value of the pool shares, which amounted to \$246,933. Information on the pool's use of derivative securities in its investment portfolio and the Commission's exposure to credit, market, or legal risk is not available.

#### Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The money pooled with the County of San Bernardino Investment Pool is not subject to a credit rating.

#### Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the Commission's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 3. Cash and Investments (Continued):

California law also allows financial institutions to secure Commission deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as the money invested by the Commission in the County of San Bernardino Investment Pool).

The Commission is a participant in the San Bernardino County Investment Pool (SBCIP). The SBCIP is an external investment pool, is not rated and is not registered with the Securities Exchange Commission (SEC). The County Treasury Oversight Committee and the County Board of Supervisors conduct SBCIP oversight. Cash on deposit in the SBCIP at June 30, 2020, is stated at fair value. The SBCIP values participant shares on an amortized cost basis during the year and adjusts to fair value at year-end. For further information regarding the SBCIP, refer to the County of San Bernardino Comprehensive Annual Financial Report.

### 4. Capital Assets:

Capital asset activity for the year ended June 30, 2020 was as follows:

	Balance at July 1, 2019	Additions	Deletions	Balance at June 30, 2020
Capital assets:				
Office equipment	\$ 8,192	-	-	8,192
Leasehold improvements	384,576	-	-	384,576
Less accumulated depreciation for:				
Office equipment	(8,192)	-	-	(8,192)
Leasehold improvements	(153,830)	(76,915)	-	(230,745)
Total capital assets, net	<u>\$ 230,746</u>	<u>(76,915)</u>	<u>-</u>	<u>153,831</u>

### 5. Unearned Revenues:

At June 30, 2020, the Commission deferred recognition of \$32,722 from fee revenues and deposits that have been received but not yet earned.



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Notes to the Basic Financial Statements**

**Year ended June 30, 2020**

**(Continued)**

**6. Long Term Liabilities:**

The following is a summary of changes in long-term liabilities for the year ended June 30, 2020:

	Balance at July 1, 2019	Additions	Deletions	Balance at June 30, 2020	Due within one year
Compensated Absences	\$ 142,623	97,698	(83,259)	157,062	47,119
Notes Payable	101,382	-	(33,793)	67,589	33,794
Total long term debt	<u>\$ 244,005</u>	<u>97,698</u>	<u>(117,052)</u>	<u>224,651</u>	<u>80,913</u>

On October 5, 2015 (amended on July 17, 2017), the LAFCO entered into a lease agreement with the San Bernardino County Transportation Authority (SBCTA), which included provisions for certain leasehold improvements and a related note payable. The cost of the project was paid for by SBCTA, however \$268,967 of the costs would be repaid to SBCTA by the LAFCO. The repayment terms included a \$100,000 initial lump sum payment made during fiscal year 16/17, while the remaining balance of \$168,967 was secured by a note payable. The note payable bears no interest and is due in quarterly payments of \$8,448 until the note is fully repaid in June 2022.

Fiscal Year	Notes Payable
20/21	\$ 33,794
21/22	33,795
	<u>\$ 67,589</u>

**7. Insurance:**

The Commission is a member of the Special District Risk Management Authority, an intergovernmental risk sharing joint powers authority. The schedule of insurance coverage is as follows:

Coverage	Amount	Limit of Insurance
Property Coverage	\$ 1,000,000,000	Per Occurrence
Property - Boiler & Machinery	100,000,000	Per Occurrence
Property - Pollution Coverage	2,000,000	Per Occurrence
Property - Cyber Coverage	Limits on file	Per Occurrence
General Liability - Bodily Injury	2,500,000	Per Occurrence
General Liability - Property Damage	2,500,000	Per Occurrence
General Liability - Public Officials	500,000	Per Occurrence
Personal		
General Liability - Employment Benefits	2,500,000	Per Occurrence
General Liability - Employee/Public	2,500,000	Per Occurrence
Officials E & O		
General Liability - Employment Practices	2,500,000	Per Occurrence
Liability		
General Liability - Employee/Public	1,000,000	Per Occurrence
Officials Dishonesty		
Auto Liability - Auto Bodily Injury	2,500,000	Per Occurrence
Auto Liability - Auto Property Damage	2,500,000	Per Occurrence
Auto Liability - Uninsured Motorist	Limits on file	Per Occurrence
Employers Liability	5,000,000	Per Occurrence
Worker's Compensation	Statutory	Per Occurrence

The Commission is self-insured for unemployment insurance.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 8. Operating Lease:

On October 5, 2015 (amended on July 17, 2017) the LAFCO entered into non-cancelable operating lease agreements for the rental of office space and office equipment, expiring in June 2022 with a tenant option to extend up to 10 years. The lease agreements also provide for annual rental adjustments in the amount of the Consumer Price Index, not to exceed 103%. Total rent expense for the year ended June 30, 2020 amounted to \$33,858.

<u>Fiscal Year</u>	<u>Rent Expense *</u>
20/21	\$ 33,792
21/22	33,792
	<u>\$ 67,584</u>

\* - these amounts do not consider annual CPI adjustments

### 9. Pension Plan:

#### a. General Information about the Pension Plan

##### Plan Description

The San Bernardino County Employees' Retirement Association (SBCERA) administers the SBCERA pension plan - a cost-sharing multiple-employer defined benefit pension plan (the Plan). SBCERA provides retirement, disability, death and survivor benefits to its members, who are employed by 17 active participating employers (including SBCERA) and 3 withdrawn employers. SBCERA publishes its own Comprehensive Annual Financial Report (CAFR) which is available on SBCERA's website at [www.SBCERA.org](http://www.SBCERA.org).

