

Planning Commission: December 13, 2011  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CURRENT PLANNING DIVISION STAFF REPORT**  
**YUCCA VALLEY ANIMAL SHELTER PROJECT**

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**Case:**           CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT, EA 03-11, YUCCA VALLEY ANIMAL SHELTER PROJECT

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN, AS LEAD AGENCY AS DESIGNATED BY THE JPA, DETERMINED THAT ALTHOUGH THE PROJECT COULD HAVE SIGNIFICANT IMPACTS ON THE ENVIRONMENT, THE MITIGATION MEASURES INCLUDED IN THE INITIAL STUDY WILL REDUCE THE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT LEVELS. A MITIGATED NEGATIVE DECLARATION IS PROPOSED.

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**Request:**       THE ANIMAL CONTROL JOINT POWERS AUTHORITY (JPA) REQUESTS APPROVAL OF ENVIRONMENTAL ASSESSMENT, EA 03-11 AND CONDITIONAL USE PERMIT, CUP 05-11 A PROPOSAL TO DEVELOP A REPLACEMENT ANIMAL SHELTER ON APPROXIMATELY 2.16 ACRES OF A FIVE ACRE PARCEL LOCATED DIRECTLY SOUTH OF THE EXISTING YUCCA VALLEY ANIMAL SHELTER. THE REPLACEMENT ANIMAL SHELTER WILL SERVE BOTH THE INCORPORATED AREAS OF THE TOWN OF YUCCA VALLEY, AS WELL AS, THE UNINCORPORATED AREAS OF THE COUNTY OF SAN BERNARDINO. THE FACILITY WILL INCLUDE THREE (3), NEW SINGLE STORY BUILDINGS INCLUDING AN APPROXIMATELY 3,816 SQUARE FOOT ADMINISTRATION BUILDING (4,419 SQ. FT. COVERED), APPROXIMATELY 2,071 ENCLOSED SQUARE FOOT IMPOUND KENNEL (3,557 SQ.FT COVERED), APPROXIMATELY 1,354 ENCLOSED SQUARE FOOT ADOPTABLE KENNEL (2,097 SQ. FT. COVERED). TOTAL ENCLOSED AREA IS APPROXIMATELY 7,241 SQUARE FEET. PARKING AREAS WILL BE CONSTRUCTED TO ACCOMMODATE VEHICLES FOR STAFF, PUBLIC AND SHELTER VEHICLES.

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**Applicant:**   ANIMAL CONTROL JOINT POWERS AUTHORITY (JPA)  
351 N. MOUNTAIN VIEW AVENUE, 3<sup>RD</sup> FLOOR  
SAN BERNARDINO CA 92415-003

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Division Approvals:  
Engineering \_\_\_\_\_ Building & Safety \_\_\_\_\_ Public Works \_\_\_\_\_

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**Property Owner:**

TOWN OF YUCCA VALLEY  
57090 29 PALMS HWY  
YUCCA VALLEY, CA 92284

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**Representative:**

WILLIAMS ARCHITECTS, INC.  
276 N. SECOND AVENUE  
UPLAND, CA 91786

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**Location:** THE PROJECT IS LOCATED AT THE SOUTH EAST CORNER OF MALIN WAY AND PASEO LOS NINOS AND IS IDENTIFIED AS APN 0597-021-08.

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**Existing General Plan Land Use Designation:**  
THE SITE IS DESIGNATED RURAL LIVING (RL-5)

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**Existing Zoning Designation:**  
THE SITE IS DESIGNATED RURAL LIVING (RL-5)

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**Surrounding General Plan Land Use Designations:**  
NORTH: RURAL LIVING (RL-5) AND INDUSTRIAL (I)  
SOUTH: RURAL LIVING (RL-5)  
WEST: RURAL LIVING (RL-5)  
EAST: RURAL LIVING (RL-5)

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**Surrounding Zoning Designations:**  
NORTH: RURAL LIVING (RL-5) AND INDUSTRIAL (I)  
SOUTH: RURAL LIVING (RL-5)  
WEST: RURAL LIVING (RL-5)  
EAST: RURAL LIVING (RL-5)

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**Surrounding Land Use:**  
NORTH: EXISTING ANIMAL SHELTER FACILITY  
SOUTH: SCATTERED SINGLE FAMILY RESIDENCES AND VACANT LOTS  
WEST: VACANT LAND  
EAST: SCATTERED SINGLE FAMILY RESIDENCES AND VACANT LOTS

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**Public Notification:**  
PURSUANT TO SECTION 83.030115, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300)

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HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. THIS PROJECT WAS POSTED ON **TUESDAY NOVEMBER 8, 2011** AND PUBLISHED ON **WEDNESDAY NOVEMBER 10, 2011**. STAFF HAS RECEIVED ONE RESPONSE FROM A RESIDENT ON THE PROJECT.

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**OUTSIDE AGENCIES COMMENTS RECEIVED**

THE TOWN OF YUCCA VALLEY HAS RECEIVED COMMENTS FROM THE FOLLOWING AGENCIES:

1. SAN BERNARDINO COUNTY LAND USE SERVICES DEPARTMENT
2. SAN BERNARDINO COUNTY LAND USE SERVICES DEPARTMENT- COUNTY GEOLOGIST
3. SAN BERNARDINO COUNTY FIRE DEPARTMENT
4. SAN BERNARDINO COUNTY PUBLIC WORKS
5. MORONGO BAND OF MISSION INDIANS
6. MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
7. BIGHORN-DESERT VIEW WATER AGENCY

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN DETERMINED THAT ALTHOUGH THE PROJECT COULD HAVE SIGNIFICANT IMPACTS ON THE ENVIRONMENT, THE MITIGATION MEASURES INCLUDED IN THE INITIAL STUDY WILL REDUCE THE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT LEVELS. A MITIGATED NEGATIVE DECLARATION IS PROPOSED.

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**RECOMMENDATIONS:**

**ENVIRONMENTAL ASSESSMENT, EA 03-11:** That the Planning Commission approves the Mitigated Negative Declaration for Environmental Assessment, EA 03-11,

**CONDITIONAL USE PERMIT, CUP 05-11:** That the Planning Commission approves Conditional Use Permit, CUP 05-11 based on the findings contained within the staff report and the recommended Conditions of Approval.

Project Planner: Robert Kirschmann  
Reviewed by: Shane Stueckle

**Appeal Information:**

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Division of the Community Development Department. Per Section 83.030145 of the Development Code, minor modifications may be approved by the Planning Division if it is determined that the changes would not affect the findings prescribed in Section 83.030140 of the Development Code, Required Findings, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit, including modifications to phasing schedules for the project.

## I. GENERAL INFORMATION

**PROJECT DESCRIPTION:** The Animal Control Joint Powers Authority (JPA) requests approval of Environmental Assessment, EA 03-11 and Conditional Use Permit, CUP 05-11, a proposal to develop a replacement animal shelter on approximately 2.16 acres of a five acre parcel located directly south of the existing Yucca Valley Animal Shelter. The replacement animal shelter will serve both the Town of Yucca Valley, as well as the unincorporated areas of the County of San Bernardino. The facility will include three, new single story buildings including an approximate 3,816 square-foot administration building (4,419 sq. ft. Covered), approximate 2,071 enclosed square foot impound kennel (3,557 sq. ft covered), approximate 1,354 enclosed square foot adoptable kennel (2,097 sq. Ft. Covered). Total enclosed area is approximately 7,241 square feet. Parking areas will be constructed to accommodate vehicles for staff, public and shelter vehicles. The project will contain ancillary site improvements commonly associated with animal shelter operations as further described in this Staff Report and the environmental documents.

**OPERATIONS:** The Animal Care Joint Powers Authority (JPA) was formed by the County of San Bernardino (County) and the Town of Yucca Valley (Town) to provide for the financing, planning, design, construction, operation and maintenance of a replacement animal care and control facility in the Town of Yucca Valley. The facility is designed to provide animal control and shelter services to both the residents of the Town and of the unincorporated County areas. The facility will offer both traditional animal shelter and control services, as well as other educational and community service programs. Animal control and shelter services will include the following:

- Humane care of all impounded animals
- Surrender of unwanted or lost animals
- Adoption of companion animals
- Redemption of lost animals
- Education relating to responsible pet ownership
- Maximize the adoptability of companion/domestic animals
- Work with other agencies, the press and the public to reduce the number of unwanted pets

The current facility serves approximately 500 visitors and 500 phone calls per month. The monthly volume of impounded cats and dogs averages 278, with approximately 70 of these animals being redeemed by their owners or adopted. The average monthly number of animals being euthanized is 204, and approximately 14 animals per month are found dead or are brought to the Shelter for disposal. The current facility contracts for rendering services, including the lease of a walk-in freezer and the pick-up and disposal of dead animals. It is anticipated that the replacement facility will provide animal control and shelter services for approximately the same volume of animals and visitors as the existing facility provides today.

The replacement facility is planned to be staffed by 7 full-time and 1 part-time employees, as well as, 2 full time County Animal Control Officers. The facility would typically be staffed from 8 a.m. to 5 p.m., Monday through Friday. There will be staff on-call during hours the shelter is closed. The facility is anticipated to be open to the public from 12 p.m. to 5 p.m., Tuesday through Saturday. There may be other events or training that may occur on site, outside of the normal business hours. Business hours are subject to change based upon operational needs. The business hours may return to historical levels, of Monday through Friday, 8:00 am to 5:00 pm, with open business hours from 8:00 am to 5:00 pm on Saturdays. The hours of operation may be modified based upon the needs of the organization. The Shelter is anticipated to be closed to the public on Sunday's, but due to the requirements of housing animals, staff is present on the site on Sundays for cleaning, watering, feeding, vaccinations, and other daily duties not associated with serving the general public.

The JPA estimates the need to house and care for approximately 3,500 animals per year. This figure approximates the number of animals which are currently being housed and cared for at the existing facility. Based on the region's projected growth of 1% for the next 10 years, there is no significant growth impact anticipated in the animal population to be served by the replacement shelter

The replacement Animal Shelter will provide the following features and on-site facilities:

- Reception/Lobby Area
- Conference/Education/Break Room
- Laundry/Grooming Rooms
- Unisex staff shower/restroom
- Unisex public restroom
- Food Prep/Storage Rooms
- Freezer
- 30-40 adoptable dog kennels
- 30-40 impound dog kennels
- Cat isolation rooms
- Cat adoptable room
- Office Area
- Site Security Fencing
- Electrical room
- Mechanical room
- Circulation / hallways
- Animal Care Room
- General Storage/Janitorial areas
- Exterior dog exercise areas
- Lighted public and staff parking areas
- On-site landscaping and walkways
- On-site storm water retention
- Site security and general lighting

In addition to providing these services, the replacement facility will also offer the opportunity to provide for other services through the inclusion of its educational-oriented spaces/facilities which can be utilized for a wide range of uses. These multi-purpose facilities include an indoor multi-purpose conference/training room and an assortment of exterior gathering spaces which can be used for both traditional animal training/exercise uses or other community uses (such as dog training etc.)

