NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED APPLE VALLEY RANCHOS WATER SYSTEM ACQUISITION PROJECT EIR

TO: Public Agencies
Interested Parties

FROM: Town of Apple Valley
Community Development Department, Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307
(760) 240-7000 ext. 7200

The Town of Apple Valley (Town) will be the Lead Agency and will prepare an environmental impact report (EIR) for the proposed Project identified below. The Town is seeking input from the general public, public agencies, and interested organizations regarding their views on the scope and content of the environmental information that should be analyzed in the EIR, including input regarding any topics or specific issues that are germane to a particular agency's statutory responsibilities in connection with the proposed Project. A description of the proposed Project, as well as the location and potential environmental effects, are discussed below. If a copy of the Initial Study is not attached to this notice, you may request or review a copy at 14975 Dale Evans Parkway, Apple Valley, CA 92307.

Project Title: Apple Valley Ranchos Water System Acquisition Project

Project Location: The Project Area consists of the existing Apple Valley Ranchos Water Company Service Area (see the attached map). The majority of the Project Area is in the Town of Apple Valley (San Bernardino County); with the remainder of the Project Area located in unincorporated San Bernardino County, east of the Town. Thus, the system exists both inside and outside the Town of Apple Valley's corporate boundaries.

Project Sponsor: Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Attn: Frank Robinson, Town Manager

Project Description: The Town has decided to explore the potential acquisition of the water supply system that serves the Town and outlying areas running east along Cahuilla Road, within approximately one mile north and south of the road; the acquisition and subsequent operation of this water supply system by the Town represents the proposed Project. The existing system is currently owned and operated by Apple Valley Ranchos Water Company, a wholly-owned subsidiary of Park Water Company, a Class A investor-owned public utility regulated by the California Public Utilities Commission. Apple Valley Ranchos Water Company was first created in 1947, and then purchased by Park Water Company in 1987. The Town's proposed acquisition of the water supply system, referred to as the AVR System in this document, would include all associated assets, (i.e., real, intangible, and personal property), including, but not limited to:

- Water systems and production wells, as defined in Section 240 of the California Public Utilities Code;
- Utility plants;
- Water rights;
- Water supply contracts; and
- Records, books, and accounts.

The proposed Project includes the Town's subsequent operation of AVR System, either internally by the Town or through a qualified private contractor or public agency. The Town is proposing only to acquire and operate the existing system, and is not proposing changes or expansion to the physical AVR System or to the associated water rights nor is the Town proposing any changes to the manner of operation of the AVR System or the exercise of the associated water rights.

The existing AVR System is a stand-alone system that serves a 50 square-mile area that encompasses the majority of the Town of Apple Valley as well as a portion of unincorporated San Bernardino County east of the Town (Figure 1). The AVR System relies entirely on groundwater supplies from the Mojave Groundwater Basin, a fully adjudicated basin, to supply the water system; however, in the event that the Park Water Company's/Apple Valley Ranchos Water Company's ("AVR") withdrawals from the basin exceed its designated allocation for this water supply, it replenishes this water by purchasing water from the State Water Project or other users with excess water rights. The Town's acquisition of AVR's water rights would entitle the Town to the currently established allocations assigned to AVR, and

would require the Town meet the same standards in terms of replenishment if it were to exceed established limits on withdrawals.

In addition to water rights, the AVR System includes infrastructure that allows for the production, distribution, and delivery of water supplies within its service area. As reported, the AVR System provides domestic water from its system of groundwater wells, which has a total pumping capacity of approximately 37 million gallons per day; these wells were drilled throughout the 55-year period from 1953, when the first well was drilled, to 2008 when the newest wells were completed. The AVR System also includes approximately 469 miles of pipeline and 22,431 active service connections, providing service to approximately 62,602 customers; there is also 11.7 million gallons of storage provided in tanks. AVR also owns property that generally supports system infrastructure (e.g., groundwater wells and water storage tanks) and public utility right-of-ways, including 42 assessor parcels with a total area of approximately 34.52 acres.

The underlying purpose of the proposed Project is for the Town of Apple Valley to acquire, operate, and maintain the AVR System; however, as noted above and as is currently done by AVR, operations and maintenance activities for the system may be outsourced to a suitably qualified public agency or private contractor. The following objectives have been defined for the proposed Project:

- Allow the Town to independently own and operate a water production and distribution system;
- Provide for greater transparency and accountability, as well as increased customer service and reliability;
- Enhance customer service and responsiveness to Apple Valley customers;
- Provide greater local control over the rate setting process and rate increases;
- Provide direct access to locally elected policy makers for the water operations;
- Allow the Town to pursue grant funding and other types of financing for any future infrastructure needs, including grants and financing options which the CPUC does not allow private company to include in their rate base (such that private companies do not pursue advanced planning and investment for infrastructure); and
- Enable the Town to use reclaimed water for public facilities without invoking potential duplication of service issues with AVR.

Implementation of the proposed Project would require the following discretionary approval:

- Approval by Town Council for acquisition of the existing AVR System that services the Town and some outlying areas from AVR or other legal owner.
- Reports under Government Code section 65402.
- If the AVR System is acquired through a negotiated purchase, the Town of Apple Valley will need to obtain approval from the CPUC for transfer of ownership and operation of the AVR System from AVR to the Town.
- The San Bernardino Local Agency Formation Commission ("LAFCO") may also review and/or approve the Project insofar as the Project involves the Town's acquisition and potential operational of extra-jurisdictional water systems.

Potential Environmental Effects: The EIR will focus on potential environmental impacts to the following resource areas: Air Quality, Greenhouse Gas Emissions, Hydrology/Water Quality, Noise, Land Use, Transportation/Traffic, and Utilities/Service Systems.

Scoping Meeting: The Town of Apple Valley, in its role as Lead Agency, will hold a public scoping meeting to provide an opportunity for the public and representatives of public agencies and interested organizations to address the scope of the Environmental Impact Report. The Scoping Meeting for the Environmental Impact Report for the project is scheduled for **July 7 at 5:00 PM** at the following location:

Town of Apple Valley, Council Chambers
14955 Dale Evans Parkway
Apple Valley, CA 92307

Thirty-Day Comment Period: Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. The Notice of Preparation/Initial Study comment period begins on June 26, 2015 and ends on July 27, 2015. Please send your comments by regular mail, email or fax, no later than July 27, 2015 at 5:00 PM, to:

Lori Lamson, Assistant Town Manager
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Fax: (760) 240-7910
Email: applevalley@applevalley.org

Lori Lamson

Signature

6-24-15

Date

Lori Lamson, Assistant Town Manager

Town of Apple Valley

Apple Valley Ranchos Water System Acquisition Project

Initial Study

rincon

June 2015

Environmental Scientists Planners Engineers

Apple Valley Ranchos Water System Acquisition Project

Initial Study

Prepared by:

Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Lori Lamson, Assistant Town Manager
(760) 240-7000

Prepared with the assistance of:

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5005 La Mart Drive, Suite 201
Riverside, California 92507
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June 2015

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Table of Contents

Page

Initial Study 1

Environmental Factors Potentially Affected 7

Determination 8

Environmental Checklist 9

I. Aesthetics 9
II. Agriculture and Forestry Resources 11
III. Air Quality 13
IV. Biological Resources 16
V. Cultural Resources 18
VI. Geology and Soils 19
VII. Greenhouse Gas Emissions 21
VIII. Hazards and Hazardous Materials 22
IX. Hydrology and Water Quality 24
X. Land Use and Planning 26
XI. Mineral Resources 27
XII. Noise 27
XIII. Population and Housing 29
XIV. Public Services 30
XV. Recreation 32
XVI. Transportation/Traffic 33
XVII. Utilities and Service Systems 35
XVIII. Mandatory Findings of Significance 37