##### Benefits Provided

SBCERA provides service retirement, disability, death and survivor benefits to eligible employees. Generally, any employee of the County of San Bernardino or participating employers who is appointed to a regular position whose service is greater than fifty percent of the full standard of hours required by a participating SBCERA employer (e.g. 20 hours per week or more) must become a member of SBCERA effective on the first day of employment. The retirement benefits the member will receive is based upon age at retirement, final average compensation, years of retirement service credit and retirement plan and tier.



# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **Notes to the Basic Financial Statements**

**Year ended June 30, 2020**

**(Continued)**

### **9. Pension Plan (Continued):**

The Plan's provisions and benefits in effect at June 30, 2020, are summarized as follows:

	Prior to <u>January 1, 2014</u>	On or After <u>January 1, 2014</u>
Hire date		
Benefit formula	2%@55	2.5%@67
Benefit vesting schedule	5 years of service	5 years of service
Benefit payments	monthly for life	monthly for life
Retirement age	50 - 65	52 - 67
Monthly benefits, as a % of eligible compensation	1.49% - 3.13%	1.0% - 2.5%
Required employee contribution rates	10.74%	8.74%
Required employer contribution rates	34.53%	30.09%

#### Contributions

Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for both Plans are determined annually on an actuarial basis as of June 30. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The Commission is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

#### Actuarial Assumptions

The total pension liabilities were determined using the following actuarial assumptions:

Valuation Date	June 30, 2018
Measurement Date	June 30, 2019
Actuarial Cost Method	Entry-Age Actuarial Cost Method
Actuarial Assumptions:	
Discount Rate	7.25%
Inflation	3.00%
Payroll Growth	3.50%
Projected Salary Increase	4.50% - 14.50% (1)
Investment Rate of Return	7.25% (2)
Mortality	(3)

(1) Depending on age, service and type of employment

(2) Net of pension plan investment expenses, including inflation



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 9. Pension Plan (Continued):

- (3) Mortality rates are based on the Headcount-Weighted RP-2014 Healthy Annuitant Mortality Table projected generationally with the dimensional MP-2016 projection scale. For healthy General members, ages are set forward one year for males. For healthy Safety members, ages are set back one year for both males and females. For disabled General members, ages are set forward seven years for both males and females. For disabled Safety members, ages are set back one year for both males and females. Beneficiaries are assumed to have the same mortality as a General member of the opposite sex who is receiving a service retirement.

#### Discount Rate

The discount rates used to measure the Total Pension Liability was 7.25% as of the June 30, 2019 measurement date. The projection of cash flows used to determine the discount rate assumed employer and member contributions will be made at rates equal to the actuarially determined contribution rates. For this purpose, only employee and employer contributions that are intended to fund benefits for current plan members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs for future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the Pension Plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on pension plan investments of 7.25% were applied to all periods of projected benefit payments to determine the Total Pension Liability as of June 30, 2019.

The long-term expected rate of return on Plan investments was determined using a building block method in which expected future real rates of return (expected returns, net of inflation) are developed for each major asset class. These returns are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage, adding expected inflation and subtracting expected investment expenses and a risk margin. These target allocations and projected arithmetic real rates of return for each major asset class, after deducting inflation but before deducting investment expenses are shown in the following table. This information was used in the derivation of the long-term expected investment rate of return assumption for the June 30, 2019 and 2018 actuarial valuations. This information will change every three years based on the actuarial experience study.



# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **Notes to the Basic Financial Statements**

**Year ended June 30, 2020**

**(Continued)**

### **9. Pension Plan (Continued):**

Asset Class	Target Allocation	Long-term Expected Real Rate of Return
Large Cap U.S. Equity	8.00%	5.61%
Small Cap U.S. Equity	2.00%	6.37%
Developed International Equity	6.00%	6.96%
Emerging Market Equity	6.00%	9.28%
U.S. Core Fixed Income	2.00%	1.06%
High Yield/Credit Strategies	13.00%	3.65%
Global Core Fixed Income	1.00%	0.07%
Emerging Market Debt	6.00%	3.85%
Real Estate	9.00%	4.37%
Cash & Equivalents	2.00%	-0.17%
International Credit	11.00%	6.75%
Absolute Return	13.00%	3.56%
Other Real Assets	5.00%	6.35%
Private Equity	16.00%	8.47%
Total	<u>100%</u>	

**b. Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions:**

**Allocation of Net Pension Liability**

The Commission's net pension liability for the Plan is measured as the proportionate share of the net pension liability. The net pension liability of the Plan is measured as of June 30, 2019, and the total pension liability for the Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2018 rolled forward to June 30, 2019 using standard update procedures.

The Commission's proportionate share of the net pension liability was based on a projection of the Commission's long-term share of contributions to the pension plans relative to the projected contributions of all participating employers, actuarially determined.