**LOCATION:** The project is located at the south east corner of Malin Way and Paseo Los Ninos and is identified as APN 0597-021-08.

**PROJECT SYNOPSIS:**

PROJECT AREA

BUILDING AREA

PHASED CONSTRUCTION:

FLOOD ZONE

ALQUIST PRIOLO ZONE

OFF-SITE IMPROVEMENTS REQ.

ASSESSMENT DISTRICTS REQ.

RIGHT-OF-WAY DEDICATION REQ.

UTILITY UNDERGROUNDING:

**SITE COVERAGE**

Five (5) acres

Building 1 (Admin) ~3,816

Building 2 (Impound) ~2,071

Building 3 (Adoptable) ~1,354

**Total Enclosed area 7,241**

Total area under roof, including walk ways is approximately 10,073

Single Phase Construction Planned

Map 8120 Zone X, areas determined to be outside the 0.2% annual chance floodplain

Yes, Yucca Valley North Fault hazard investigation conducted and no build areas determined

Yes, all weather access on Paseo Los Ninos

No

No

All new service lines shall be underground in conformance to

	Ordinance in place at time of construction
AIRPORT INFLUENCE AREA:	Outside the Airport Influence area
TRAILS & BIKE LANE MASTER PLAN	No facilities on or adjacent to the project
PUBLIC FACILITY MASTER PLAN	The Master Plan lists this facility as Option 1 (the only option included). This allows for a more efficient layout, eliminates a need for substantial demolition and disruption to services during project construction
PARKS AND RECREATION MASTER PLAN	No park facilities are identified for this site
MASTER PLAN OF DRAINAGE:	Skyline Ranch Wash, facility S01 traverses the site from west to east through the approximate center of the site. The facility is proposed as a managed flood plain.
STATE OF CALIFORNIA STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REQUIRED:	Yes, more than 1 acre disturbed
REDEVELOPMENT PROJECT AREA:	No
STREET LIGHTS:	No
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	No
FUTURE PLANNING COMMISSION ACTION REQUIRED	No
FUTURE TOWN COUNCIL ACTION REQUIRED	No

## II. PROJECT ANALYSIS

**GENERAL PLAN CONSIDERATION:** The proposed Yucca Valley Animal Shelter is located on 2.16 acres of a five (5) acre parcel, in an area designated as Rural Living, 5 acre minimum. This designation allows for single family lots which provide sufficient area for rural life-style, animal keeping and county living.

The existing animal shelter is located on the lot directly to the north of the project site and the lot directly to the east is designated Industrial. The majority of remaining lots in the area are designated Rural Living, 5 acre minimum, which are developed with single family residences or are undeveloped/vacant. The proposed development would neither disrupt nor violate any applicable land use plan, policy, or regulation.

The General Plan Land Use Element, Public Facilities Goals Policies and Programs are as follows:

### GOAL

Maintenance of logical expansion of public services and facilities ensuring that they meet the needs of existing and future residents, businesses and visitors of the Town.

### Policy 1

Pro-actively cooperate and coordinate With all providers of utility and public safety services in the community.

### Program 1.A

Coordinate with those providers responsible for public utilities, police, fire, health, and other protection and care service in the community.

### Policy 2

Encourage the development of public services and facilities in a manner which assures adequate levels of service, while remaining compatible with existing and future land uses.

### Program 2.A

Coordinate and, as appropriate, regulate the development of public services and facilities to maximize the efficient delivery of service to the community, while assuring compatibility with surrounding land uses.

The proposed animal shelter meets the intent of the General Plan in several ways. The project is a joint effort between the Town of Yucca Valley and San Bernardino County through the Joint Powers Authority. The Town and County have been coordinating efforts and resources to provide a much needed service to the incorporated Town limits and surrounding County areas. The replacement facility will provide a more efficient use of space, time, resources and help to ensure that adequate levels of service can be provided into the future.

The project has also been designed in a way remain compatible with the surrounding land use patterns. The replacement facility will provide primarily indoor kennels and will help to reduce the noise levels over the current facilities. The building has also been designed to be an attractive addition on the area with horizontal and vertical relief Landscaping is proposed to help screen the facility for the surroundings.

Staff finds the proposed Yucca Valley Animal Shelter project is consistent with the General Plan.

**DEVELOPMENT CODE CONSIDERATION:** Ordinance 136, Residential Districts, includes the standards and permitted uses for the Rural Living, 5 acre minimum zoning designation. The District permits commercial kennels and catteries on minimum 2 acre lots, subject to the review and approval of a Conditional Use Permit. The Development Code, Ordinance 211, Additional Uses, Section 84.0401(a), allows for publicly owned or leased government facilities, such as animal shelters, to be constructed in any land use district subject to a Conditional Use Permit.

The proposed use is consistent with the Development Code.

**ENVIRONMENTAL CONSIDERATIONS:** The proposed project was reviewed under the requirements of the California Environmental Quality Act (CEQA) and an Initial Study was prepared. The Study found that all potential impacts could be mitigated to less than significant levels. A Mitigated Negative Declaration is recommended.

Greenhouse Gas and Air Quality Studies were prepared for the project and those potential impacts are addressed within the Initial Study. A native plant inventory was conducted for implementation of the Town's native plant regulations.

Grading of the site has been minimized to take advantage of the existing terrain. The southern portion of the site includes a natural drainage course (blue line stream) and steep topography. These areas will remain in their natural state. The only disturbance to the area will be relocating native plants into portions of the area to remain in their natural condition.

The new parking lot and paved areas will result in an increase of approximately 0.8 acres of impervious surface; this new pavement will alter site drainage and increase the rate or amount of surface runoff by less than 1 cubic feet per second (cfs) (100-year storm frequency). The parking lot construction includes the addition of a retention basin within the area to the south to prevent flooding and protect water quality.

The Site is located within an Alquist Priolo Special Study area. This means that faults occur on or in close proximity to the site. A fault-hazard investigation was completed to determine the location of any faulting and where buildings could be located. A general biological assessment, a focused desert tortoise survey, and a habitat assessment for the western burrowing owl were prepared for the site. These studies determined that desert tortoise and burrowing owl were absent from the site and adjoining areas. Mitigation measures have been put in place to reduce impacts to biological resources.

A blue line stream crosses the property at approximately midway between the northern and southern property lines. A blue line stream is any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations. The project, as proposed does not encroach into the existing blue line stream. Encroachment into the blue line stream may require clearances from the U.S. Army Corps of Engineers (404 Permit) and the California Department of Fish and Game (1604 Permit).

**ADJACENT LAND USES:** The site is located in a Rural Living, 5 acre minimum lot size zoned area with industrial designations directly to the east of the existing animal shelter. The property directly to the north of the proposed project houses the existing Yucca Valley Animal Shelter. The property to the west is vacant. The properties to the south include both a vacant parcel and a developed parcel with a single family residential dwelling unit zoned RL-5. The property to the east is developed with a single family residential dwelling. The property to the northeast is undeveloped and zoned Industrial. The area is rural in nature with primarily low density, single family dwellings on 5 acre lots.

**SITE CHARACTERISTICS:** The project site is currently vacant. The northern portion of the site has a gentle slope from north to south, where an intermittent natural drainage course traverses the site. From the natural drainage course south, the site gains significant elevation and is proposed to remain undisturbed. The area of disturbance includes 98 Joshua Trees and four (4) junipers. In order to conduct the required fault trenching investigation Native Plant Permit, NPP 33-11 was issued to relocate 13 Joshua trees on site and to destroy three Joshua trees, which were dead, damaged or diseased. Of the remaining Joshua trees 43 will be relocated into the landscaping and undisturbed area, while nine (9) will be removed due to disease, size, or damage.

**BUILDING ELEVATIONS:** The proposed project is designed to blend in height with the surrounding development patterns. The height of the structures will not exceed 21' 2", similar to the height of a single family residence. The buildings are all single story. The RL-5 zone allows for multi-storied single family residential structures to a height of 35' by right. The buildings are proposed to consist of various metals and/or stucco which together will provide both horizontal and vertical relief. The roof will include a metal standing seam roof. Proposed colors include natural metal (greys) and reds.

**ROADWAY IMPROVEMENTS:** The proposed project is bounded by Malin Way to the west and Paseo Los Ninos to the north. Malin Way is improved with pavement and curbing from Skyline Ranch Road to the existing animal shelter and is maintained by the

Town of Yucca Valley. These improvement levels are appropriate for a Rural Living land use district within the Town.

As the Commission will recall from the joint meeting with the Town Council on the Development Code update, a significant amount of the meeting saw discussion on how the Town would address public infrastructure development standards in the low density, desert character (Rural Living Zoning) areas of the community. Based upon the discussions at the joint meeting, this project has been designed to minimize the intensity of infrastructure and on-site improvements to a level that is appropriate, for the specific use, in the Rural Living/desert character areas of the community. As a public facility, Malin Way provides paved access to the proposed Shelter. Paseo los Ninos is recommended to be an all-weather access, as the use of Paseo los Ninos to access the facility as proposed is limited to employees, volunteers and service providers, such as Waste Management and the rendering service. Parking lots are proposed as decomposed granite instead of asphalt paving in order to reduce storm water runoff as well as minimizing on-site infrastructure to a more appropriate level for these types of areas within the community. As other development projects will potentially be proposed for these areas in the future, each project will need to be reviewed individually for determining appropriate levels of on and off site infrastructure.

**ASSESSMENT DISTRICTS:** No assessment districts are recommended as part of this project as this is a planned public facility.

**CONDITIONAL USE PERMIT DISCUSSION:** The Animal Control Joint Powers Authority (JPA) requests approval of Environmental Assessment, EA 03-11 and Conditional Use Permit, CUP 05-11, a proposal to develop a replacement animal shelter on approximately 2.16 acres of a five acre parcel located directly south of the existing Yucca Valley Animal Shelter. The replacement animal shelter will serve both the Town of Yucca Valley, as well as, the unincorporated County areas. The facility will include three, new single story buildings including an approximate 3,816 square foot administration building (4,419 sq. Ft. Covered), approximate 2,071 enclosed square foot impound kennel (3,557 sq. ft covered), approximate 1,354 enclosed square foot adoptable kennel (2,097 sq. Ft. Covered). Total enclosed area is approximately 7,241 square feet. Parking areas will be constructed to accommodate vehicles for public parking as well as staff parking and service vehicles.

Ordinance 136, Residential Districts includes the standards and permitted uses for the Rural Living, 5 acre minimum designation. The District permits commercial kennels and catteries on minimum 2 acre lots, subject to the review and approval of a Conditional Use Permit. The Development Code, Ordinance 211 Additional Uses section 84.0401(a) allows for publicly owned or leased government facilities, such as animal shelters to be constructed in any land use district subject to a Conditional Use Permit.

The proposed use is consistent with the Development Code.

**CIRCULATION:** Access to the site is from SR 247 to Skyline Ranch Road and Malin Way. Additional access exists off of SR247 via Terra Vista and Palm Avenue to Paseo Los Ninos. The area was previous subdivided into five (5) acre government lots. In order to assure access and utility connections, each of the five (5) acre lots have patents of typically 30' to 33' in width along all property boundaries.