References 39

Bibliography 39

List of Figures

Figure 1: Apple Valley Ranchos Water Company Service Area 2
Figure 2: Mojave Groundwater Basin and Subareas 4

List of Tables

Table 1: Emission Significance Thresholds in the Mojave Desert 15
Table 2: Parks and Open Space in the Town of Apple Valley 32

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INITIAL STUDY

1. Project Title: Apple Valley Ranchos Water System Acquisition Project

2. Lead Agency: Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

3. Contact Person: Lori Lamson, Assistant Town Manager
(760) 240-7000

4. Project Location: The Project Area is located in San Bernardino County and is comprised of the approximately 50 square-mile area currently served by the Park Water Company/Apple Valley Ranchos Water Company water supply system (AVR System). The majority of the Project Area is in the incorporated area of the Town of Apple Valley (Town), with the remainder of the Project Area located outside the Town's corporate boundary in unincorporated San Bernardino County running east along Cahuilla Road, within approximately one mile north and south of the road (Figure 1). The Project Area is bordered by the City of Victorville to the west and City of Hesperia to the southwest, and surrounded by unincorporated areas of San Bernardino County to the north, east, and south.

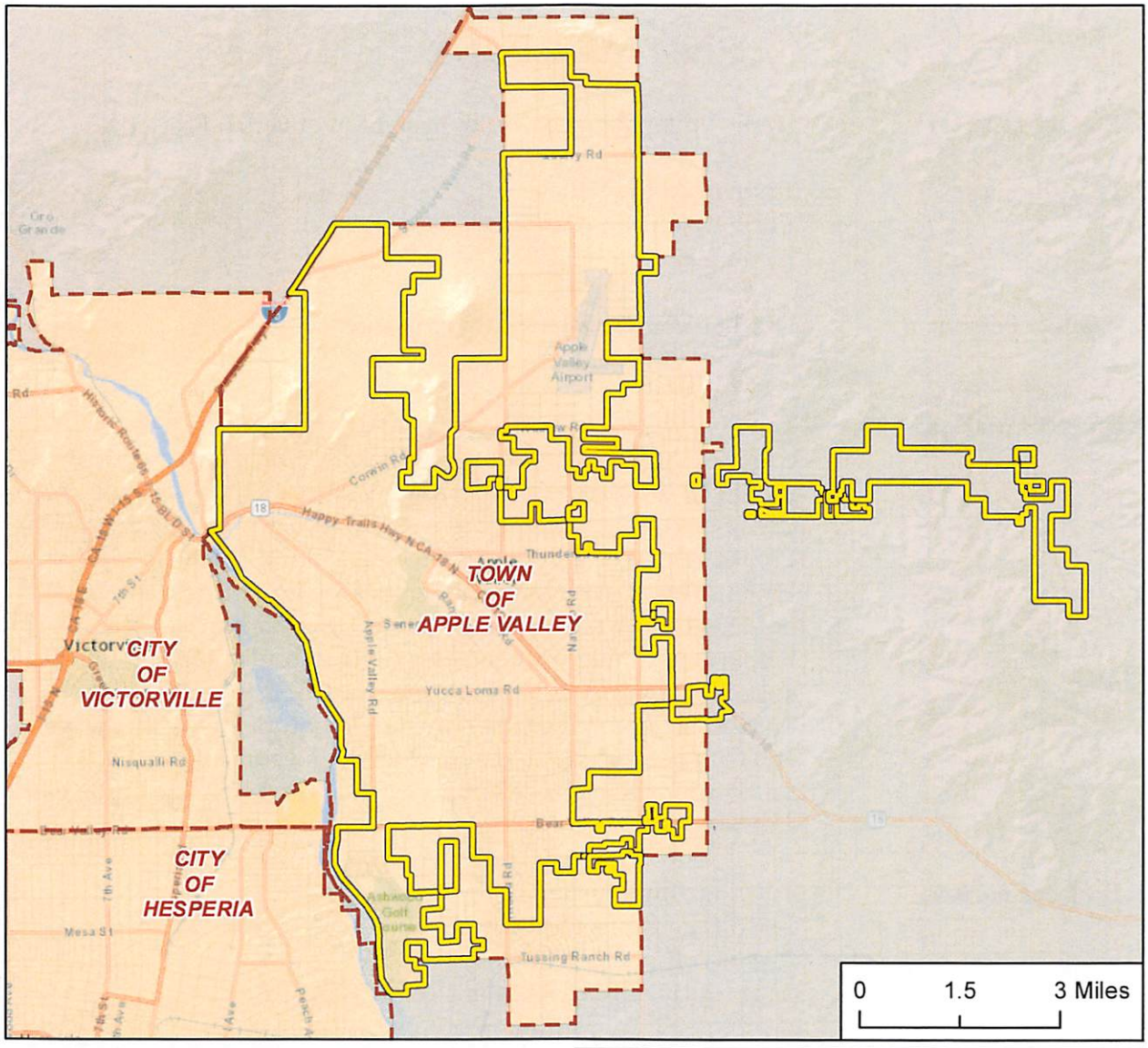
5. Project Sponsor: Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Attn: Lori Lamson, Assistant Town Manager

6. General Plan Designation: Various

7. Zoning: Various

8. Description of Project: The Town of Apple Valley is proposing to acquire the existing AVR System that currently serves the majority of the incorporated area of the Town as well as some outlying areas running east along Cahuilla Road; the acquisition and subsequent operation of this water supply system by the Town represents the proposed Project.

The existing water supply system is currently owned and operated by the Apple Valley Ranchos Water Company, which was first created in 1947, and then purchased by Park Water Company in 1987. As part of the proposed Project, the Town would purchase all rights and interests in the AVR System from



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Apple Valley Ranchos Water Company Service Area