The following Table shows the Commission's proportionate share of net pension liability over measurement period:

Balance at June 30, 2018	\$ 885,247
Balance at June 30, 2019	<u>973,602</u>
Change - Increase (Decrease)	<u>\$ 88,355</u>



# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **Notes to the Basic Financial Statements**

**Year ended June 30, 2020**

**(Continued)**

### **9. Pension Plan (Continued):**

The Commission's proportionate share of the net pension liability for the Plan as of the June 30, 2018 and 2019 measurement dates was as follows:

Proportion - June 30, 2018	0.035%
Proportion - June 30, 2019	<u>0.036%</u>
Change - Increase (Decrease)	<u><u>0.001%</u></u>

For the year ended June 30, 2020, the Commission recognized pension expense of \$265,239. At June 30, 2020, the Commission reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Pension contributions subsequent to measurement date	\$ 228,262	-
Differences between actual and expected experience	12,988	(31,305)
Change in assumptions	127,156	-
Change in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions	234,992	(28,537)
Net Difference between projected and actual earnings on Pension Plan Investments	<u>19,385</u>	<u>-</u>
Total	<u><u>\$ 622,783</u></u>	<u><u>(59,842)</u></u>

The deferred outflows of resources related to contributions subsequent to the measurement date of \$228,262 will be recognized as a reduction of the net pension liability in the fiscal year ending June 30, 2021. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Fiscal Year Ending June 30,	<u>Amount</u>
2021	\$ 92,502
2022	39,253
2023	91,134
2024	70,926
2025	39,325
2026	<u>1,536</u>
	<u><u>\$ 334,679</u></u>



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### 9. Pension Plan (Continued):

#### Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents the Commission's proportionate share of the net pension liability for the Plan, calculated using the discount rate for the Plan, as well as what the Commission's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

1% Decrease		6.25%
Net Pension Liability	\$	1,523,096
Current Discount Rate		7.25%
Net Pension Liability	\$	973,602
1% Increase		8.25%
Net Pension Liability	\$	523,105

#### Pension Plan Fiduciary Net Position

Detailed information about each pension plan's fiduciary net position is available in the separately issued SBCERA financial reports.

### 10. Salary Savings Plans:

#### Benefit Plan Groups

For the purpose of the salary savings plans, employees shall be divided into the following groups:

- a. Group A      Executive Officer
- b. Group B      All Commission Employees not in Group A or C
- c. Group C      Administrative Assistant

#### 401(k) Plan

Bi-weekly contributions of Commission employees to the County's 401(k) Defined Contribution Plan will be matched by a Commission contribution on the basis of two times the employee's contribution. The bi-weekly contributions of employees in Groups A and B of up to four percent of bi-weekly base salary will be matched by a Commission contribution of two times the employee's contribution, not to exceed eight percent of an employee's bi-weekly base salary.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## Notes to the Basic Financial Statements

Year ended June 30, 2020

(Continued)

### **10. Salary Savings Plans (Continued):**

The bi-weekly contributions of employees in Group C to the County's 401(k) Defined Contribution Plan of up to three percent of bi-weekly base salary will be matched by a Commission contribution of two times the employee's contribution. The Commission's contribution shall not exceed six percent of an employee's bi-weekly base salary.

The Commission contributed \$37,324 to this plan for the fiscal year ended June 30, 2020.

#### *457 Deferred Compensation Plan*

Bi-weekly contributions of Commission Group A employees to the County's Section 457 Deferred Compensation Plan up to one percent (1%) of an employee's bi-weekly base salary will be matched by a Commission contribution on the basis of one (1) times the employee's contribution. The Commission contribution shall not exceed one percent of the employee's bi-weekly salary. The contribution shall be deposited in the County's 401(a) Plan.

Bi-weekly contributions of Commission Group B and C employees to the County's Section 457 Deferred Compensation Plan up to one percent (1%) of an employee's bi-weekly base salary will be matched by a Commission contribution of one-half (1/2) times the employee's contribution. The Commission's contribution shall not exceed one-half percent (1/2%) of the employee's bi-weekly salary. The contribution shall be deposited in the County's 401(a) Plan.

The Commission contributed \$2,868 to this plan for the fiscal year ended June 30, 2020.

### **11. Excess Expenditures over Appropriations**

For the fiscal year ended June 30, 2020, the Commission's Salaries and Benefits expenditures exceeded appropriations by \$17,651.

### **12. Commitments & Contingencies**

In conducting its activities, the LAFCO, from time to time is the subject of various legal claims. Management is currently unable to determine the ultimate resolution of such legal claims, or the monetary impact on the financial statements.



**REQUIRED SUPPLEMENTARY INFORMATION**



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Schedule of the Plan's Proportionate Share of the Net Pension Liability**

**Last Ten Fiscal Years\***

	Measurement Date					
	6/30/2019	6/30/2018	6/30/2017	6/30/2016	6/30/2015	6/30/2014
Proportion of the Collective Net Pension Liability	0.036%	0.035%	0.033%	0.031%	0.035%	0.034%
Proportionate Share of the Collective Net Pension Liability	\$ 973,602	885,247	864,960	769,173	681,447	584,731
Covered-Employee Payroll	\$ 478,224	475,010	369,541	359,294	341,542	289,935
Proportionate Share of the Collective Net Pension Liability as a Percentage of Covered-Employee Payroll	203.59%	186.36%	234.06%	214.08%	199.52%	201.68%
Plan's Fiduciary Net Position	\$ 3,043,279	2,181,226	1,943,960	1,639,622	1,736,731	1,505,924
Plan's Total Pension Liability	\$ 4,016,881	3,066,474	2,808,921	2,408,795	2,418,178	2,090,655
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	75.76%	71.13%	69.21%	68.07%	71.82%	72.03%

Notes to Schedule:

Benefit Changes:

There were no changes in benefits.