Public improvements include driveway approaches. There will be two main parking areas. The public parking is located along Malin Way and includes 11 standard parking stalls and one (1) handicap stall. Employee parking will be located off of Paseo Los Ninos and can be accessed via two (2) driveways. A total of 19 employee parking stalls are provided, including one (1) handicap stall. In addition 4 other unimproved employee stalls will be provided.

**FLOOD CONTROL/DRAINAGE:** The project site includes a natural drainage course (intermittent blue line stream) which runs west to east, in approximately the center of the site. The Master Plan of Drainage shows facility S01, following the blue line stream. The master plan calculates the flow in a 100 year event at 1,376 cfs at a three (3) foot depth. No disturbance is proposed in the wash or within 30' of the edge of the natural drainage course.

A blue line stream is any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations. The project, as proposed does not encroach into the existing blue line stream. Encroachment into the blue line stream may require clearances from the U.S. Army Corps of Engineers (404 Permit) and the California Department of Fish and Game (1604 Permit).

Development of the project site is in excess of one acre; therefore, the proposed project is required to obtain approval under an NPDES General Construction permit. The implementation of NPDES permits ensures that a state's mandatory standards for clean water and the federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. Required elements of an SWPPP include (1) site description addressing the elements and characteristics specific to the project site; (2) descriptions of BMPs for erosion and sediment controls; (3) BMPs for construction waste handling and disposal; (4) implementation of approved local plans; and (5) proposed post-construction controls, including a description of local post-construction erosion and sediment control requirements. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in stormwater runoff.

On-site retention facilities will be constructed to capture incremental increase in storm water run-off. All incremental flows, plus a minimum of 10% above the incremental increase, shall be retained by the project.

**UTILITIES:** The extension of utilities to and on-site will be necessary, including electricity, fire suppression equipment, telephone, and associated improvements. Electricity, phone, and water are located near the site. There is no natural gas in the area, and therefore if necessary propane may continue to be utilized as currently occurs at the existing facility.

Electrical services are provided by Southern California Edison. Electrical service is available at the site, as there are existing overhead electrical facilities running parallel to Paseo los Ninos as well as west of the project site. Services to the site, as required by Town Ordinance, shall be placed underground. The project will benefit from reduced utility consumption and energy charges to have three (3) phase electrical service. Three phase electrical service is approximately 2 to 3 spans away from the site on existing Edison poles. The Hi-Desert Water District (HDWD, District) serves the Town of Yucca Valley with groundwater from the Warren Valley Basin and Ames/Means Valley Basin. An 8 inch PVC main is present in Malin Way, while a 6" steel main is located in Paseo los Ninos.

Solid waste services are provided by Burrtec Inc. The closest landfill is located approximately 20 miles north of the Town of Yucca Valley and is the Landers Landfill. The Landers Landfill is owned by San Bernardino County and operated by Burrtec. The Town of Yucca Valley requires mandatory solid waste services and the project will be served by Burrtec.

**LANDSCAPING:** A conceptual landscape plan has been provided. The Plan includes 4 relocated Joshua Trees (into disturbed area), and various shade and accent trees, shrubs, and groundcovers. The remaining Joshua Trees will be relocated once and into the undisturbed area. A final plan is required to be reviewed and approved by both the Town and the Hi-Desert Water District. Not all of the options shown in the planting palette will be included in the final design. The Town will provide as much xeroscape landscaping as possible in order to help conserve water and continue with the desert character present on the site today. Staff will also be working to ensure the greatest number of Joshua Trees will be relocated on site.

**WALLS/FENCES:** The site will be secured by chain-link fencing on at least a portion of all four (4) sides. This will help to keep any loose dogs contained, while keeping the site secure. Other walls will be constructed onsite to help screen the adoptable dogs from the impound area.

**CONCLUSION:** The proposed project is consistent with both the General Plan and Zoning designations assigned to it. The project has been reviewed under CEQA, and it has been determined that although the project could have significant impacts, these could all be mitigated to less than significant. The findings for approval can be made.

## **CONDITIONAL USE PERMITS FINDINGS:**

1. The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;

*The Yucca Valley Animal Shelter has been designed to minimize site disturbance to the greatest extent possible, while ensuring the facility was designed to serve current and future needs. The buildings will be clustered on the northern portion of the site. The site is located away from any densely populated areas, while designed to minimize the impacts to the surrounding neighbors. The proposal is consistent the General Plan, the Development Code, development policies and Town standards. The project is the replacement of the existing animal shelter facility, located immediately north of the proposed site. The General Plan and Development Code allow, with the issuance of a Conditional Use Permit, for the construction of both private and public kennel facilities in RL land use districts.*

2. The location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;

*The location, size design and architectural design features have been designed to blend into the area. Maximum structure height will not exceed 21' 2", while the Development Code allows a 35' in height single family residential structure by right. The project is proposed on the northern portion of the site, on the most level portion of the lot and away from the intermittent blue line stream. The facility has been divided into three smaller buildings to minimize the bulk and scale of a large, single, public building to surrounding properties. The colors are designed to blend the facility into the natural setting, and landscaping will buffer and soften the site development from surrounding lands.*

3. The proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;

*The proposed development produces compatible transitions in scale, bulk, coverage, density and character. The buildings have been designed to blend and enhance the surround developments. Maximum structure height will not exceed 21' 2", while the Development Code allows a 35' in height single family residential structure by right. The project is proposed on the northern portion of the site, on the most level portion of the lot and away from the intermittent blue line stream. The facility has been divided into three smaller buildings to minimize the bulk and scale of a large, single, public building*

*to surrounding properties. The colors are designed to blend the facility into the natural setting, and landscaping will buffer and soften the site development from surrounding lands. Development of the site has significant separation from adjoining lands. Development to the south is approximately 650 feet away, to the east is approximately 250 feet away, and to the west is greater than 600 feet away. The proposed buildings are 58' from the west property line (33' right of way for Malin Way, 25' building setback), 102' from the north (33' right of way for Paseo Los Ninos, min 50' building setback), and 70' for the kennel building along the eastern property line, and more than 230' along the southern property line. The project is designed similar to many single family residential sites within the Town, with separation between the primary and secondary detached structures, minimizing the appearance and visual impacts of large single purpose buildings on the neighborhood.*

4. The building site and architectural design is accomplished in an energy efficient manner;

*The Buildings have been designed to be as energy efficient as possible. Large roof overhangs are proposed to help provide shading from the sun. Windows will be provided in the kennels to allow natural light and can be opened to allow the exchange of air between the interior and exterior of the buildings. The buildings are design under current Title 24 energy conservation standards and regulations. Natural lighting, skylights, and windows have been incorporated into the project design to minimize energy consumption.*

5. The materials, textures and details of the proposed construction, to the extent feasible, are compatible and consistent with the adjacent and neighboring structures;

*The materials, textures and details of the project are compatible and are an enhancement to the adjacent and neighboring structures. Maximum structure height will not exceed 21' 2". The Development Code allows a 35' in height single family residential structure by right. The materials will consist of various metals assembled to complement each other. Awnings/sun shades will be provided along the front or west wall of the administration building. The southwest corner of the administration building will also have an entry statement and decorative wing wall for added interested. A covered patio area is provided at this corner, which is also designed to screen the building from the sun. The materials proposed are all compatible and consistent with the adjacent and neighboring structures and would be permitted for any new single family residence.*

6. The development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;

*The proposed development has been designed as a one story structures. The site will be surrounded by chain link fencing, instead of block walls to better blend into the residential character of the area and to allow the feeling of openness. The facility has been divided into three smaller buildings to minimize the bulk and scale of a large, single, public building to surrounding properties. Generally, the site is lower in elevation than surround properties. The elevation of surrounding sites, the construction of one story, 21' 2" tall buildings and proposed landscaping will ensure that the proposed development will not unnecessarily block views from other buildings or public ways.*

7. That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;

*The project meets and exceeds the requirements of the Development Code. The project includes landscaping, lighting, hardscape improvements, on-site water retention. Further, the project proposes to leave approximately 57% of the site undisturbed. The proposed buildings are 58' from the west property line (33' right of way for Malin Way, 25' building setback), 102' from the north (33' right of way for Paseo Los Ninos, min 50' building setback), and 70' for the kennel building along the eastern property line, and more than 230' along the southern property line. Development to the south is approximately 650 feet away, to the east is approximately 250 feet away, and to the west is greater than 600 feet away.*

8. The quality in architectural design is maintained in order to enhance the visual desert environment of the Town and to protect the economic value of existing structures;

*The administrative building, located along Malin way is the most visible building of the project. This building has been designed to include horizontal and vertical relief, covered awnings, roof overhang and various materials to add architectural interest to the building. The materials, textures and details of the project are compatible and are an enhancement to the adjacent and neighboring structures. Maximum structure height will not exceed 21' 2". The project is proposed on the northern portion of the site, on the most level portion of the lot and away from the intermittent blue line stream. The materials will consist of various metals assembled to complement each other. Awnings will be provided along the front or west wall of the administration building. The southwest corner of the*

*administration building will also have an entry statement and decorative wing wall for added interested. A covered patio area is provided at this corner, which is also designed to screen the building from the sun.*

9. There are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;

*The proposed project is a replacement is a public facility, a replacement animal shelter. The project will provide facilities and services necessary for the public. Utilities, such as water and electric exist in the area and Malin Way has been recently improved to help serve the existing animal shelter and surrounding residents. This project will provide updated facilities to help provide more efficient service to the public. The High Desert Water District has an 8 inch PVC main in Malin Way, and 6" steel main located in Paseo los Ninos. The project will benefit from reduced utility consumption and energy charges to have three (3) phase electrical service. Three phase electrical service is approximately 2 to 3 spans away from the site on existing Edison poles.*

10. That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;

*The proposed project will improve circulation on and around the site. The new shelter will provide adequate parking for both visitors to the shelter and employees. As exists today, offsite parking will not be necessary and the site circulation will be able to facilitate movements entirely outside of roadway areas. Access to the site is from SR 247 to Skyline Ranch Road and Malin Way. Additional access exists off of SR247 via Terra Vista and Palm Avenue to Paseo Los Ninos. The area was previous subdivided into five (5) acre government lots. In order to assure access and utility connections, each of the five (5) acre lots have patents of typically 30' to 33' in width along all property boundaries. Public access to the site will be off of paved Malin Way. There will be parking for 12 customers including one handicap space. Employee access will be via two (2) driveways proposed on Paseo Los Ninos. There are 20 improved employee spaces proposed, including one handicapped and four (4) dirt.*

11. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;

*The project is replacing the existing animal shelter. No significant additional impacts are expected to be generated by the construction of the project and surrounding roads will not experience significant additional impacts as there are no planned changes to trip generation created by the project.*

12. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;

*The project is replacing the existing animal shelter. Traffic counts on Skyline ranch Road west of SR247 have been decreasing since 2007. The Average Daily Trips (ADT) in June 2007 were 922; June 2008, 899; June 2009, 882; and June 2010, 788. Since the project is replacing the existing shelter no additional traffic is projected to be generated by the new facility. No significant additional traffic or circulation impacts are projected to be generated by the construction of the project and surrounding roads will not experience significant additional impacts.*

13. There will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;

*An Initial Study was completed for the project that found that the impacts to Biological Resources would be less than significant with mitigation measures. A general biological assessment, in addition to a focused desert tortoise survey and a habitat assessment for the western burrowing owl were prepared for the site. These studies determined that tortoise and burrowing owl were absent from the site and adjoining areas. Mitigation measures have been put in place to reduce impacts to biological resources. Approximately 57% of the five (5) acre project site will remain undisturbed and in its natural state. Therefore, the project will not have significant harmful effects upon the environmental quality and is consistent with the General Plan.*

14. There are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;

*An Initial Study was prepared for the project. All negative impacts of the proposed use have been mitigated to a level that is less than significant.*

15. The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed

development, and the conditions under which it would be operated or maintained will not be considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity or be contrary to the General Plan; and

*An Initial Study was prepared for the project. All negative impacts of the proposed use have been mitigated to a level that is less than significant. There will be no impacts to the public health, safety, and welfare of the community.*

16. The proposed development will comply with each of the applicable provisions of the Development Code, and applicable Town policies, except approved variances.