Unincorporated Areas

City/Town Corporate Boundary

Apple Valley Ranchos Water Company Service Area Figure 1

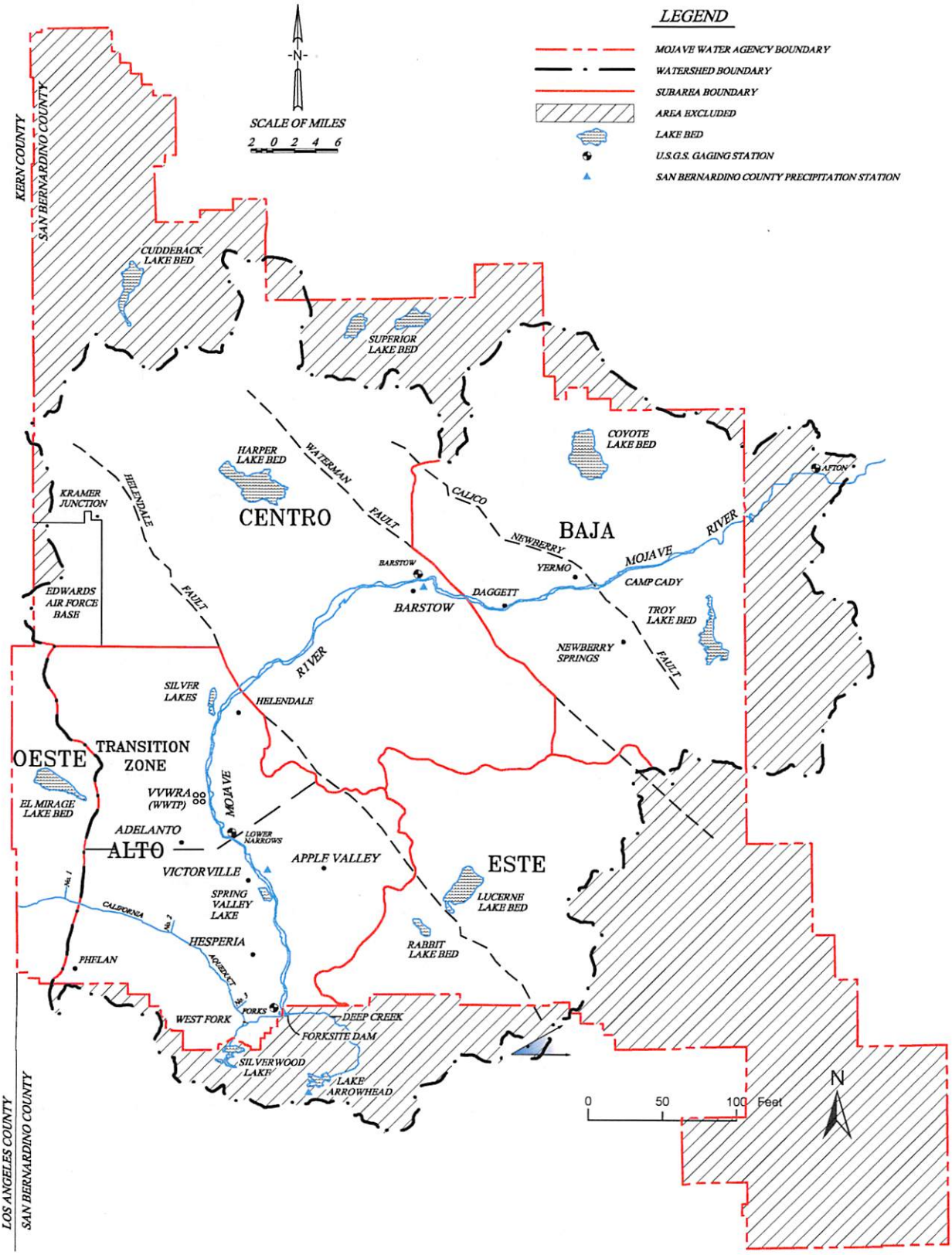
Park Water Company/Apple Valley Ranchos Water Company (collectively referred to as AVR in this document) or other legal owner. The Town's proposed acquisition of the AVR System would include all associated assets, (i.e., real, intangible, and personal property), including, but not limited to:

- Water systems and production wells, as defined in Section 240 of the California Public Utilities Code;
- Utility plants;
- Water rights;
- Water supply contracts; and
- Records, books, and accounts.

In addition to the Town's acquisition of the AVR System, the proposed Project includes the Town's subsequent operation of the AVR System, either through a qualified private contractor or public agency. The Town is proposing only to acquire and operate the existing system, and is not proposing changes or expansion to the physical AVR System or to the associated water rights, nor is the Town proposing any changes to the manner of operation of the AVR System or the exercise of the associated water rights. There are several options for management of the system including, but not limited to, management by the Town itself, management by a private contractor hired by the Town, as is currently done by AVR, or management by a qualified public agency.

The existing AVR System is a stand-alone system that serves a 50 square-mile area that encompasses the majority of the Town of Apple Valley as well as a portion of unincorporated San Bernardino County east of the Town (Figure 1). AVR relies entirely on groundwater supplies from the Mojave Groundwater Basin, a fully adjudicated basin, to supply the water system; however, in the event that AVR's withdrawals from the basin exceed its designated allocation for this water supply, it replenishes this water by purchasing water from the State Water Project or other users with excess water rights (Figure 2) (Apple Valley Ranchos Water Company, 2011). The Town's acquisition of AVR's water rights would entitle the Town to the currently established allocations assigned to AVR, and would require the Town to meet the same standards in terms of replenishment if it were to exceed established limits on withdrawals.

In addition to water rights, the AVR System includes infrastructure that allows for the production, distribution, and delivery of water supplies within its service area. As reported, the AVR System provides domestic water from its system of 23 wells,



Mojave Groundwater Basin and Subareas Figure 2-2

which has a total pumping capacity of approximately 37 million gallons per day; these wells were drilled throughout the 55-year period from 1953, when the first well was drilled, to 2008 when the newest wells were completed. The AVR System also includes approximately 469 miles of pipeline and 22,431 active service connections, providing service to approximately 62,602 customers; there is also 11.7 million gallons of storage provided in tanks. AVR also owns property that generally supports system infrastructure (e.g., groundwater wells and water storage tanks) and public utility right-of-ways, including 42 assessor parcels with a total area of approximately 34.52 acres (Apple Valley Ranchos Water Company, 2015).

The underlying purpose of the proposed Project is for the Town of Apple Valley to acquire, operate, and maintain the existing AVR System; however, as noted above, operations and maintenance activities for the system may be outsourced to a suitably qualified public agency or private contractor. The following objectives have been defined for the proposed Project:

- Allow the Town to independently own and operate a water production and distribution system;
- Provide for greater transparency and accountability, as well as increased customer service and reliability; and
- Enhance customer service and responsiveness to Apple Valley customers; and
- Provide greater local control over the rate setting process and rate increases; and
- Provide direct access to locally elected policy makers for the water operations; and
- Allow the Town to pursue grant funding and other types of financing for any future infrastructure needs, including grants and financing options which the CPUC does not allow private company to include in their rate base (such that private companies do not pursue advanced planning and investment for infrastructure); and
- Enable the Town to use reclaimed water for public facilities without invoking potential duplication of service issues with AVR.

9. Surrounding Land Uses and Setting:

The territory currently served by the AVR System is primarily residential in nature but also includes other land uses such as commercial, institutional, and industrial facilities. The Project Area is located on gently sloping alluvial fans ranging in elevation from approximately 3,400 feet near the base of the Fairview Mountains to the northeast to 2,700 feet along the Mojave River to

the west (Town of Apple Valley, 2009a). Through Apple Valley, the Mojave River is an intermittent river with most of its flow occurring underground and in surface channels that remain dry the majority of the time, appearing as a wide floodplain that generally defines Apple Valley's western boundary.

10. Required Discretionary Approvals:

Implementation of the proposed Project would require the following discretionary approvals:

- Approval by Town Council for acquisition of the existing AVR System from AVR or other legal owner.
- Reports under Government Code section 65402.

11. Other Public Agencies Whose Approval is Required:

If the AVR System is acquired through a negotiated purchase, the Town of Apple Valley will need to obtain approval from the California Public Utilities Commission (PUC) for transfer of ownership of the AVR System from AVR or other legal owner to the Town. The San Bernardino Local Agency Formation Commission ("LAFCO") may also review and/or approve the Project insofar as the Project involves the Town's acquisition and potential operation of extra-jurisdictional water systems.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	■ Hydrology/Water Quality
■ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	■ Utilities/Service Systems	☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

■ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Lori Lamson — 6/24/15

Lori Lamson
Assistant Town Manager
Town of Apple Valley

Date

ENVIRONMENTAL CHECKLIST

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

The Town of Apple Valley is located primarily on alluvial slopes of the Mojave River floodplain, at the southern edge of the Mojave Desert. The topography gradually inclines towards the San Bernardino Mountains to the south as well as to the scattered knolls and mountains to the north and east of the Town. Viewsheds in the area are characterized by uninterrupted expanses of wide skies and panoramic vistas of distant mountains, as well as views associated with the Mojave River that include areas of riparian forest and the bluffs and terraces of the floodplain. The low-lying terrain surrounding the Town allows unobstructed views in all directions, creating a sense of openness and spaciousness that is enhanced by the muted colors of the desert landscape (Town of Apple Valley, 2009b).