Changes in Assumptions:

There were no changes in Assumptions.

\* - Fiscal year 2015 was the 1st year of implementation, therefore only six years are shown.



# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **Schedule of Plan Contributions**

	Fiscal Year					
	2019-20	2018-19	2017-18	2016-17	2015-16	2014-15
Actuarially Determined Contribution	\$ 185,762	177,400	125,543	132,171	120,963	122,480
Contributions in Relation to the						
Actuarially Determined Contribution	(228,262)	(361,363)	(125,543)	(132,171)	(120,963)	(122,480)
Contribution Deficiency (Excess)	<u>\$ (42,500)</u>	<u>(183,963)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Covered-Employee Payroll	\$ 492,258	478,224	475,010	369,541	359,294	341,542
Contributions as a Percentage of						
Covered-Employee Payroll	37.74%	37.10%	26.43%	35.77%	33.67%	35.86%

### Notes to Schedule:

Valuation Date 6/30/2018

### Methods and Assumptions Used to Determine Contribution Rates:

Cost sharing employers	Entry Age Actuarial Cost Method
Amortization method	Level percentage of payroll, closed
Remaining amortization period	20 years
Asset valuation method	5-year smoothed market
Inflation	3.00%
Salary increases	4.50 to 14.50%, including inflation of 3.00%
Investment rate of return	7.25%, net of pension plan investment expense, including inflation
Retirement age	50-70 years (2%@50 and 2.5%@67)
Mortality	Headcount-Weighted RP-2014 Healthy Annuitant Mortality Table

\* - Fiscal year 2015 was the 1st year of implementation, therefore only six years are shown.



**LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**Schedule of Revenues, Expenditures, and Changes in Fund Balances**

**Budget and Actual - General Fund**

**Year ended June 30, 2020**

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Revenues:				
Apportionment	\$ 1,149,717	1,090,497	1,090,497	-
Charges for services	170,520	177,740	160,065	(17,675)
Investment income	13,000	16,000	32,855	16,855
Total revenues	<u>1,333,237</u>	<u>1,284,237</u>	<u>1,283,417</u>	<u>(820)</u>
Expenditures:				
General government:				
Salaries and benefits	1,084,519	823,068	847,658	(24,590)
Service and supplies	<u>374,007</u>	<u>437,882</u>	<u>418,903</u>	<u>18,979</u>
Total expenditures	<u>1,458,526</u>	<u>1,260,950</u>	<u>1,266,561</u>	<u>(5,611)</u>
Excess (deficiency) of revenues over (under) expenditures	(125,289)	23,287	16,856	(6,431)
Fund balances at beginning of year	<u>176,653</u>	<u>176,653</u>	<u>176,653</u>	<u>-</u>
Fund balances at end of year	<u>\$ 51,364</u>	<u>199,940</u>	<u>193,509</u>	<u>(6,431)</u>

See accompanying notes to the required supplementary information



# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **Notes to the Required Supplementary Information**

**Year ended June 30, 2020**

### **1. Budgetary Reporting**


The Commission established accounting control through formal adoption of an annual budget for the Governmental Fund. The budget is prepared on a basis consistent with generally accepted accounting principles. The adopted budget can be amended by the Commission to change both appropriations and estimated revenues as unforeseen circumstances come to management's attention. Increases and decreases in revenue and appropriations require Commission's approval. Expenditures may not exceed total appropriations at the individual fund level. It is the practice of the Commission's management to review the budget monthly and provide quarterly updates to the Commission.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: JANUARY 13, 2021   
FROM: SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Senior Analyst  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: Agenda Item #9: Mid-Year Financial Review for Period  
July 1 through December 31, 2020

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## **RECOMMENDATION:**

Staff recommends that the Commission note receipt of this report and file.

## **SUMMARY:**

### **A. Budget Markers**

The second quarter of Fiscal Year 2020-21 has concluded and staff is presenting the Commission with its second financial report. This report includes a review of the financial activities and the presentation of a spreadsheet (see Attachment) showing the line item expenditures and receipts during the period. The summary table below shows that Total Expenditures are on-track with Second Quarter makers. For Revenues, Fees and Deposits are slightly below the 50% mark. Apportionment receipts usually are 100% by this point. The County's share of the apportionment was not received by the mid-year but was received in January (not reflected in the figures in this report). The table below is a snapshot through the mid-year.

Expenditures		Revenues	
Salaries and Benefits	45% <i>(on track)</i>	Apportionment	68% <i>(does not meet goal)</i>
Services and Supplies	46% <i>(on track)</i>	Fees and Deposits	46% <i>(slightly below goal)</i>
<b>TOTAL</b>	<b>45%</b>	<b>TOTAL</b>	<b>65%</b>



## **B. Cash in Treasury**

As of December 31, the Commission's cash in the County Treasury was \$560,123. A breakdown of this amount is shown below. As shown, the Commission is anticipated to make an additional payment of \$43,852 to SBCERA in June 2021 to reduce its net pension liability.