*The project, as proposed complies with all applicable provisions of the Development Code and applicable Town policies. No variances are requested or required for the project.*

**Attachments:**

1. Standard Exhibits
2. Notice of Intent
3. Initial Study
4. Application materials
5. Site Plan
6. Comment letters
7. Notice of Hearing

**TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS OF APPROVAL  
YUCCA VALLEY ANIMAL SHELTER PROJECT**

Conditional Use Permit, CUP 05-11 is for the development of a replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter. The replacement animal shelter will serve both the Town of Yucca Valley, as well as unincorporated areas of the County. The facility will include three, new single story buildings including an approximate 3,816 square foot administration building (4,419 sq. Ft. Covered), approximate 2,071 enclosed square foot impound kennel (3,557 sq. ft covered), approximate 1,354 enclosed square foot adoptable kennel (2,097 sq. Ft. Covered). Total enclosed area is approximately 7,241 square feet. Parking areas will be constructed to accommodate parking for staff, public and shelter vehicles.

The project is located at the south east corner of Malin Way and Paseo Los Ninos and is identified as APN 0597-021-08.

**GENERAL CONDITIONS**

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Conditional Use Permit shall become null and void if construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

**Approval Date: December 13, 2011  
Expiration Date: December 13, 2014**

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project area. These include, but are not limited to, Environmental Health Services, Transportation/Flood Control, County Fire Warden, Building and Safety, State Fire Marshal, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.
- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time shall result in the revocation of the approval on the property.
- G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utility companies. The approved permits shall be readily available on the job site for inspection by Town personnel.
- G6. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or electrical inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G7. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
- G8. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G9. During construction, the applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.
- G10. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way.
- G11. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall

retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).

- G12. If phasing is proposed, each phase of a phased project shall function independently of all other phases. All improvements shall be completed for each phase to ensure that each phase functions separate from the remainder of the project, and shall include, but not be limited to, street improvements, wastewater collection, treatment and disposal, drainage and retention/detention facilities, water delivery systems, fire suppressions systems, post construction erosion and sediment control systems, all utilities necessary to serve the project, and those improvements deemed necessary by the Town. All phasing plans shall be illustrated on rough and precise grading plans, erosion and sediment control plans, all plans required for obtaining native plant plan approval, and on any other plan as deemed necessary by the Town.
- G13 **One sign, facing Malin Way** shall be posted on the site and must contain the following information: the grading permit number, the project name, map number (if appropriate), the authorized dust controller phone number(s), the Town phone number and the Mojave Desert Air Quality Management District (MDAQMD) phone number. The signs must be obtained and installed by the developer using the sample format to be provided. The Applicant must keep the contact name and phone number active and current at all times. Failure of the contact system may be considered grounds for revocation of the permit. All signs shall be a minimum of 4' x 8' in size.
- G14. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents
- G15. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.
- G16. Prior to the issuance of a Certificate of Occupancy all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.
- G17. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.

- G18. Prior to any work being performed within the public right-of-way, the Applicant shall provide the name, address, telephone, facsimile number, and e-mail address of the Contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, shall be provided and such other details as may be required by the Town Engineer.
- G19. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.
- G20. Prior to issuances of building permits, all site plans, grading plans, landscape and irrigation plans, drainage/flood control plans, public improvement plans, composite development plans, erosion and sediment control plans, and assessment district plans and formations shall be coordinated for consistency with this approval.
- G21. The Town Engineer may allow phased construction of the project provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to the issuance of a Certificate of Occupancy for that phase.
- G22. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.
- G23. If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Town before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.
- G24. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.

- G25. The street design and circulation pattern of this project shall be coordinated with adjoining developments.
- G26. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.
- G27. If phasing is proposed, a construction-phasing plan for the construction of on-site public and private improvements shall be reviewed and approved by the Town Engineer prior to the approval of the project grading plan. The Town Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area the project if the improvements are needed for circulation, parking, access, or for the welfare or safety of future occupants of the development.
- G28. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
- G29. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.
- G30. For any import or export of material, the applicant shall provide the route of travel, estimated cubic yards of import/export, number of trucks, daily schedule, and length of time necessary to complete the import/export of materials to/from the site. No hauling of material shall occur prior to approval by the Town Engineer.

## **PLANNING CONDITIONS**

- P1. The development of the property shall be in conformance with FEMA requirements and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely

affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.

- P2. Utilities shall be placed underground in conformance to the Ordinance in effect at time of construction.
- P3. All exterior lighting shall comply with the Ordinance in effect at time of construction and shall be illustrated on all construction plans.
- P4. A **final** plan identifying all protected plants as well as a Native Plant Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of any construction permits, including grading and utility installations, for the project. The applicant shall make every effort to relocate the regulated native plants back onsite. The adoption of native plants shall be consistent with the Native Plant Ordinance in effect at the time of grading permits.
- P5. **All mitigation measures identified in the Initial Study and included in the Mitigation Monitoring Program are included as conditions of approval by this reference.**
- P6. Prior to the issuance of any permits the Applicant shall provide three (3) copies of a landscape and irrigation plan showing the size, type and location of all plant and irrigation systems. Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. This shall include but not be limited to drought-tolerant plant materials or colored desert rock. The Landscape Plan shall be approved by Hi-Desert Water District.

## **ENGINEERING CONDITIONS**

- E1. **The project shall provide retention for the incremental storm flows generated during the worst case 100 year storm event plus an additional 10% minimum, and 20% incremental retention is desired. A hydrology study shall be provided detailing the retention amounts required.**
- E2. **Development and/or disturbance shall not be allowed within 30 feet of the existing wash. Prior to any construction, flagging shall be placed to delineate the wash limits.**
- E3. A licensed civil engineer or land surveyor shall survey and certify that the rough grading was completed in substantial conformance with the approved Rough Grading Plans. Prior to the issuance of any building permits the project

Engineer shall certify the finished lot was graded in conformance to approved plans.

- E4. Prior to the issuance of a **Grading Permit** for the onsite areas, a Grading Plan, including rough and precise grading plans, prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town prior to any grading activity. The Grading Plans shall be reviewed and approved by the Town Engineer prior to issuance of grading permits. The Applicant is responsible for all fees incurred by the Town.
- E5. A licensed civil engineer or land surveyor shall survey and provide pad certification for each individual building pad prior to issuance of building permits.
- E6. Prior to the issuance of Permits, the Applicant shall comply with the recommendations of a site-specific Geotechnical and Soils Report which shall be reviewed and subject to Town approval. The report shall include recommendations for any onsite and offsite grading, foundations, compaction, structures, drainage, and existence of fault zones. It shall include recommendations for retention basins, slope stability and erosion control. The Geotechnical and Soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, when necessary and opinions and recommendation covering the adequacy of sites for development. The report shall identify if the site contains any areas susceptible to landslide risk, liquefaction potential and/or subsidence potential on the project site. The report shall identify and include the location of major geologic features, topography and drainage, distribution and general nature of rock and soils, a reasonable evaluation and prediction of the performance of any proposed cut or fill in relation to geological conditions, and the capability of soils and substrata to support structures.
- E7. All recommended approved measures identified in the Geotechnical and Soils Engineering report shall be incorporated into the project design.
- E8. When a development is constructed in phases, each phase of the development shall function independent of the others. Retention basin(s) shall be constructed and functional prior to the issuance of Building Permits for any structure within that phase of the project. The applicant shall provide on-site retention for the incrementally larger flows caused by each phase of development of the site, pursuant to a final drainage report, subject to approval by the Town Engineer.
- E9. A **final** drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site. The retention basin size will be determined, per County of San Bernardino Flood Control methodology, such that the incremental 100 year 24-hour storm volume, plus 10% minimum, 20% desired, is retained on-site.
- E10. Basin(s) shall be designed to fully dissipate storm waters within a 48 hour period.

- E11. Prior to acceptance and final construction approval, all retention/detention basins shall be certified by a civil engineer that all retention/ detention basins have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved final drainage report for the project.
- E12. Prior to acceptance or final construction approval, all drainage systems, both public and private, shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved final drainage report(s) for the project.
- E13. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.
- E14. All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.
- E15. Prior to issuance of a grading permit, a Fugitive Dust and Erosion and Sediment Control Plan shall be submitted and approved by the Town Engineer. The Fugitive Dust and Erosion and Sediment Control Plan shall be illustrated on all proposed phasing plans for construction of the project.
- E16. A Notice of Intent to comply with Statewide General Construction Stormwater Permit (Water Quality Order 2010-0009-DWQ as modified July 1, 2010 or as otherwise updated by the Board) is required for the proposed development via the California Regional Water Quality Control Board (phone no. 760-346-7491). A copy of the executed letter issuing a Waste Discharge Identification number shall be provided to the Town prior to issuance of a grading permit. Applicant shall comply with NPDES requirements as applicable. The Applicant shall install devices on his property to keep erodible material, rocks, and gravel on the site. Three copies of the SWPPP submitted to the CRWCB shall be submitted to the Town.
- E17. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.
- E18. **Areas for Construction stockpiling, equipment storage and maintenance shall be submitted to the Town Engineer for review and approval with each phase (if any) of the project.**
- E19. The Applicant shall restore any pavement cuts required for installation or extension of utilities for his project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a

grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with full-depth asphalt concrete recommended by the Soils Engineer.