The aesthetic quality of existing development in the Town and vicinity is inconsistent, with the built form being representative of several different periods of time and various standards of development. However, parts of an approximately seven-mile-long corridor along Highway 18, include some interesting residential and commercial buildings that date from the early years of the present-day community of Apple Valley, and these buildings make an important visual contribution to local character (Town of Apple Valley, 2009b).

a) Implementation of the proposed Project would involve acquisition and subsequent operation and maintenance of the AVR System by the Town, and would not involve construction of any facilities or infrastructure. As such, the Project would not block or adversely affect views of the mountains or any other scenic vista. The Project would thus not have a substantial adverse effect on a scenic vista. No impact would occur, and further analysis of this issue in an EIR is not warranted. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

b) There are no state highways either designated as, or eligible for designation as a State Scenic Highway in the project vicinity. The closest designated State Scenic Highway is State Route 38, which is a 16-mile segment of the Rim of the World Scenic Byway that runs along State Highways 138, 18, and 38 in San Bernardino County. This highway is located approximately 35 miles southeast of Apple Valley. The closest highways eligible for listing as a Scenic Highway are Highways 18 and 247, approximately 15 miles east of Apple Valley; these segments have not been designated to date (California Department of Transportation, 2015). Given that all highways that are designated as, or eligible for designation as, a State Scenic Highway are at least 15 miles away from the Project Area, and that the proposed Project would not involve construction of any facilities or infrastructure, the proposed Project would not damage scenic resources and no impact would occur. Therefore, further analysis of this issue in an EIR is not warranted. This environmental factor will be scoped out of the Project EIR.

NO IMPACT

c, d) The proposed Project would not involve construction of facilities or infrastructure and visual features related to the AVR System's physical operations would not change (i.e. no new structures or lighting features are proposed at this time). Therefore, it would not change or degrade the existing visual character or quality of the Project Area or its surroundings. Similarly, the proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the Project Area. No impact would occur, and further analysis of these issues in an EIR is not warranted. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	■

Although agricultural activities played a prominent role in the Town's formation, the difficulties of farming in the high desert environment related to limited water supply and the pressure of urbanization have limited, and now mostly eliminated, farming activities within the Town limits (Town of Apple Valley, 2009b). The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program has designated three areas within the Project Area as Farmland of Statewide Importance, with one of these areas partially bordered by land designated as Unique Farmland. The designated land is located at the following locations:

- On the south side of Haida Road, west of Apple Valley Road;
- On the south side of Bear Valley Road, between Apple Valley Road and Deep Creek Road; and
- On the northeast corner of the intersection of Deep Creek Road and Tussing Ranch Road.

Altogether, these lands represent approximately 172 acres (California Department of Conservation, 2012).

According to the EIR for the Town's General Plan (2009b), implementation of the General Plan has the potential to convert the lands designated by the State as Farmland of Statewide Importance to residential development, with all but about 15 acres having been committed to development. As such, the potential conversion of the majority of Farmland of Statewide Importance has already been considered by the Town of Apple Valley. The EIR found that all of these lands were located on relatively small parcels, and therefore are not conducive to the long term production of agriculture (Town of Apple Valley, 2009b).

According to the EIR for the Town's General Plan (2009b), there is one Williamson Act contract in effect in the Town, located on the south side of Chickasaw Lane, east of Chamber Lane, and consisting of 1.8 acres that are not currently farmed (Town of Apple Valley, 2009b). The parcel (APN 0479-072-07-0000) is owned by AVR and has been designated as Open Space (Open Space Contract 70-2180) (County of San Bernardino, 2015). Given that this land is not currently farmed and is only 1.8 acres in size, the EIR for the Town's General Plan found that it is not of long term agricultural value (Town of Apple Valley, 2009b).

a) Implementation of the proposed Project would involve acquisition and subsequent operation and maintenance of the AVR System by the Town of Apple Valley, but would not involve construction of any facilities or infrastructure. As such, the project would not result in a change to nonagricultural use of lands mapped by the Farmland Mapping and Monitoring Program. Therefore, further analysis of this issue in an EIR is not warranted, and this environmental factor will be scoped out of the Project EIR.

NO IMPACT

b) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities; however, changes in water quality, cost, or availability could affect agricultural users, such as nurseries, if present. Although it is possible that small scale agricultural activities are located in parts of the

Project Area, the total amount of water used for irrigation was approximately 162 acre-feet within the Project Area in the 2013-14 water year, while the total water use in the Project Area over the same period was approximately 22,431 acre-feet (Apple Valley Ranchos Water Company, 2015); this represents a small proposition (less than one percent) of the total volume of water being supplied to the Town. Additionally, the only parcel in the Plan Area with a Williamson Act contract is currently unfarmed and would be part of the land acquired as part of the proposed Project; this designation would remain following acquisition of this parcel. Therefore, the proposed Project would not conflict with existing zoning or cause rezoning of land designated for agriculture, nor would it conflict with a Williamson Act contract. Further analysis of these issues in an EIR is not warranted, and this environmental factor will be scoped out of the Project EIR.

NO IMPACT

c, d) No forest or timberland is present in the Project Area. As such, no impact would occur with respect to forest land or timberland. Further analysis of these issues in an EIR is not warranted. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

e) As discussed above, the proposed Project would not result in construction of facilities or infrastructure or produce changes in the existing environment which, due to their location or nature, could result in conversion or loss of farmland to non-agricultural use. Therefore, further analysis of this issue in an EIR is not warranted, and this environmental factor will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
III. AIR QUALITY				
– Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	■	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	■	☐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
III. AIR QUALITY				
-- Would the project:				
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	■

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided. The Project Area is located within the Mojave Desert Air Basin (Basin), which is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). As the local air quality management agency, MDAQMD is required to monitor air pollutant levels to ensure that state and federal air quality standards are met and, if they are not met, to develop strategies to meet them. Depending on whether or not the standards are met or exceeded, the Basin is classified as being in "attainment" or "nonattainment." The part of the Basin within which the Project Area is located (Northern San Bernardino County) is in nonattainment for both the federal and state standards for ozone and PM_{10}, as well as the state standard for $PM_{2.5}$ (California Air Resources Board, 2013). Thus, the Basin currently exceeds several state and federal ambient air quality standards and is required to implement strategies to reduce pollutant levels to recognized acceptable standards.

Over the past few decades, a noticeable deterioration in air quality has occurred in the Town of Apple Valley and the region due to increased local development and population growth, traffic, construction activity and various site disturbances. Although air pollution is emitted from various sources locally, some of the degradation of air quality can be attributed to sources outside of the Basin, including air basins to the west and southwest. Additionally, the Town of Apple Valley is susceptible to air inversions, which trap a layer of stagnant air near the ground, where it can be further loaded with pollutants (Town of Apple Valley, 2009a).

The MDAQMD has adopted various plans that provide strategies for the attainment of state and federal air quality standards. Additionally, the MDAQMD has provided guidance for performing environmental assessments in their 2011, "California Environmental Quality Act (CEQA) and Federal Conformity Guidelines," including the following thresholds of significance:

- Generates total emissions (direct and indirect) in excess of the thresholds given in Table 1; and/or,
- Generates a violation of any ambient air quality standard when added to the local background; and/or,
- Does not conform with the applicable attainment or maintenance plan(s); and/or,

- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1.