<b>December 30, 2020 Balance</b>		<b>\$560,123</b>
<b>Cash Balance is composed of the following:</b>		
<b><i>Committed (constrained to specific purposes)</i></b>		
Net Pension Liability Reserve (Account 6010) <i>June 2021 payment to SBCERA</i>		43,852
Compensated Absences Reserve (Account 6030)		142,623
<b><i>Assigned (intended for specific purposes)</i></b>		
Contingency (Account 6000)		18,600
General Reserve (Account 6025)		150,000
<b><i>Budgeted Remaining Expenditures</i></b>		526,537
<b><i>Budgeted Remaining Revenues , assumes no proposal activity (shown as negative)</i></b>		(363,499)
<b>Projected Carryover or (Deficit)</b>		<b>\$42,010</b>

## **DETAIL:**

The following narrative provides a discussion of expenditures and reserves, revenues received, an update on special project activities, and a breakdown of the fund balance at the end of the quarter.

### **Expenditures and Reserves**

Expenditures are comprised of two categories of accounts: 1) Salaries and Benefits, and 2) Services and Supplies. Through the second quarter, total expenditures are at 45% of Approved Budget authority. No request is being presented, at this time, by staff for authorization to utilize funds maintained in the Contingency or Reserve accounts. A more detailed analysis of the categories is as follows:

#### **1. Salaries and Benefits (1000 series)**

##### **A. Mid-Year Activity**

The Salaries and Benefits series of accounts (1000 series) had expenditures of \$377,637 through the second quarter, representing 45% of Approved Budget authority.



**B. Anticipated Activity**

The Clerk and GIS Analyst separated towards the end of the first quarter. At the September meeting, the Commission:

- Approved the reclassification of Angie Schell from Administrative Secretary to Clerk to the Commission. The Administrative Secretary position remains unfilled, and temporary help is supplementing staffing needs when needed (see Account 2335 – Temporary Services).
- Approved the recruitment for the vacant GIS Analyst position. The new employee started on January 4.

**2. Services and Supplies (2000 and 5000 series)**

**A. Mid-Year Activity**

Through the second quarter, the Services and Supplies series of accounts (2000 and 5000 series) had expenditures of \$159,903, or 46% of Approved Budget authority. The first half includes full-year and one-time payments, which are generally on target for the fiscal year.

**B. Anticipated Activity**

Anticipated activities for the second half include significant expenditures, identified as:

- Full-year payments for the annual financial audit (\$11,668).
- Subscription to the County Street Network (\$10,500) for maintenance of digital mapping.
- Payments for the processing of proposals and countywide park and recreation service review (legal costs, advertising and mailing) are anticipated.

**C. Status of Ongoing Commission-approved Projects and Programs**

The following provides an update on expenditures and progress on projects approved by the Commission.

*Sustainable Agricultural Lands Conservation (SALC) Program*

At the July meeting, the Commission authorized the Executive Officer to submit the SALC Program Planning Grant to the CA Department of Conservation (DOC). At its December meeting, the (DOC) awarded the grant to LAFCO. The DOC will



provide formal notification to recipients in February and March. Following notification, staff will update the Commission on the award and work schedule.

*Service Reviews:*

At the December meeting, the Commission considered the *Countywide Service Review for Public Cemetery Districts*. Pursuant to the service review schedule that the Commission approved in September, in January staff will commence the service review for park and recreation services.

*Governance Training Program:*

Due to the pandemic, the Governance Training Program is on hiatus. The year included one course: LAFCO 101. There are no plans to conduct this course online. When restrictions on gatherings lift, staff will gauge the interest of potential attendees.

*Fiscal Indicators Program:*

The platform of the LAFCO website will not be supported in the coming year or two, and a new LAFCO website will most likely occur within the next two fiscal years. Portions of the website will be incompatible with the new website platform, including the Fiscal indicators. As a part of the FY 2021-22 budget, staff will discuss with the Administrative Committee whether to continue or revamp the program. Such improvements would include new design, mobile access, and replacement of certain indicators with more representative indicators.

### **3. Reserves (6000 series)**

No spending activity has been requested by staff or authorized by the Commission to take place in the Reserve accounts during the first two quarters.

## **Revenues**

### **1. Revenues through the Mid-Year**

The Commission has received 65% of Adopted Budget revenues through the mid-year. The items below outline the revenue activity:

- Interest (Account 8500) – Lower interest rates have yielded minimal investment returns. \$4,288 in interest revenue was earned from the Commission's cash in the County Treasury. It is anticipated that interest rates will remain low for the balance of the year providing limited resources.
- Apportionment (Account 8842) - 68% of the mandatory apportionment payments from the County, cities, and independent special districts billed by the County



Auditor have been received. The County's share was received in January and is not included in the figures in this report.

- Fees and Deposits (Accounts 9545 – 9800) – Through the mid-year, the Fees and Deposits series of accounts have received 46% of its budgeted revenue (\$53,791). This amount is made up of a combination of application fees, service contract filing fees and legal cost recovery.
- Carryover from Prior Year (Account 9970)

Prior Year Contingency and Reserve funds have been carried forward, \$278,745.

## 2. Proposal Activity

The table below identifies the number of proposals and service contracts received through the first half. The table identifies that two proposals and seven service contracts were received in the first quarter.

Activity	Budget	Through December	
		No.	% of Budget
Proposals	9	2	22%
Service Contracts - Commission approval	2	2	100%
Service Contracts - Admin (E.O.) approval	2	5	250%

The second half anticipates the receipt of two annexations.