- E20. In conjunction with rough grading plan submittal for plan check, street plans prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town. The final street plans shall be reviewed and approved by the Town Engineer
- E21. Street improvements **for each phase (if any)** shall be completed, approved, and certified by a civil engineer as constructed in substantial conformance with the approved plans, and accepted by the Town of Yucca Valley prior to issuance of a certificate of occupancy for any structures **for each phase (if any)** of the project.
- E22. The Applicant shall install all water and sewer systems required to serve the project. All water and sewer systems shall be completed to the requirements of the Hi Desert Water District. The location of the septic system shall be shown on the project grading plans.
- E23. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The Applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The Applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the Applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.
- E24. The Applicant shall be responsible for all improvements constructed within the public right-of-way as required by the conditions of approval. The improvements shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall be replaced. The applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.
- E25. The wastewater collection and treatment system shall be maintained so as not to create a public nuisance and shall be serviced by a maintenance company approved by the Regional Water Quality Control Board. The wastewater collection and treatment system shall be approved by the Regional Water Quality Control Board and functional prior to the issuance of grading permits for the project.
- E26. All improvement plans shall be designed by a Registered Civil Engineer.
- E27. Any area which remains undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers or a desert wildflower mix hydroseed

on the affected portion of the site, or methods identified within the SWPPP, subject to Town Engineer approval.

- E28. The Applicant shall be responsible for inspection, modification, and proper maintenance of the erosion control devices as necessary. If the Applicant fails or refuses to properly maintain the erosion control devices, the Town Engineer may cause emergency maintenance work to be done in order to protect potentially impacted property. The cost shall be deducted from the erosion control security posted for the project and shall include all costs related to the emergency maintenance including initial mobilization and performance of the work in addition to applicable administrative costs.
- E29. If construction of erosion control systems outside of the project boundaries is necessary, permission to construct such systems from the owner of such off-site property is required. Plans for the off-site system shall be included with the on-site plans submitted to the Town Engineer. The plans for the off-site erosion control system shall include permission to grade and maintain the erosion control system from all affected property owners and letters of clearance and/or permits from all appropriate governmental entities.
- E30. The Applicant shall submit a post construction erosion and sediment control plan which identifies and illustrates all necessary improvements to prevent the movement and or loss of any soil and sediment materials from the project site, including all individual lots for construction of habitable structures, all slope banks, and all areas of the site capable of resulting in the deposit of soils and sediments with the street or storm drain system. The post construction erosion and sediment improvements shall be certified by a civil engineer that they were constructed in substantial conformance with the approved plans and specifications.
- E31. Drainage easements, when required, shall be shown on the grading plan and separate legal descriptions and plats prepared delineating the location of the easements.
- E32. Private drainage easements for cross-lot drainage shall be dedicated by separate instrument and delineated on the grading plan.
- E33. A construction area traffic control plan, including temporary and final permanent striping, shall be designed by a registered Civil Engineer or Traffic Engineer for review and approval by the Town Engineer for any street construction, closure, detour or other disruption to traffic circulation.
- E34. All permanent street closures must be approved by Town Council action.
- E35. Unless approved by the Town Engineer the project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patters with

respect to tributary drainage area and outlet points. Lot lines shall be located at the top of slopes. The Applicant shall accept and properly dispose of all off-site drainage flowing onto or through the site.

- E36. Improvement plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the Town Engineer.
- E44. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the **title of the property, and included in the information presented to any future tenants.** "The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

## **BUILDING AND SAFETY CONDITIONS**

- B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:
- The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and
  - Fire hydrants are accepted/approved by the County Fire Department and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.
- B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval.
- B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.
- B4. Prior to final inspection, all required improvements shall be constructed and finalized and accepted by the appropriate agency prior to the issuance of a Certificate of Occupancy.

## **FIRE CONDITIONS**

- F1. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
- F2. The Applicant shall be responsible for all fees required by San Bernardino County Fire Department.
- F3. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site.
- F4. This project is required to have an approved street name sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
- F5. Prior to issuance of a Certificate of Occupancy, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with County Fire Department Requirements.
- F6. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.

## **MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT CONDITION**

- MD The applicant shall comply with the provisions of District Rule 403, Fugitive Dust.

## **HIGH DESERT WATER DISTRICT CONDITIONS**

- H1. Water and sewer improvement plans and plan check fees shall be submitted for review and approval prior to issuance of a building permit
- H2. Landscape plans shall be submitted in accordance with Hi Desert Water District Landscape Ordinance Package if total landscape area exceeds 500 square feet and a separate landscape meter will also be required.

- H3. It is recommended that the developer schedule a meeting with HDWD to discuss project water demand and fire flow requirements in the planning stages
- H4. Reduced pressure (RP) backflow devices shall be required for all water connections.
- H5. The fire sprinkler supply service shall be separate from the domestic and landscape services.
- H6. All onsite water mains shall be private.
- H7. An agreement for water service shall be approved by HDWD Board of Directors prior to construction.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-COLORADO RIVER BASIN CONDITIONS**

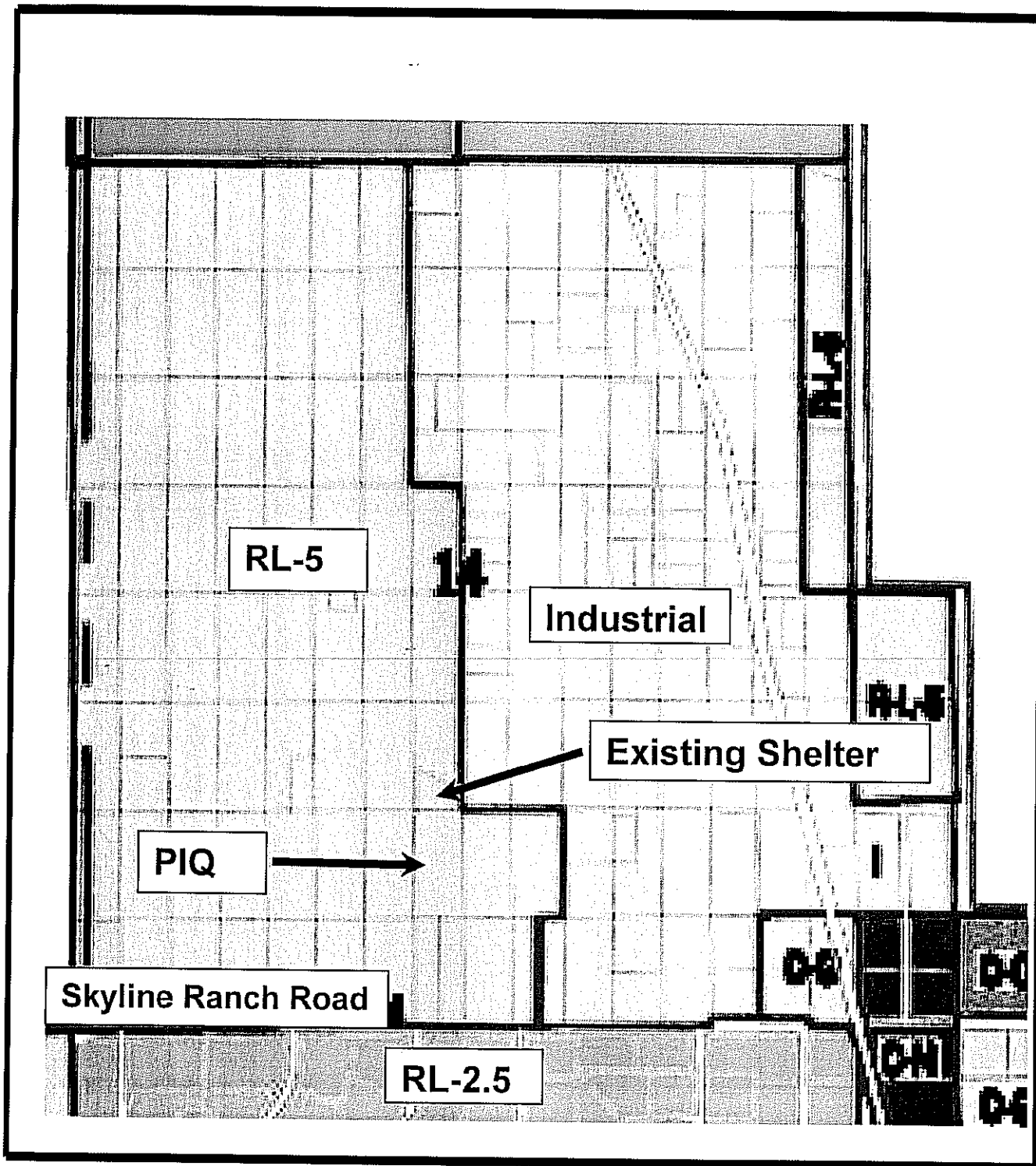
WQ1. The applicant shall comply with all regulations and requirements as established by the board.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

# TOWN OF YUCCA VALLEY

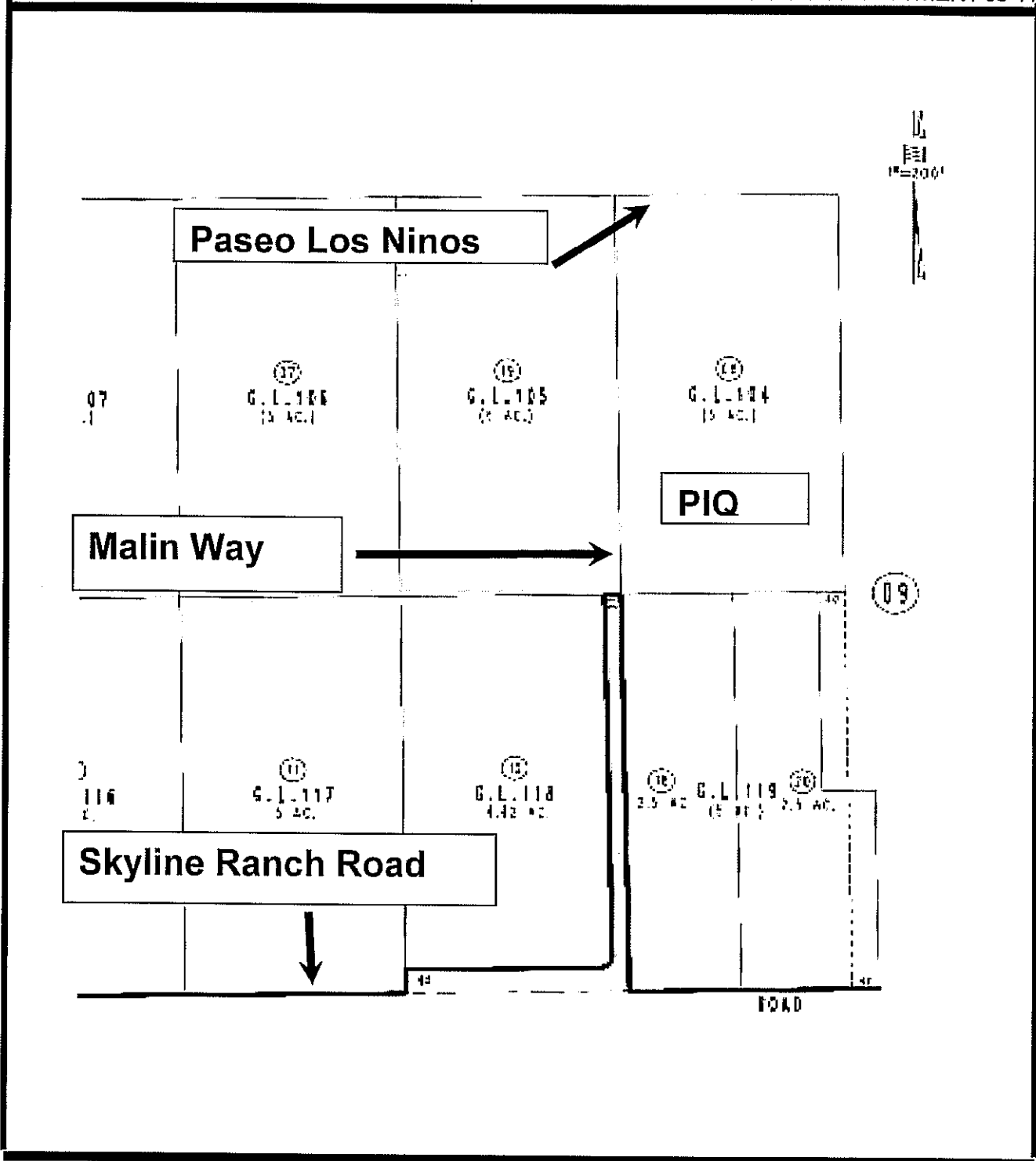
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