Table 1: Emission Significance Thresholds in the Mojave Desert

Criteria Pollutant	Annual Threshold (tons)	Daily Threshold (pounds)
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO_x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO_x)	25	137
Particulate Matter (PM_{10})	15	82
Particulate Matter ($PM_{2.5}$)	15	82
Hydrogen Sulfide (H_2S)	10	54
Lead (Pb)	0.6	3

a-d) The proposed Project would not involve physical construction and would not involve any substantial changes in physical operational or maintenance activities. However, it could, as described in Section XVI, *Transportation/Traffic,* potentially lead to changes in trip generation, trip distribution, and trip length that could incrementally increase the number of vehicle miles travelled associated with operation of the AVR System, and thus also incrementally increase vehicular (mobile) air emissions, depending on where the operations yard is located. The Town of Apple Valley has yet to identify the exact location of the operations yard. However, at this time there are three options: the current AVR System operations yard, the Town of Apple Valley public works yard, or the operations yard of another public or private operator. It should be noted that the Town's existing public works yard and the AVR System operations yard are less than 0.25 miles apart, such that no significant differences in traffic circulation patterns would be expected regardless of which of these yards were used for future operations of the AVR System. Although these impacts are anticipated to be less than significant, they nonetheless will be further examined in the EIR.

LESS THAN SIGNIFICANT IMPACT

e) Since the proposed Project would not involve substantial physical construction and would not involve substantial change in physical operational or maintenance activities, it would not generate objectionable odors affecting a substantial number of people. No industrial, agricultural or other uses typically associated with objectionable odors are proposed and no impact is anticipated. Further analysis of this issue in an EIR is not warranted. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

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

In general, Apple Valley contains vegetation described by the Bureau of Land Management as Low Cover Woodlands. The most common vegetation types include Creosote Bush Scrub (mid elevations), Salt Bush Scrub (lower elevations), Mojave Mixed Woody Scrub (higher elevations), Joshua Tree Woodlands (higher elevations), and Montane Woodlands (extreme southern portion of the Sphere of Influence). Developed portions of the Town contain a considerable

amount of non-native woody plantings. Wildlife species identified throughout the area are typically associated with disturbed Creosote Scrub, Saltbush Scrub, and Mojave Mixed Wood Scrub habitats. In the Town of Apple Valley, species capable of tolerating ruderal assemblages or proximity to urban areas are common, including a variety of common invertebrate, amphibian, reptile, bird, and mammal species (Town of Apple Valley, 2009b).

In addition to common species, there are several special status plant and animal species that have potential to occur. Special status species are those identified by state, federal, or local governing authorities as threatened or endangered. Plant species include but are not limited to Booth's evening primrose, desert cymopterus, southern skullcap, and Joshua tree. Special status animal species with occurrence potential in the Town include birds such as the great horned, barn, and burrowing owls, southwestern willow, brown-crested, and vermillion flycatchers, and prairie falcon; reptiles including the coast horned lizard, arroyo toad, western pond turtle, and desert tortoise; and mammals such as the hoary and pale big-eared bats, Mojave ground squirrel, Mojave river vole, and pallid San Diego pocket mouse (Town of Apple Valley, 2009b).

Given that the General Plan Area and vicinity contain areas of valuable habitat that support special status species, these areas are protected under existing and proposed future conservation plans, including the West Mojave Habitat Conservation Plan and the Apple Valley Multiple Species Habitat Conservation Plan (MSHCP). These plans provide important guidelines and criteria for habitats by establishing requirements for the preservation and maintenance of wildlife movement corridors within the Town and vicinity. The West Mojave Habitat Conservation Plan, developed by the Bureau of Land Management, covers approximately 9.3 million acres of publicly owned land within San Bernardino, Kern, Los Angeles, and Inyo Counties, and applies to federally owned lands within its planning area (Town of Apple Valley, 2009b).

To protect habitat within the General Plan Area and address management for federally listed and other special status species occurring on private lands within the Town, the Town included measures in the General Plan and is in the process of preparing the MSHCP. The General Plan currently identifies a number of special survey areas where surveys are required prior to development activities. Species for which surveys are required as part of development applications include desert tortoise, Mojave ground squirrel, burrowing owls, Joshua trees, and/or migratory/nesting/other protected birds. The MSHCP would ensure implementation of these General Plan policies and would enable the Town to streamline the development entitlement process and permitting while ensuring protection of sensitive environmental resources (Town of Apple Valley, 2009b and 2015).

The Town also has a Native Plant Ordinance 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 whenever feasible (Town of Apple Valley, 2009b).

a-d) The proposed Project would not involve substantial physical construction of facilities or infrastructure and would not involve substantial change in physical operation or maintenance activities. It would therefore not have the potential to significantly impact species or habitats.

The proposed Project would therefore have no impact on biological resources, and the issues identified in items a) through d) do not require further analysis in an EIR. These environmental factors will be scoped out of the Project EIR.

NO IMPACT

e, f) The Town of Apple Valley has various plans, policies, and ordinances relating to the management and protection of biological resources. As discussed above, the proposed Project would have no impact on biological resources; as such it would also have no potential to conflict with these plans, policies, or ordinances. The proposed Project would have no impact in this regard, and these issues do not require further analysis in an EIR. The proposed Project's potential to conflict with any other applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed Project is analyzed in Section X, *Land Use and Planning*.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
V. CULTURAL RESOURCES				
-- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☐	■
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■

The Town has been human-occupied for thousands of years, and prehistoric and historic cultural resources have been identified in various portions of the Town as well as within the Sphere of Influence. The region has historically served as a transportation link between Southern California and inland areas along what is now U.S. Interstate 15. Apple Valley is located near what is estimated to have been the boundary between the traditional territories of the Vanyume and Serrano peoples, and is situated in proximity to the Mojave River, which would have provided the Native peoples who inhabited the area with a dependable water source as well as other resources necessary for their subsistence. The river also served as a major inter-regional trade and exchange route, and as a result there are a significant number of ancient cultural resource sites along the river. Many of the prehistoric sites in the Town contain ancient habitation debris, rock shelters and rock art panels (Town of Apple Valley, 2009b).

Surface or subsurface Pleistocene-age (1,808,000 to 11,550 years ago) soils in the Town and vicinity may have a high potential to contain significant paleontological resources; this is particularly true of the older sediments close to the Mojave River and within the area of the Apple Valley Dry Lake. Due to their relatively young age, most of the surface deposits in the Town are thought to have a low potential to contain paleontological resources. However, studies have identified nearby paleontological localities with fossil resources in similar age soil deposits as those that occur in the planning area (Town of Apple Valley, 2009b).

a-d) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities. Therefore, the proposed Project would not physically affect historical, archaeological, or paleontological resources, or disturb any human remains. The proposed Project would therefore have no impact on these cultural resources, and the issues identified in items a) through d) do not require further analysis in an EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS				
-- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	■
ii) Strong seismic ground shaking?	☐	☐	☐	■
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
iv) Landslides?	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■
c) Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	■

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS				
-- Would the project:				
d) Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property?	☐	☐	☐	■
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

The Town of Apple Valley and the region are geologically diverse due to the uplift of the San Bernardino and San Gabriel Mountains (Transverse Ranges) to the south, which results from tectonic activities associated with the San Andreas Fault. Alluvial fans extending downslope from the mountain canyons consist of coarser grained cobbles, gravels, sands, silts, and clays that decrease in size and abundance at lower elevations, near the valley floor. The more recent sedimentary deposits consist of alluvium outcroppings and tend to be associated with the Mojave River floodplain (Town of Apple Valley, 2009b).