## **CONCLUSION:**

Through the mid-year, expenditures are on track, 68% of the apportionment receipts were received (although the County's share was received in January), and proposal activity is less than anticipated. The year is projected to end with a surplus due two large proposal being received as well as cost-savings by not filling the Administrative Assistant position.

Staff will be happy to answer any questions from the Commission prior to or at the hearing regarding the items presented in this report.

SM/MT

Attachment: Spreadsheet of Expenditures, Reserves, and Revenues



## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	APPROVED FY 20-21	AMOUNT THRU 1ST Q	OCT	NOV	DEC	AMOUNT THRU MID YEAR	% THRU MID YEAR	AMOUNT REMAINING	AMOUNT ESTIMATE YEAR-END	% ESTIMATE YEAR-END
	<b>SALARIES AND BENEFITS</b>										
1010	Earnable Compensation	\$ 507,972	\$ 133,450	\$ 26,269.03	\$ 26,269.02	\$ 46,374.35	\$ 232,362	46%	\$ 212,977	\$ 445,339	88%
1030	Auto and Cell Phone Allowances	9,485	2,450	700.00	700.00	1,050.00	4,900	52%	4,725	9,625	101%
1035	Overtime		3				3			3	
1045	Termination Payment		1,839				1,839			1,839	
1110	General Member Retirement	183,251	44,781	9,644.12	9,644.12	16,958.93	81,028	44%	77,070	158,099	86%
1130	Survivors Benefits	183	43	8.10	8.10	12.15	72	39%	73	144	79%
1135	Retirement Subsidy (no longer active)										
1200	Medical Premium Subsidy	55,860	14,109	2,746.42	2,746.42	4,119.63	23,721	42%	22,710	46,431	83%
1205	Long-Term Disability	1,184	279	60.04	60.04	90.06	489	41%	497	986	83%
1207	Vision Care Insurance	812	187	34.68	34.68	52.02	308	38%	323	632	78%
1215	Dental Insurance Subsidy	1,282	305	56.76	56.76	85.14	503	39%	511	1,014	79%
1222	Short-Term Disability	6,072	1,414	299.36	299.36	449.04	2,462	41%	2,542	5,004	82%
1225	Social Security Medicare	6,170	1,629	297.52	297.53	494.99	2,719	44%	2,505	5,224	85%
1235	Workers' Compensation	5,266	2,534				2,534	48%	2,209	4,744	90%
1240	Life Insurance & Medical Trust Fund	11,853	2,584	660.48	660.48	990.72	4,895	41%	4,957	9,853	83%
1305	Medical Reimbursement Plan	6,392	992	186.66	186.66	279.99	1,646	26%	3,132	4,778	75%
1310	Annuitant Employee Medical (no longer active)		-				-				
1314	457/401a Contribution	3,378	748	196.70	196.70	295.05	1,436	43%	1,489	2,925	87%
1315	401k Contribution	39,482	9,466	2,072.32	2,072.32	3,108.48	16,719	42%	15,326	32,045	81%
	<b>TOTAL SALARIES &amp; BENEFITS</b>	<b>\$ 838,641</b>	<b>\$ 216,812</b>	<b>\$ 43,232.19</b>	<b>\$ 43,232.19</b>	<b>\$ 74,360.55</b>	<b>\$ 377,637</b>	<b>45%</b>	<b>\$ 351,047</b>	<b>\$ 728,684</b>	<b>87%</b>
	Staffing (Full time equivalent units)	5.0							4.0		
	<b>SERVICES AND SUPPLIES</b>										
	<b>General Services &amp; Supplies:</b>										
2031	Payroll System Services	\$ 826	\$ 170	\$ 61.20	\$ 61.20	\$ 40.80	\$ 333	40%	\$ 412.75	746	90%
2033	WAN Labor Services		1,006				1,006			1,006	
2035	Communications		-				-			-	
2037	COMNET Charge (ISF)	3,434	510	255.06	255.06	255.06	1,275	37%	1,717	2,993	87%
2040	Relocation Charges - Phone Service		-				-		-	-	
2041	Phone Service/Outside Company	8,400	1,762	54.33	2,680.48	673.00	5,170	62%	4,200	9,370	112%
2043	Electronic Equipment Maintenance	-	-				-		-	-	
2075	Membership Dues	12,039	10,662			1,482.00	12,144	101%	6,020	18,164	151%
2076	Tuition Reimbursement	1,000	-				-	0%	500	500	50%
2080	Publications	3,343	1,234		249.69		1,484	44%	1,671	3,156	94%
2085	Legal Notices	11,250	5,153	1,140.73	1,774.83		8,069	72%	5,625	13,694	122%
2090	Building Expense	7,000	2,160	490.00	490.00	490.00	3,630	52%	3,500	7,130	102%
2115	Computer Software	3,054	-		69.99	113.97	184	6%	1,527	1,711	56%
2125	Inventoriable Equipment	-	-				-		-	-	
2130	Moving Expenses		-				-		-	-	
2135	Utilities		-				-		-	-	