ZONING AND GENERAL PLAN LAND USE MAP

# TOWN OF YUCCA VALLEY

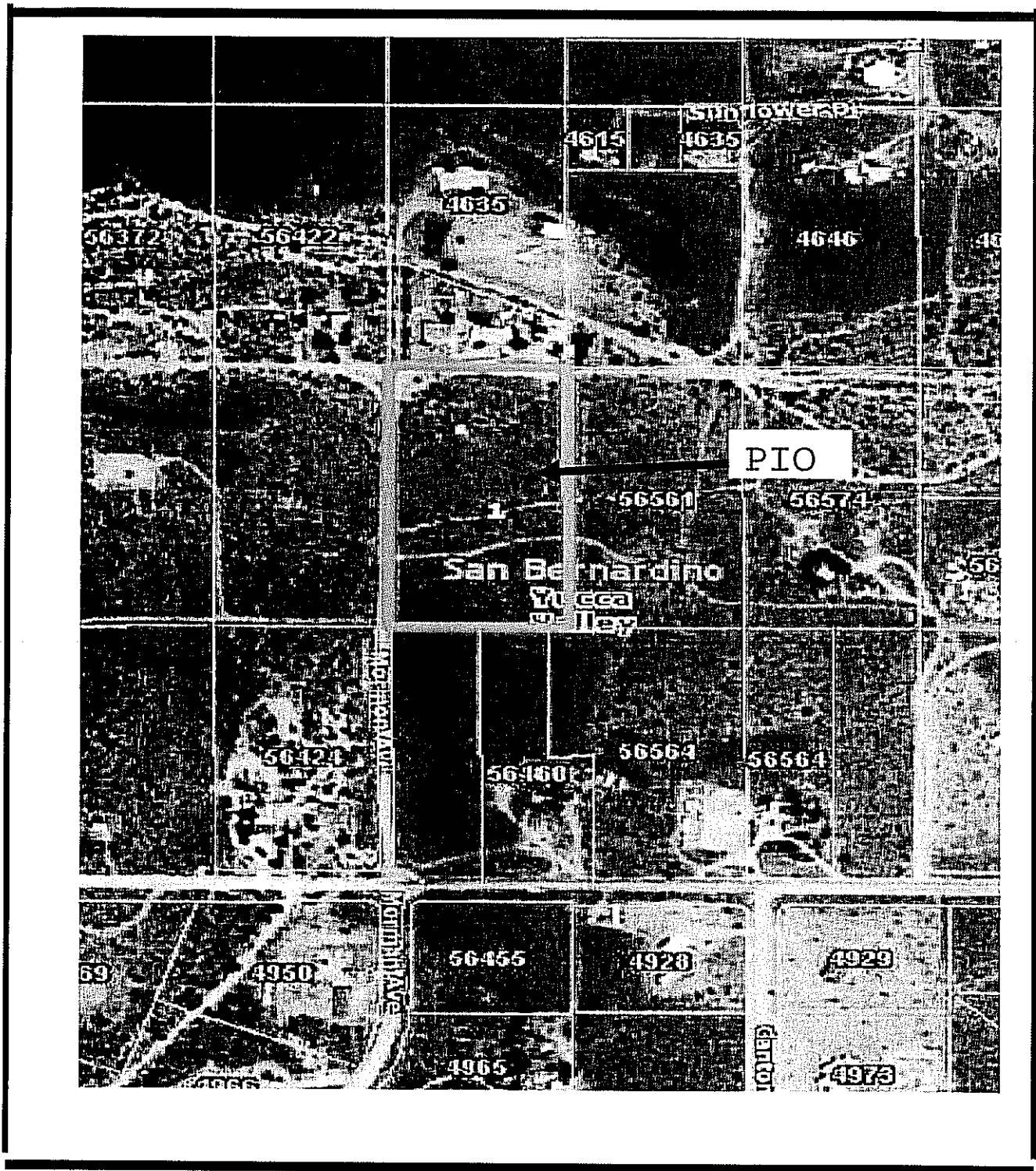
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Assessor's Parcel Map

# TOWN OF YUCCA VALLEY

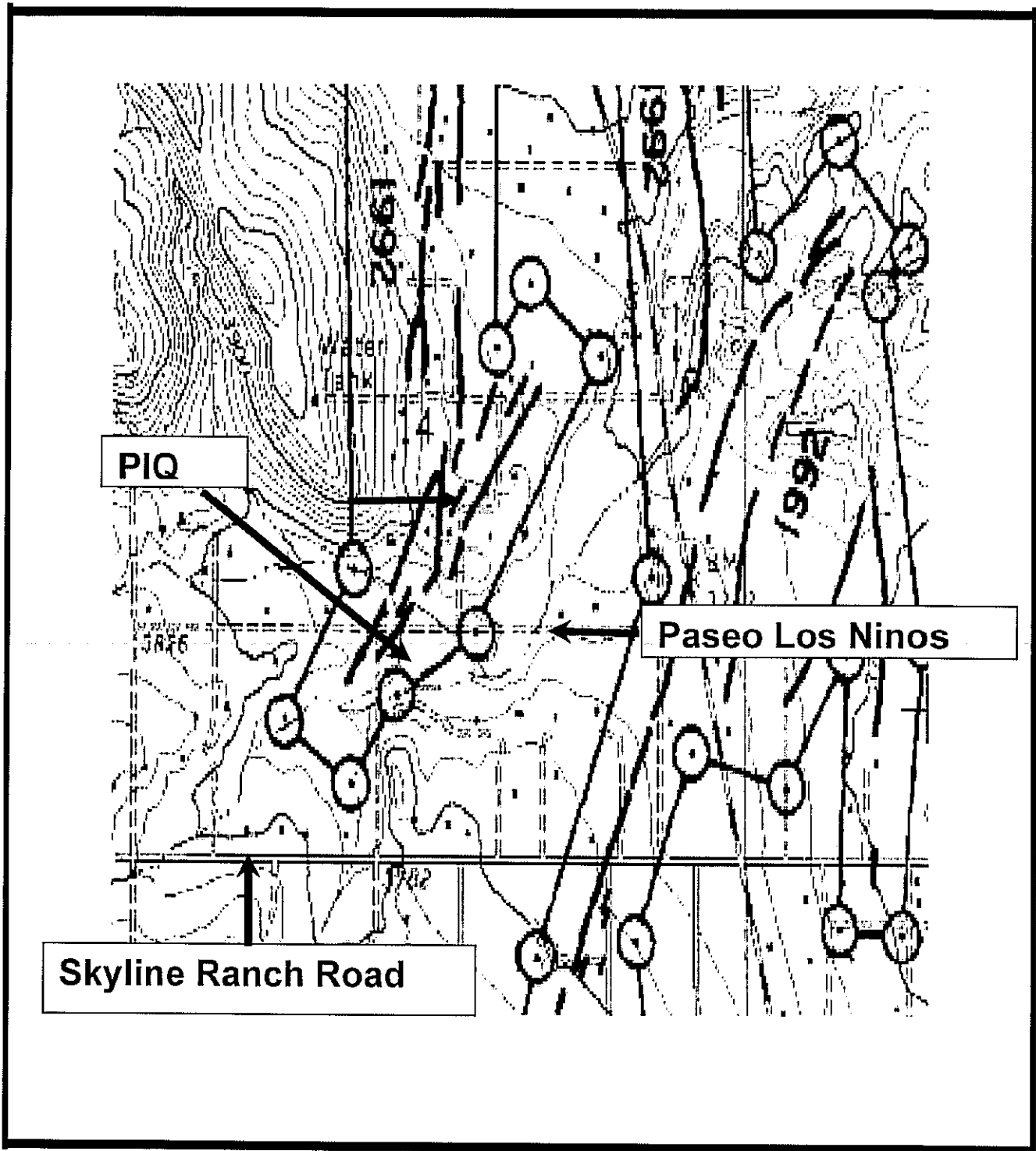
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