Soils in the planning area are generally coarse grained and non-expansive, and tend to be well drained with slow runoff and moderately slow permeability. These soil types and sediment deposits make the Town and the region susceptible to hazards, including compressible or collapsible soils, subsidence, expansion, and blow sand (Town of Apple Valley, 2009b).

The geological character of Apple Valley and the surrounding region has been formed by its proximity to the San Andreas Fault system, with Apple Valley being situated between two major faults: the Mojave Desert segment of the San Andreas Fault occurs approximately 25 miles south-southwest of the Town, while the Helendale fault is located approximately 8 miles east-northeast of Apple Valley. The faults have had major earthquakes of an estimated Richter magnitude of 7.9 and 5.2, respectively. The proximity to these faults makes the Town and the surrounding region susceptible to seismically induced hazards, including groundshaking and slope instability (Town of Apple Valley, 2009b).

a-e) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities. Therefore, the proposed Project would not expose people or property to geologic, seismic, or soils-related hazards. The Project would therefore have no impact in this regard, and these issues do not require further analysis in an EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS				
-- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided. The accumulation of greenhouse gases (GHGs) in the atmosphere naturally regulates the earth's temperature. However, scientific evidence is available indicating that emissions from human activities, particularly consumption of fossil fuels for electricity production and transportation, may have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Although there are currently no federal regulations, plans or programs requiring reductions in GHG emissions that apply to the proposed Project, the State CEQA Guidelines call for feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines do not provide quantitative significance threshold, but instead give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts. The MDAQMD, which regulates air emissions in the Project Area, has adopted a GHG significance threshold of 100,000 tons per year, not to exceed 548,000 pounds per day, for use in CEQA analyses (MDAQMD, 2011). While the Town of Apple Valley has adopted a Climate Action Plan (2013) listing GHG reduction measures, the Town has not adopted specific GHG significance thresholds for use in analyses under CEQA (Town of Apple Valley, 2013).

a, b) Although the proposed Project would not involve substantial physical construction and would not involve any substantial changes in physical operational or maintenance activities, as discussed under Section III, *Air Quality*, it may incrementally increase vehicular (mobile) air emissions if employee associated trips increase in length or frequency depending on where the operations yard is located. The Town of Apple Valley has yet to identify the exact location of the operations yard. However, at this time there are three options: the current AVR System operations yard, the Town of Apple Valley's public works yard, or the operations yard of another public or private operator. It should be noted that the Town's existing public works yard and the AVR System operations yard are less than 0.25 miles apart, such that no significant differences in traffic circulation patterns would be expected regardless of which of these yards were used for future operations of the System. Although this impact is anticipated to be less than significant, it nonetheless will be examined further in the EIR.

LESS THAN SIGNIFICANT IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS				
-- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	☐	☐	☐	■
d) Be located on a site which is included on a list of hazardous material 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?	☐	☐	☐	■
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	■
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	■

There are no large quantity generators of hazardous waste in the Town, and all businesses that use, generate, transport, or store hazardous waste are required to submit a hazardous waste management business plan to the County of San Bernardino; however, there are a limited number of "small quantity generators," that use or produce hazardous materials and are required to follow applicable policies and regulations related to disposal of this waste. There are a total of three State Superfund Sites, none of which has National Priorities List status, as well as an approximately 560-acre area in the west-central portion of town that was formerly used as a practice bombing range by the U.S. Air Force, with the potential to contain hazardous materials or military munitions and explosives of concern (Town of Apple Valley, 2009b). Operation of the AVR System includes storage, use, transportation, and disposal of some hazardous materials that are required to be handled in conformance with all applicable federal, state, and local policies and regulations relating to hazardous materials.

a-c) The proposed Project would not involve substantial physical construction. As stated previously, the proposed Project would not alter physical operation and maintenance of the system, nor would it alter the level of operation and maintenance activities compared to existing operations. As such, the facilities used to store hazardous chemicals (such as chlorine for water disinfection) would not change and the potential for increased storage, transport or use of hazardous chemicals within the Town would be negligible as physical operation of the system would not substantially change as a result of acquisition by the Town.

NO IMPACT

d) As reported, the AVR System currently includes a total of 23 groundwater wells that draw from the Alto Subarea of the Mojave Groundwater Basin. The drinking water quality of the AVR System must comply with the federal Safe Drinking Water Act and its primary and secondary drinking water standards. Water quality sampling is performed at each well and within the distribution system to ensure compliance with regulatory standards. According to AVR's 2009/2010 Consumer Confidence Report & Annual Water Quality Report, hundreds of water samples from the AVR System are analyzed every month by AVR contract certified laboratories to ensure that all primary (health related) and secondary (aesthetic) drinking water standards are being met. Based on information in that report, there have been no contaminants detected that exceed any federal or state drinking water standards. AVR attributes the high water quality with the deep Alto Subarea of the Mojave Groundwater Basin, which is supplied by snowmelt from the San Bernardino Mountains to the south and the Mojave River to the west (Apple Valley Ranchos Water Company, 2010 and 2011).

NO IMPACT

e-h) The proposed Project would not involve substantial physical construction and would not involve any substantial changes in physical operational or maintenance activities. Therefore, the proposed Project would not result in any new facilities that would create a significant hazard to the public or the environment related to being located on a hazardous materials site, near an airport, or from wildland fires. For the same reasons, it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the proposed Project would have no impact in this regard, and these issues do not require further analysis in an EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
-- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	■
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering or the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	■	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	■
d) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	■
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	■
f) Otherwise substantially degrade water quality?	☐	☐	☐	■
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	■

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
-- Would the project:				
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	■
j) Result in inundation by seiche, tsunami, or mudflow?	☐	☐	☐	■

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided.

a, c-j) Because the proposed Project would not involve substantial physical construction of new facilities or infrastructure and would not involve any substantial change in physical operational or maintenance activities, it would not create any new runoff water or stormwater discharge. The proposed Project would also not alter the drainage pattern or flow velocity of stormwater at any site. As a result, the proposed Project would not have any of the potential impacts associated with such changes, such as water quality impacts, erosion, or flooding. For the same reason, the proposed Project would also not expose people or structures to flooding or inundation, including from dam failure, tsunami, seiche or mudflow. No impact would occur and these issues do not require further analysis in an EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

b) One of the objectives of the proposed Project is to provide greater local control over the rate setting process and rate increases. If this objective is realized and water rates are reduced in the long term, or do not rise as rapidly as would have occurred under the current ownership, these reduced rates could potentially increase water usage if the Town's water customers responded by increasing their water consumption. If water usage does increase, the Town, as the new water provider, could respond by increasing supply to accommodate increased demand, potentially increasing its use of groundwater. However, the EIR will further evaluate potential impacts in view of existing state mandates, Town ordinances, Regional and State Board policies, and Executive Orders that are in place for the conservation of water, including those applicable to landscaping, drought tolerant plant usage, drought restrictions, and tiered water uses. Ultimately, impacts on groundwater supplies and recharge are anticipated to be less than significant, but will be examined further in the EIR to determine what mitigation, if any, would be required.

POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED

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

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided.

a) Because the proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities, it would not have the potential to physically divide an established community. The proposed Project would have no impact in this regard and further analysis of this issue in the EIR is not warranted. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

b) The proposed Project requires no changes in land use or zoning designations. However, the proposed Project has the potential to conflict with the adopted local and/or regional policy framework. Ultimately, impacts are anticipated to be less than significant, but will be examined further in the EIR to determine what mitigation, if any, will be required.

POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED

c) The proposed Project would not involve substantial physical construction, and therefore would have no potential to conflict with habitat conservation plans or natural community conservation plans adopted by the 2009 General Plan or any other local, regional, state or federal agency applicable to the Project Area. The proposed Project would thus have no impact in this regard and further analysis of this issue in an EIR is not warranted. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

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

Mineral resources in the Plan Area occur primarily along or near the Mojave River, with the predominant mineral resources in the area being concrete aggregate materials such as sand, gravel, and stone deposits. Within the Town are two quarries; however, the current source for the majority of these minerals are located outside the Plan Area in the Mojave River flood plain or mountain ranges of the region (Town of Apple Valley, 2009b).

a, b) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities, and would therefore have no potential to result in the loss of availability of a known mineral resource or mineral resource recovery site. The proposed Project would thus have no impact in this regard and further analysis of these issues in an EIR is not warranted. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XII. NOISE				
-- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	■	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XII. NOISE				
-- Would the project result in:				
c) A substantial permanent increase in ambient noise levels above levels existing without the project?	☐	☐	■	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	■	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise?	☐	☐	☐	■

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided.

a-d) The proposed Project would not involve physical construction and would not involve any substantial changes in physical operational or maintenance activities. Therefore, the proposed Project would not directly result in substantial new noise sources from either a construction or operational standpoint. However, as described in Section XVI, *Transportation/Traffic,* the proposed Project may have the potential to lead to changes in trip generation, trip distribution, and trip length that could incrementally increase the number of vehicle miles travelled (VMT) associated with operation of the AVR System, and thus also incrementally increase vehicular noise, depending on where the operations yard is located. The Town of Apple Valley has yet to identify the exact location of the operations yard. However, at this time there are three options: the current AVR System operations yard, the Town of Apple Valley's public works yard located at 13450 Nomwaket Road, or the operations yard of another public or private operator. It should be noted that the Town's existing public works yard and the AVR System operations yard are less than 0.25 miles apart, such that no significant differences in traffic circulation patterns would be expected regardless of which of these yards are used for future operations of the System. Ultimately, these impacts are anticipated to be less than significant, but nonetheless will be examined further in the EIR.

LESS THAN SIGNIFICANT IMPACT

e, f) The airport closest to the Project Area is Apple Valley Airport, located at 21600 Corwin Road, in the northern portion of the Town. The airport is owned and operated by the County of San Bernardino and is limited to general aviation aircraft. As described in the Apple Valley Airport, Airport Layout Plan Update, the 60 dBA CNEL noise contour does not extend beyond the airport property under both the existing and future (2023) scenarios considered in that report (San Bernardino County Department of Airports, 2006). While aircraft overflights may be heard within the Town, aircraft noise does not create significant noise impacts outside the immediate area (Town of Apple Valley, 2009a).

The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities in areas subject to aircraft-generated noise. Therefore, the proposed Project would not have the potential to expose people employed to operate or maintain the AVR System to excessive aircraft-generated noise. The proposed Project would have no impact in this regard, and further analysis in an EIR is not warranted. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XIII. POPULATION AND HOUSING				
-- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Based on U.S. Census data, the population in the Town of Apple Valley grew from 46,079 in 1990, to 54,239 by 2000, and to 69,135 by 2010, a total increase of approximately 50.0 percent. In 1990, the median age in Apple Valley was 30.8 years, whereas by 2010 it had increased to 37.0 years. In 2010 there were 26,117 housing units in the Town; this figure increased from year 2000, when there were 20,161 housing units. The average household size has remained relatively constant, rising from 2.90 persons per household in 2000 to 2.91 in 2010. The median household income in Apple Valley in 2000 was $40,421, and rose by approximately 19.8 percent to $48,432 by 2013 (Town of Apple Valley, 2009b; U.C Census Bureau, 2015a&b).

a) The proposed Project would not involve substantial physical construction and would not involve any substantial change in operational or maintenance activities. As such, the proposed Project would not extend water system infrastructure in the Town and therefore would not induce indirect population growth in areas not already served by water infrastructure. Operation and maintenance of the system would be performed from an as yet undetermined location; however, operation and maintenance of the system would require approximately the same level of staff, since the size of the system would not change. Therefore, the proposed Project would not result in a change in employment in the Town. Given these factors, there would be no impact to population growth and this issue does not require further study in the EIR. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

b, c) The proposed Project would not involve substantial physical construction of facilities or infrastructure, and thus would not displace existing housing or people. The proposed Project would therefore have no impact in this regard, and does not require further study in the EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 any of the public services:				
i) Fire protection?	☐	☐	☐	■
ii) Police protection?	☐	☐	☐	■
iii) Schools?	☐	☐	☐	■
iv) Parks?	☐	☐	☐	■
v) Other public facilities?	☐	☐	☐	■

The Town offers the following public services (Town of Apple Valley, 2009b):

- **Fire:** The Apple Valley Fire Protection District provides fire protection services to the Town as well as unincorporated areas of San Bernardino County, covering over 206 square miles. There are currently seven fire stations in the District, three of which are staffed 24 hours per day. The district's staff includes 43 full-time and 15 part-time and paid call personnel (Apple Valley Fire Protection District 2015).
- **Police:** Police services to the Town of Apple Valley are provided via contractual agreement with the San Bernardino County Sheriff's Department; there are currently 55 officers and 13 general employees assigned to the Town (San Bernardino County Sheriff's Department, 2015).
- **Schools:** The Apple Valley Unified School District provides kindergarten through 12th grade public education services and facilities to the Town, operating ten elementary schools, two comprehensive high schools, and one K-12 independent study/ hybrid/ online course school. The school system serves a total of over 13,500 students (Appel Valley Unified School District, 2015).
- **Parks:** The Town of Apple Valley is responsible for the Apple Valley Park and Recreation District, and has 340.7 acres of developed public parkland and 29.1 acres of undeveloped open space at a total of 17 sites (Town of Apple Valley, 2013).
- **Library:** The Newton T. Bass Apple Valley Library of the San Bernardino County Library system is located adjacent to the Apple Valley Town Hall. The 19,142 square foot library building houses over 20,000 hardcopy books, and provides access to an online database that contains electronic periodicals, magazines, and encyclopedias (Town of Apple Valley, 2009b).

a (i-v) The proposed Project would not involve substantial physical construction. As stated previously, the proposed Project would not alter physical operation and maintenance of the system, nor would it alter the level of operation and maintenance activities compared to existing operations. As described in Section XIII, *Population and Housing*, the proposed Project would not result in direct or indirect population or employment growth in the Town, requiring provision of new or substantially altered government facilities, including for fire protection, police protection, schools, parks or other facilities. The proposed Project would therefore have no impact in this regard, and these issues do not require further study in the EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■

The Town currently provides 369.8 acres of parks and open space at 17 sites, including 6 mini-parks, 2 neighborhood parks, 3 community parks, 2 special use parks, and 4 undeveloped parks (see Table 2). The most recent addition to the Town's recreational facilities is the Apple Valley Golf Course, which was acquired by the Town at the end of 2008. This facility is located on 149.3 acres and includes an 18-hole golf course, lighted tennis courts, a pool, pro shop, sports bar, lounges and locker rooms, meeting and dining rooms and a banquet facility (Town of Apple Valley, 2013).