## Budget Spreadsheets

ACCT. #	ACCOUNT NAME		APPROVED		AMOUNT	OCT	NOV	DEC		AMOUNT	%		AMOUNT	AMOUNT	%
			FY 20-21		THRU 1ST Q					THRU MID YEAR	THRU MID YEAR		REMAINING	ESTIMATE YEAR-END	ESTIMATE YEAR-END
2180	Electricity		7,200		1,276		617.94	352.54		2,246	31%		3,600	5,846	81%
2182	Electricity				-					-			-	-	
2195	Reimbursement Services and Supplies				-					-			-	-	
2245	Other Insurance		14,238		13,292		47.50			13,340	94%		7,119	20,459	144%
2305	General Office Expense		1,250		1,423	2,302.49	713.81	92.70		4,532	363%		625	5,157	413%
2308	Credit Card Clearing Account		-		1,001	537.82	(2,840.31)	-		(1,302)			-	(1,302)	
2309	Visa Temp Card				-					-			-	-	
2310	Postage - Direct Charge		5,316		1,570	293.06	387.17	495.06		2,745	52%		2,658	5,403	102%
2315	Records Storage		900		257	64.37	64.37	64.37		451	50%		450	901	100%
2316	Surplus Handling				14		17.85	7.14		39			-	39	
2323	Reproduction Services		-		-		437.90			438			-	438	
2335	Temporary Services		-		522	208.60		568.44		1,299			-	1,299	
													-	-	
	Consultant & Special Services:												-	-	
2400	Legal Counsel		30,870		3,729		5,084.70			8,813	29%		15,435	24,248	79%
2405	Auditing		11,668		-					-	0%		5,834	5,834	50%
2410	Data Processing		8,439		2,418	806.00	806.00	806.00		4,836	57%		4,220	9,056	107%
2414	Application Development Maint.		-		-					-			-	-	
2415	COWCAP		7,345		1,145		1,145.22			2,290	31%		3,673	5,963	81%
2416	Enterprise Printing		31		471	157.00	157.00	157.00		942	3039%		16	958	3089%
2418	Enterprise Data Storage		7,200		1,209	403.00	403.00	403.00		2,418	34%		3,600	6,018	84%
2420	Wireless Device Access		286		35	17.59	17.59	17.59		88	31%		143	231	81%
2421	Desktop Support Services		15,085		1,871	935.55	935.55	935.55		4,678	31%		7,543	12,220	81%
2424	Environmental Consultant		10,600		5,720	150.00	610.00	150.00		6,630	63%		5,300	11,930	113%
2444	Security Services		492		-		246.00	150.00		396	80%		246	642	130%
2445	Other Professional Services		34,161		7,762	1,897.60	3,774.60	2,652.47		16,087	47%		17,081	33,167	97%
2449	Outside Legal (Litigation & Special Counsel)		-		165	110.00				275			-	275	
2450	Application Development Support		-		-					-			-	-	
2460	GIMS Charges		16,500		-	3,000.00				3,000	18%		8,250	11,250	68%
													-	-	
	Lease/Purchases:												-	-	
2895	Rent/Lease Equipment (copier)		5,100		962					962	19%		2,550	3,512	69%
2905	Office/Hearing Chamber Rental		101,201		38,564	8,448.33				47,012	46%		50,600	97,613	96%
													-	-	
	Travel Related Expenses:												-	-	
2940	Private Mileage		4,632		-					-	0%		2,316	2,316	50%
2941	Conference/Training		4,710		375					375	8%		2,355	2,730	58%
2942	Hotel		7,610							-	0%		3,805	3,805	50%
2943	Meals		1,100							-	0%		550	550	50%
2944	Car Rental		-							-			-	-	
2945	Air Travel		800							-	0%		400	400	50%
2946	Other Travel		300							-	0%		150	150	50%
													-	-	



## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	APPROVED FY 20-21	AMOUNT THRU 1ST Q	OCT	NOV	DEC	AMOUNT THRU MID YEAR	% THRU MID YEAR	AMOUNT REMAINING	AMOUNT ESTIMATE YEAR-END	% ESTIMATE YEAR-END
	<b>Other:</b>										
5012	Services Out (Staples)	3,600	267	3,089.76	548.61	112.48	4,018	112%	1,800	5,818	162%
	<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$ 350,981</b>	<b>\$ 106,706</b>	<b>\$ 24,422.49</b>	<b>\$ 18,755.75</b>	<b>\$ 10,019.17</b>	<b>\$ 159,903</b>	<b>46%</b>	<b>\$ 175,490</b>	<b>\$ 335,394</b>	<b>96%</b>
	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,189,622</b>	<b>\$ 323,518</b>	<b>\$ 67,654.68</b>	<b>\$ 61,987.94</b>	<b>\$ 84,379.72</b>	<b>\$ 537,540</b>	<b>45%</b>	<b>\$ 526,537</b>	<b>\$ 1,064,078</b>	<b>89%</b>
	<b>RESERVES (Increases)</b>										
6000	Contingency (Assigned)										
6010	Net Pension Liability Reserve (Committed)	43,852									
6025	General Reserve (Assigned)										
6030	Compensated Absences Reserve (Committed)	32,477									
6035	Salary Reserve for Extra Pay Period (Committed)										
	<b>TOTAL CONTINGENCIES &amp; RESERVES</b>	<b>\$ 76,329</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>
	<b>TOTAL APPROPRIATION</b>	<b>\$ 1,265,951</b>	<b>\$ 323,518</b>	<b>\$ 67,654.68</b>	<b>\$ 61,987.94</b>	<b>\$ 84,379.72</b>	<b>\$ 537,540</b>	<b>42%</b>	<b>\$ 526,537</b>	<b>\$ 1,064,078</b>	<b>84%</b>