AERIAL PHOTO

# TOWN OF YUCCA VALLEY

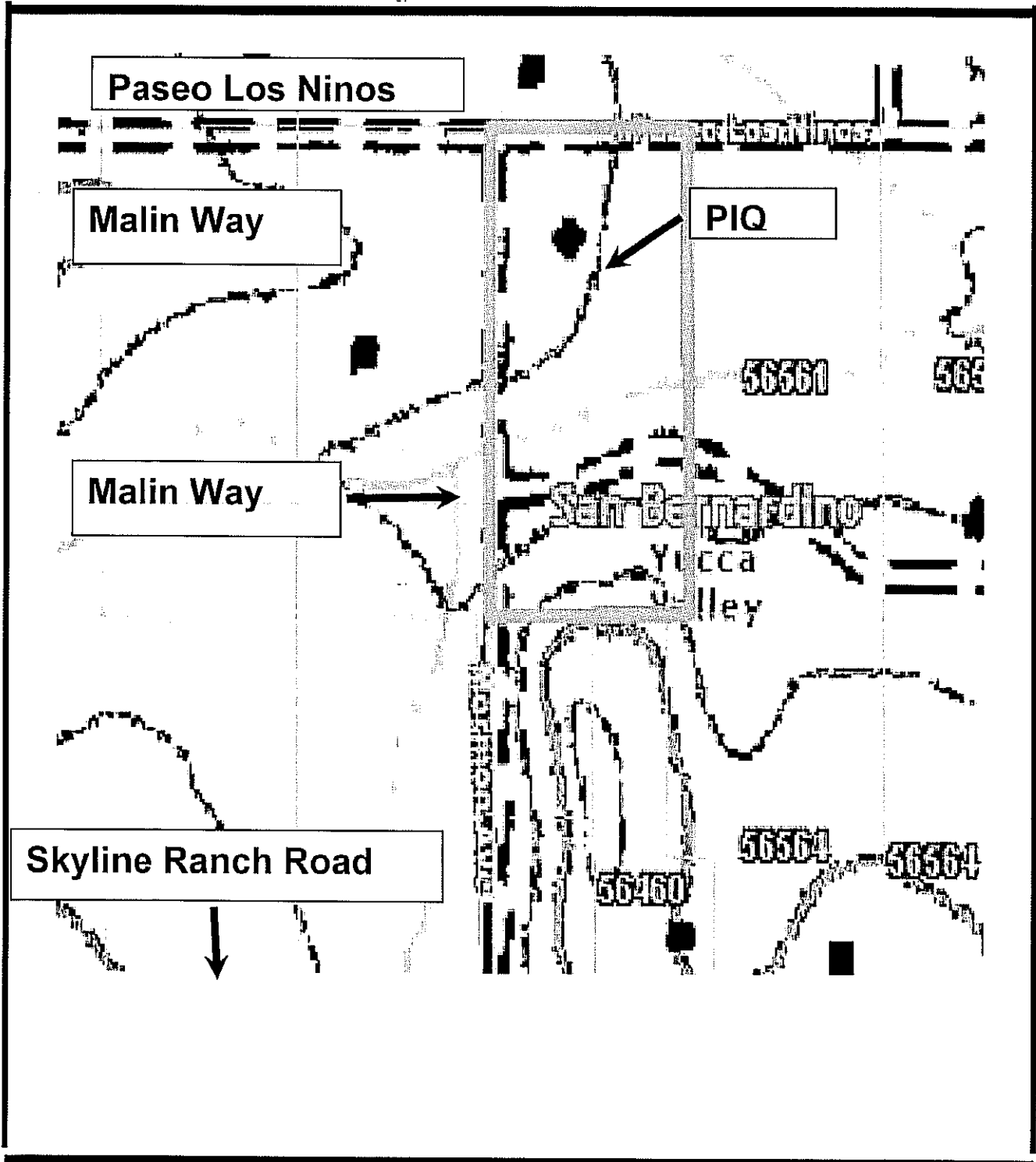
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Alquist-Priolo Map

# TOWN OF YUCCA VALLEY

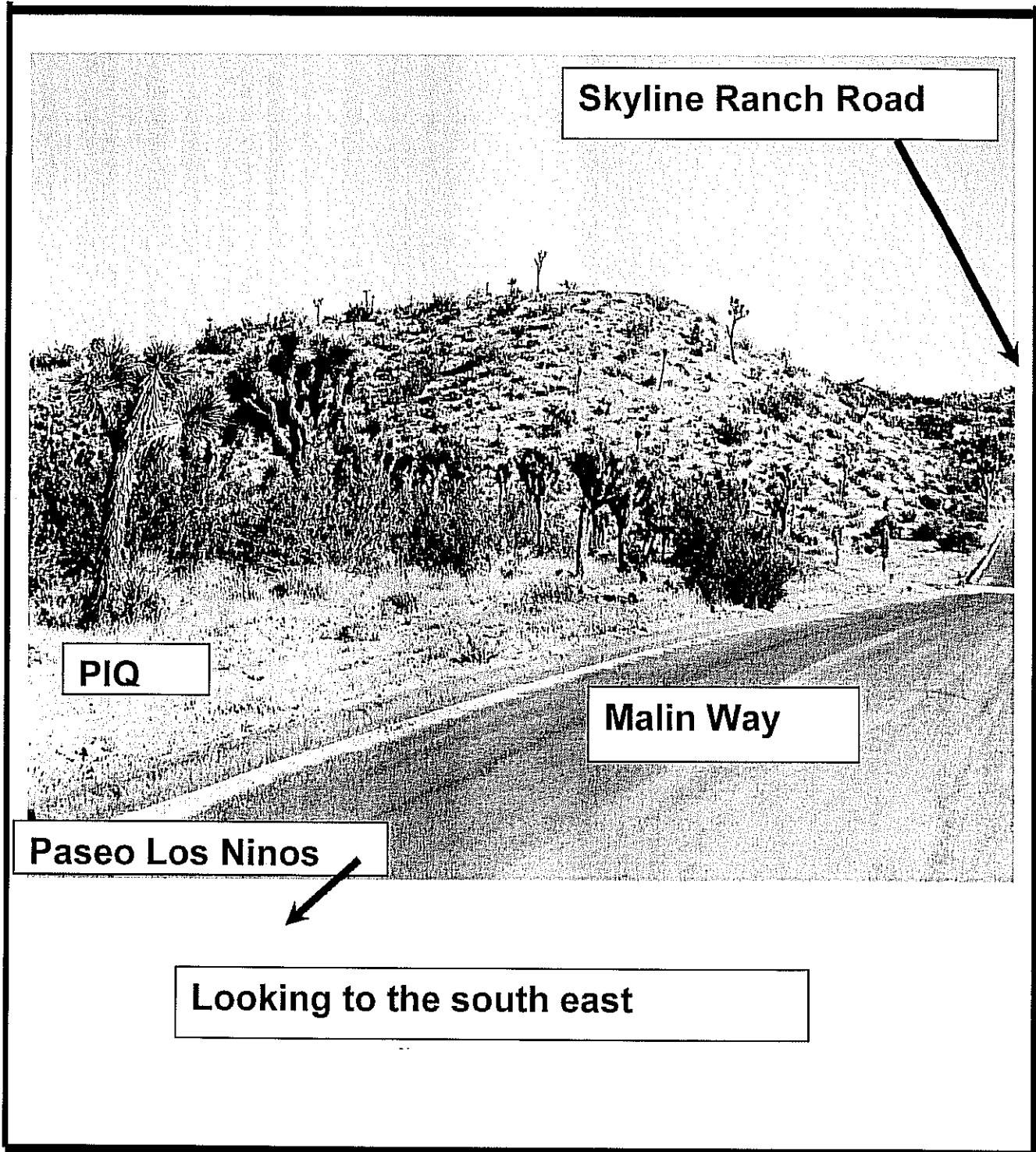
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Topography

# TOWN OF YUCCA VALLEY

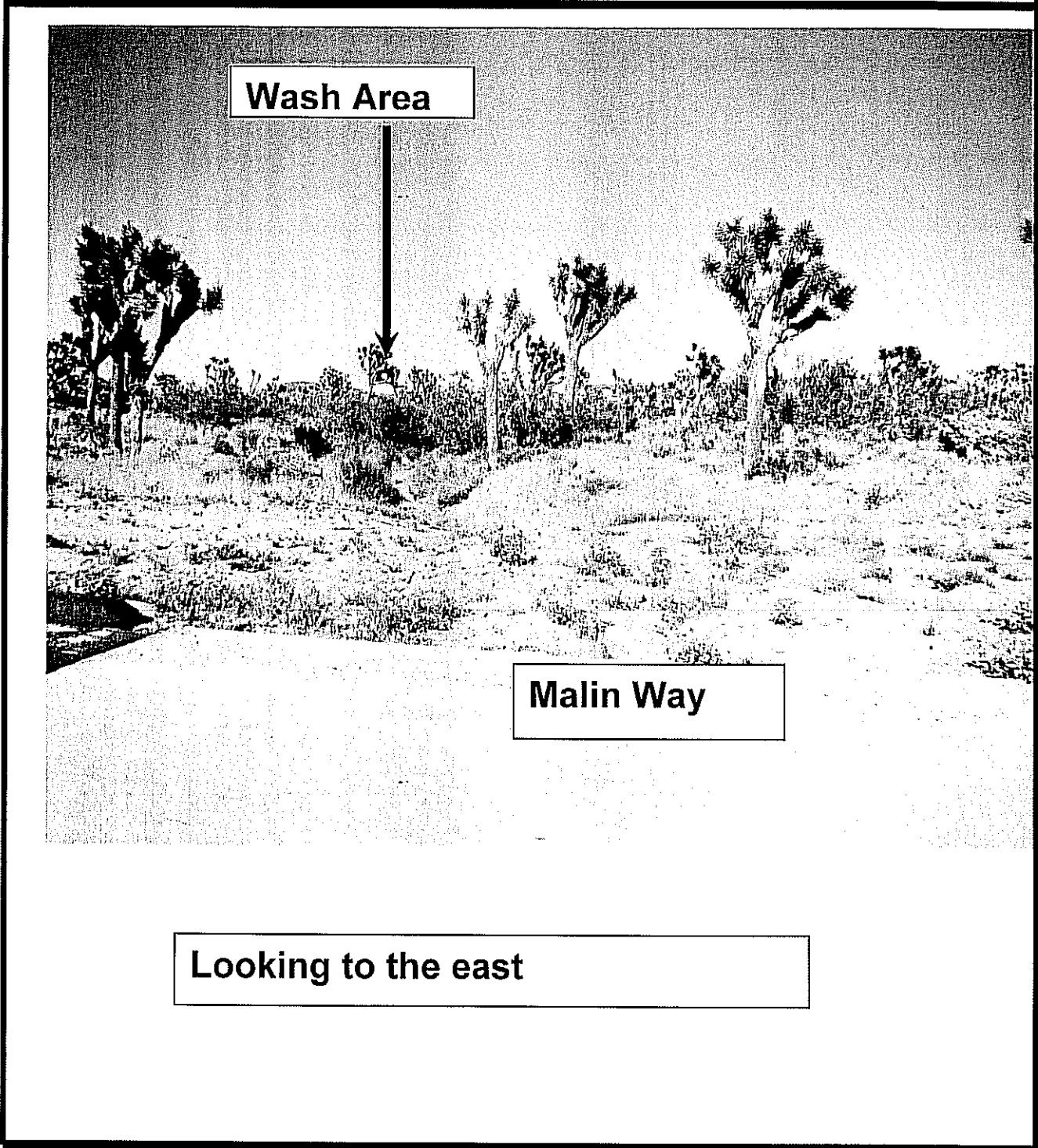
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Site Photo