Table 2: Parks and Open Space in the Town of Apple Valley

Park/ Open Space	Acres	Park/ Open Space	Acres	Park/ Open Space	Acres
Corwin Park	3.7	Sycamore Rocks Park	4.1	Horsemen's Center	80.2
Lion's Park	1.6	Thunderbird Park	6.3	Cramer Family	2.8
Mendel Park	3.5	Civic Center Park	21.2	Sitting Bull	2.1
Norm Schmidt Park	2.4	James Woody Park	23.0	Standing Rock	20.0
Virginia Park	4.0	Lenny Brewster Sports Center	38.6	Stodard Wells	5.1
Yucca Loma Park	2.0	Apple Valley Golf Course	149.3	**Total**	**369.8**

Source: Town of Apple Valley, 2013.

The Town also provides a mix of recreation facilities ranging from small-scale playgrounds to large-scale aquatic facilities and community centers. These facilities include outdoor facilities such as sports fields and playgrounds, as well as indoor facilities such as meeting rooms, general activity space, an auditorium, and a gymnasium. In additional to existing amenities, the Town is continuing to develop their system of parks and open space as well as recreational facilities to further improve recreational access (Town of Apple Valley, 2013).

a, b) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities. Therefore, the proposed Project would not result in a substantial growth in population or employment in the

Town, resulting in an increase in use of existing recreational facilities such that substantial physical deterioration would occur or be accelerated or requiring the construction or expansion of such facilities. Given that the proposed Project is not expected to increase the population or employment in the Town or otherwise and any resulting need for recreational facilities, there would be no impact related to recreation, and these issues do not require further study in the EIR. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC				
-- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing a measure 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?	☐	☐	■	☐
b) 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?	☐	☐	■	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	☐	■
e) Result in inadequate emergency access?	☐	☐	☐	■
f) Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	☐	☐	☐	■

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided.

a, b) AVR currently has 39 local employees working out of its operations and maintenance facility, which is located at 21760 Ottawa Road, approximately half a mile south of Highway 18 and 300 feet east of the intersection of Navajo Road and Ottawa Road. If the proposed acquisition of the AVR System by the Town occurs, several factors, such as where the employees who operate the system live, may change. In addition, the number of employees who operate the system may also change incrementally depending on the option selected to manage the system, e.g. management by the Town, a qualified private contractor or public agency. However, the potential increase or decrease in the number of people who operate the system would not be expected to be substantially different from current conditions, given that the Project involves no physical or capacity expansions to the system and would not be expected to involve any substantial changes in physical operational or maintenance activities. It should also be noted that the Town's existing public works yard and the AVR System operations yard are less than 0.25 miles apart, such that no significant differences in traffic circulation patterns would be expected regardless of which of these yards were used for future operations of the System.

The proposed change in ownership and possible change in location of future employees could affect commuting patterns, which could lead to changes in trip distribution and trip length that could incrementally change the number of vehicle trips and vehicle miles travelled (VMT) associated with operation of the AVR System. However, as the Project would most likely not lead to a substantial increase in the number of employees required to operate the system, changes in employee trip generation would not be expected. Trip distribution and trip length would be influenced by where the system's employees live compared to the location where they would be employed, i.e. Apple Valley. In addition, trips made by operation and maintenance vehicles would continue to occur throughout the Town, though the start and end points of these trips may change, based on where the vehicle fleet is located. Overall, the size of the vehicle fleet is not anticipated to change. Given that these changes in trip length and distribution could occur there is potential for localized impairment of the circulation system or conflicts with the applicable congestion management plan depending of where operational and maintenance activities are based. Impacts are ultimately expected to be less than significant, but nonetheless will be further examined further in the EIR.

LESS THAN SIGNIFICANT IMPACT

c-f) The proposed Project would not involve substantial physical construction and would not any substantial change in physical operational or maintenance activities. Therefore, the Project would not: result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantially increase hazards due to a design feature; result in inadequate emergency access; or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The proposed Project would therefore have no impact in these areas, and further analysis of these issues in an EIR is not warranted. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

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

Additional information will be provided in the EIR. However, for purposes of initial information disclosure, the following summary is provided.

a-c, e) The proposed Project would not involve substantial physical construction and would not involve any substantial change in physical operational or maintenance activities. As described in Section XIII, *Population and Housing*, the proposed Project is not expected to result in direct or indirect population growth. However, one of the objectives of the proposed Project is to provide greater local control over the rate setting process and rate increases for the Town's water customers. If this objective is realized and water rates are reduced, or increases in price are slowed as compared to what would have occurred under the current ownership, these reduced

rates could potentially increase water usage if the Town's water customers responded by increasing their water consumption. If water usage does increase, the Town, as the new water provider, could respond by increasing supply to accommodate increased demand, potentially requiring the construction of new water treatment facilities. With an increase in water use there is also potential for increase in wastewater generation from household, commercial and industrial uses and for surface water runoff from landscape irrigation. Although impacts are anticipated to be less than significant, the EIR nonetheless will provide further analysis of potential impacts and discuss what mitigation, if any, is necessary to ensure that impacts remain less than significant.

POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED

d) For regionally significant projects (e.g., more than 500 residential units or 500,000 square feet of non-residential development), state law requires the preparation of a water supply assessment (WSA) prepared pursuant to the requirements of Senate Bill (SB) 610. Because the proposed Project does not meet the thresholds outlined in SB610, a WSA is not required. However, one of the objectives of the proposed Project is to provide greater local control over the rate setting process and rate increases for the Town's water customers. If this objective is realized and water rates are reduced, these reduced rates could potentially increase water usage if the Town's water customers responded by increasing their water consumption. If water usage does increase, the Town, as the new water provider, could respond by increasing supply to accommodate increased demand, with the potential for new or expanded entitlements to become necessary. Although impacts are anticipated to be less than significant, the EIR nonetheless will provide further analysis of potential impacts and discuss what mitigation, if any, is necessary to ensure that impacts remain less than significant.

POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED

f, g) The proposed Project would not involve substantial physical construction or increase the size of the system; therefore, the Project itself would not result in an increase in solid waste generated by operation of the water supply system. In addition, as described in Section XIII, *Population and Housing*, the proposed Project is not expected to result in direct or indirect population growth. Therefore, the proposed Project is not expected to increase solid waste generation, and no impact in this regard would occur. Further analysis of these issues in the EIR is not warranted. Therefore, these environmental factors will be scoped out of the Project EIR.

NO IMPACT

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

a) As discussed in Section IV, *Biological Resources,* and Section V, *Cultural Resources,* implementation of the proposed Project would not involve substantial physical construction or other physical changes to the environment. It would therefore not have the potential to physically impact species or habitats, nor would it have the potential to physically affect historical, archaeological, or paleontological resources, or to disturb any human remains. Therefore, no impact to biological and cultural resources would occur and these issues will not be examined further in the EIR. Therefore, this environmental factor will be scoped out of the Project EIR.

NO IMPACT

b) The proposed Project is not anticipated to result in any potentially significant environmental impacts either individually or when considered in conjunction with cumulative projects; however, the proposed Project's effects in conjunction with other past, present, and probable future projects will nonetheless be analyzed in the EIR to fully evaluate potential cumulatively considerable impacts.

LESS THAN SIGNIFICANT IMPACT

c) As discussed above, the proposed Project is not anticipated to result in any potentially significant environmental impacts. Nonetheless, potential impacts to human beings, either directly or indirectly, will be further evaluated as part of the analysis to be provided in the EIR.

LESS THAN SIGNIFICANT IMPACT

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