## Budget Spreadsheets


ACCT #	ACCOUNT NAME	ACTUAL YEAR-END FY 19-20	APPROVED FY 20-21	AMOUNT THRU 1ST Q	OCT	NOV	DEC	AMOUNT THRU MID YEAR	% THRU MID YEAR
	<b>CONTRIBUTION REVENUES</b>								
	Use of Money:								
8500	Interest	\$ 15,823	\$ 19,000	\$ 2,767	\$ 1,521.63			\$ 4,288	23%
	Mandatory Contribution from Governments:								
8842	Apportionment	1,090,497	1,120,497	756,998				756,998	68%
	Fees and Deposits (Current Services):								
9545	Individual Notice	5,429	11,000	2,000			1,000.00	3,000	27%
9555	Legal Services	14,050	19,400	4,284	233.40	3,654.32	2,139.60	10,311	53%
9595	Protest Hearing		6,000	4,840	1,500.00			6,340	106%
9655	GIMS Fees	1,055	765	975	1,100.00			2,075	271%
9660	Environmental	5,705	10,400	1,700			1,000.00	2,700	26%
9800	LAFCO Fees	62,895	68,889	13,372	4,034.00	4,010.00	7,949.00	29,365	43%
	<b>Total Fees and Deposits</b>	<b>89,135</b>	<b>116,454</b>	<b>27,170</b>	<b>6,867.40</b>	<b>7,664.32</b>	<b>12,088.60</b>	<b>53,791</b>	<b>46%</b>
	<b>TOTAL CONTRIBUTION REVENUES</b>	<b>1,195,454</b>	<b>1,255,951</b>	<b>786,935</b>	<b>8,389.03</b>	<b>7,664.32</b>	<b>12,088.60</b>	<b>815,077</b>	<b>65%</b>
	<b>OTHER REVENUES</b>								
9910	Prior Year Activity (refunds, collections)							-	
9930	Miscellaneous Revenues	580		2,658				2,658	
9970	Carryover of Open Proposals/Projects		10,000	1,123				1,123	11%
9970	Carryover from Prior Year, Assigned							-	
9973	Stale-dated Checks	38				60.00		60	
9970	SBCERA Contributions							-	
	<b>TOTAL OTHER REVENUES</b>	<b>618</b>	<b>10,000</b>	<b>3,781</b>	<b>-</b>	<b>60</b>	<b>-</b>	<b>3,841</b>	<b>38%</b>
	<b>TOTAL REVENUES</b>	<b>\$ 1,196,072</b>	<b>\$ 1,265,951</b>	<b>\$ 790,716</b>	<b>\$ 8,389.03</b>	<b>\$ 7,724.32</b>	<b>\$ 12,089</b>	<b>\$ 818,918</b>	<b>65%</b>



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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www.sbclafco.org

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**DATE:** JANUARY 13, 2021   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #11: EXECUTIVE OFFICER'S REPORT**

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## REMINDER:

The Commission will be dark in February. Please note that the next Commission meeting will be on March 17, 2021.

## PROPOSAL UPDATES:

- LAFCO 3188A

As the Commission is aware, LAFCO staff received a request for reconsideration from property owner representative of LAFCO 3188A (Spring Trails Project), which has been determined to be untimely. LAFCO staff responded to the request outlining staff's rationale as to why its "request for reconsideration" will not be granted. The provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act), specifically Government Code section 56895, only permits reconsideration of the Commission's resolution making determinations approving (or disapproving) a proposal, which—for LAFCO 3188A—is the Commission's Resolution No. 3291 issued when it approved said proposal on October 16, 2019. Granting such request at this time would be in conflict with the provision of the Act.

The property owner representative has since responded disagreeing with LAFCO staff's position related to its request for reconsideration. Said letter also threatens legal action if such request for reconsideration is not granted. Nonetheless, if the City and/or the property owner wishes to submit a new application to annex the Spring Trails Project, LAFCO staff will work with the City and the property owner to facilitate moving the proposal through the process in a timely manner.



- LAFCO 3233

The Certificate of Termination for LAFCO 3233 (reorganization to form the Spring Valley Lake CSD) was issued on December 22, 2020 due to the measure failing at the November 3, 2020 election.

- LAFCO 3247

LAFCO received an application initiated by the Monte Vista Water District to activate its sewer collection powers. LAFCO staff is awaiting receipt of additional materials in order to issue the Notice of Filing.

### **SUSTAINABLE AGRICULTURAL LANDS CONSERVATION (SALC) PROGRAM:**

At the July meeting, the Commission authorized the Executive Officer to submit the SALC Program Planning Grant to the CA Department of Conservation (DOC). The DOC awarded the grant to LAFCO (formal notification to come in February or March). Following notification by the DOC, staff will provide the Commission with an update on a work plan and schedule.

### **OTHER NEWS:**

LAFCO staff recently completed its recruitment process for a new LAFCO Analyst. I hired Hannah Larsen, who joined us at the beginning of the year. She will be mainly working on GIS mapping and database management. She earned her degree in Geography (Minor in Mathematics) from Calvin University. Hannah comes to us from the United States Census Bureau in Indiana where she worked as a cartographic technician.

We welcome her to the team!