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Wash Area

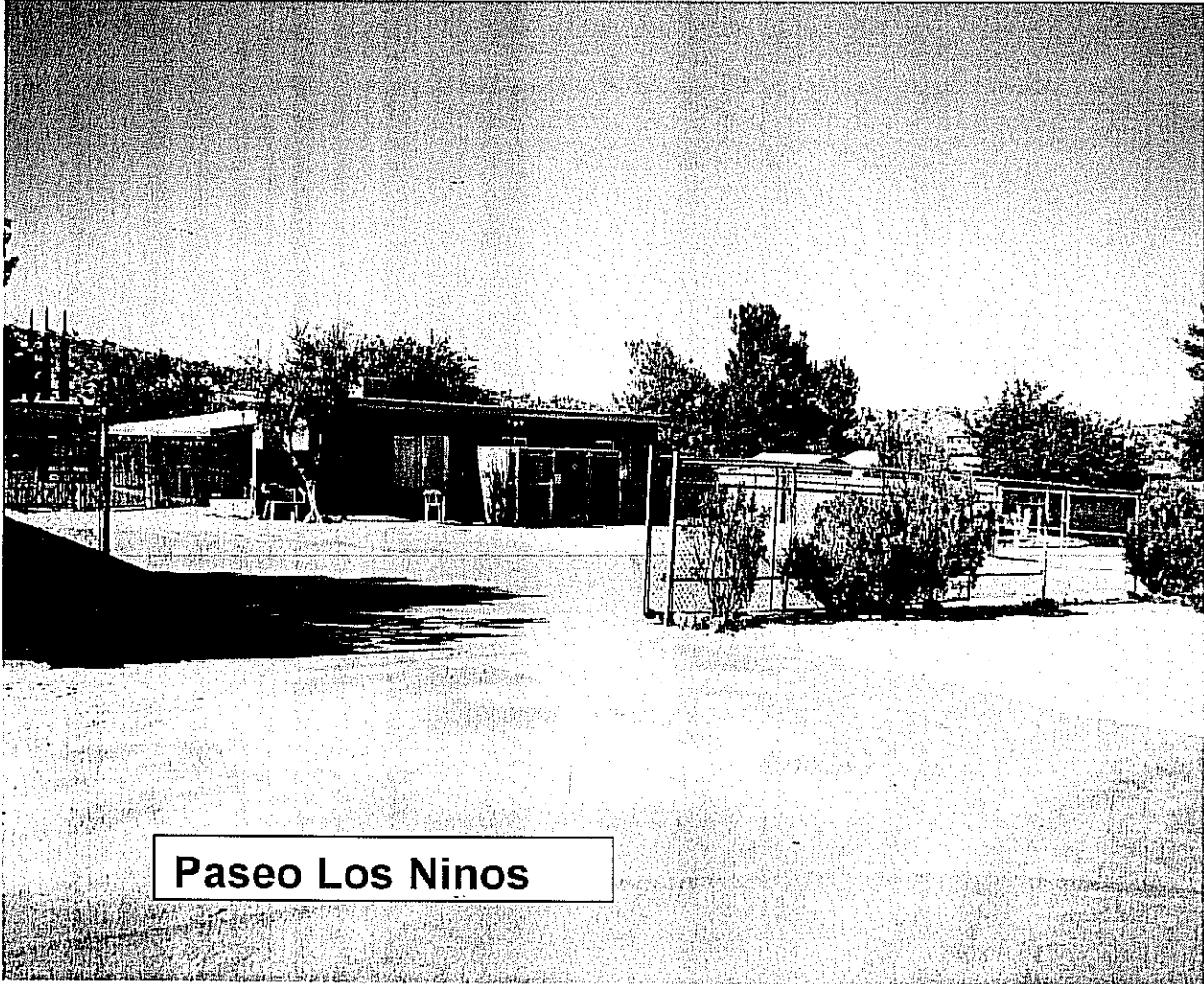
Malin Way

Looking to the east

Site Photo

# TOWN OF YUCCA VALLEY

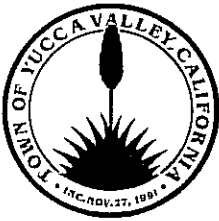
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 05-11 AND ENVIRONMENTAL ASSESSMENT 03-11



Paseo Los Ninos

Existing Shelter, looking to the north

Site Photo



Date:	<u>06/23/11</u>	
Case No.	<u>CIIP 05-11</u>	Fee _____
Case No.:	_____	Fee _____
Case No.	_____	Fee _____
EA No:	<u>EA 03-11</u>	Fee _____

- |                                                                     |                                                            |
|---------------------------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> <u>CONDITIONAL USE PERMIT</u>   | <input type="checkbox"/> <u>TRACT MAP</u>                  |
| <input type="checkbox"/> <u>SITE PLAN REVIEW</u>                    | <input type="checkbox"/> <u>PARCEL MAP</u>                 |
| <input type="checkbox"/> <u>LAND USE COMPLIANCE REVIEW</u>          | <input type="checkbox"/> <u>GENERAL PLAN AMENDMENT</u>     |
| <input type="checkbox"/> <u>PLANNED DEVELOPMENT</u>                 | <input type="checkbox"/> <u>REZONING</u>                   |
| <input checked="" type="checkbox"/> <u>ENVIRONMENTAL ASSESSMENT</u> | <input type="checkbox"/> <u>DEVELOPMENT CODE AMENDMENT</u> |

(Please Type or Print Legibly)

Applicant Animal Control Joint Powers Authority (JPA)  
 Address 351 N. Mountain View Avenue, 3<sup>rd</sup> Floor City San Bernardino State CA Zip 92415-003  
 Phone (760) 369-7207 Cell \_\_\_\_\_  
 E-mail Address mnuaimi@yucca-valley.org  
 Project Name (if any) Yucca Valley Animal Shelter

Contact Person/Representative Mark Nuaimi  
 Address 57090 29 Palms Hwy City Yucca Valley State CA Zip 92284  
 Phone (760) 369-7207 Cell \_\_\_\_\_  
 E-mail Address mnuaimi@yucca-valley.org

Property Owner Town of Yucca Valley Phone 760-369-7207  
 Address 57090 29 Palms Hwy City Yucca Valley State CA Zip 92284  
 E-Mail Address mnuaimi@yucca-valley.org

Assessor Parcel Number(s) 597-021-08 Tract Map # N/A Lot # \_\_\_\_\_  
 Property Dimensions ~330' by 660' Existing Land Use vacant  
 Structure Square Footage ~10,073 square feet General Plan Designation/Zoning RI-5

Location: (Example: Address & Street or SW corner of Elk & Onaga or 300 ft N of Paxton on W side of Airway)  
The project is located at the south east corner of Malin Way and Paseo Los Ninos and is identified as APN 0597-021-08.

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary.  
See attached description letter

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS. ALL DOCUMENTS, MAPS, REPORTS, ETC. SUBMITTED WITH THIS APPLICATION ARE DEEMED TO BE PUBLIC RECORDS.**

I am/We are the legal owner(s) of said property described in the project application and do

hereby certify that all the foregoing information is true and correct and recognize that if any information proves to be false or incorrect the Town shall be released from any liability incurred and any permits or approvals may be null and void. This will serve to notify you and verify that I/we do hereby authorize the listed representative to file this application and represent my/our interest during this planning and approval process.

Owner's Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

# ENVIRONMENTAL ASSESSMENT

1. Property boundaries, dimensions and area (also attach an 8 ½ x 11" site plan):  
Bounded on the north by Paseo Los Ninos and Malin Way on the West. Approx. dimensions are 660' by 330' for a total of five (5) acres
2. Existing site zoning: Rural Living, 5 five acre minimum (RL-5)
3. Existing General Plan designation: Rural Living, 5 five acre minimum (RL-5)
4. Precisely describe the existing use and condition of the site:  
The lot is currently vacant undeveloped lot with native vegetation, including Joshua trees and Junipers
5. Zoning of adjacent parcel:  
North RL-5 South RL-5 East RL-5 West RL-5
6. Existing General Plan designation of adjacent parcels:  
North RL-5 South RL-5 East RL-5 West RL-5
7. Precisely describe existing uses adjacent to the site:  
The existing animal shelter occurs directly to the north of the site. Other uses in the area consists of scattered single family residences and vacant land
8. Describe the plant cover found on the site, including the number and type of all protected plants:  
The site includes 98 Joshua Trees (in the area of disturbance) and four Junipers (in the area of disturbance)

Note: Explain any "yes" or "maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes Maybe No

- |                                     |                          |                                     |                                                                                                                                                                     |
|-------------------------------------|--------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 10% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.)               |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified on the archaeological and historical resource General Plan map?                                                |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources?                                                                                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | 13. Do any drainage swales or channels border or cross the site?                                                                                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)                                                              |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate Federal Insurance Rate Map)                                                                                      |

# PROJECT DESCRIPTION

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

## 1. Commercial, Industrial, or Institutional Projects:

- A. Specific type of use proposed: Replacement animal shelter
- B. Gross square footage by each type of use: ~3,816 square foot administration building (4,419 sq. ft. covered) ~2,071 enclosed square foot impound kennel (3,557sq.ft covered), 1,354 enclosed square foot adoptable kennel (2,097 sq. ft. covered). Total enclosed ~7,241 square feet, Total covered ~ 10,073 square feet.
- C. Gross square footage and number of floors of each building: 7,2 41 square feet total enclosed, 10,073 square feet total covered, one story buildings
- D. Estimate of employment by shift: Ultimately 7 full time Town Employees, 1 part time Town employee and 2 County animal control officers
- E. Planned outdoor activities: Potential community activities, animal exercise, etc.

## 2. Percentage of project site covered by:

4.9 % Paving, 4.2 % Building, 17.5 % Landscaping, 6.4 % Parking

- 3. Maximum height of structures 21 ft. 1 in.
- 4. Amount and type of off street parking proposed: Total of 25 parking stalls, 12 public, 13 employee including 2 handicap spaces
- 5. How will drainage be accommodated? Onsite retention to Town standards
- 6. Off-site construction (public or private) required to support this project: Paving of drive approaches along Paseo Los Ninos and Malin Way.
- 7. Preliminary grading plans estimate 1,000 cubic yards of cut and 1,600 cubic yards of fill
- 8. Description of project phasing if applicable: Depending upon funding several phases or subphases may be required.
- 9. Permits or public agency approvals required for this project: State Regional Water Quality Control Board, San Bernardino County Fire, San Bernardino County Environmental Health, etc.
- 10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) No

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

Yes Maybe No

- A. Emit dust, ash, smoke, fumes or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

#### Certification

I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION,  
CONDITIONAL USE PERMIT, CUP 05-11, ENVIRONMENTAL ASSESSMENT, EA 03-  
11**

**TO:** Responsible and Trustee Agencies/Interested Organizations and  
Individuals  
**FROM:** Town of Yucca Valley  
**RE:** Conditional Use Permit, CUP 05-11, Environmental Assessment, EA 03-  
11

The Town of Yucca Valley (Town), in the capacity acting as the Lead Agency on behalf of the Animal Control Joint Powers Authority for this project under CEQA, evaluated the potential environmental impacts of the project under CEQA. The Town has determined through the preparation of an Initial Study that although the project has the potential to result in significant environmental effects, these impacts will not be significant in this case because the mitigation measures described in the detailed Initial Study have been added to the project. The Initial Study meets the requirements of the State of California CEQA, the State CEQA Guidelines, and the Town of Yucca Valley Guidelines for the Implementation of CEQA. A Mitigated Negative Declaration will be prepared.

This notice constitutes a Notice of Intent (NOI) to adopt the aforementioned Mitigated Negative Declaration.

**Project Location/ Description:**

Project location: The project is located on the southeast corner of Malin Way and Paseo Los Nino and further identified as APN: 597-021-08.

Project description: The Animal Control Joint Powers Authority (JPA) proposes to develop a replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter. The replacement animal shelter will serve both the incorporated areas of the Town of Yucca Valley, as well as, the unincorporated areas of the County of San Bernardino. The facility will include three, new single story buildings of approximately 12,100 total square feet along with a 5,400 square foot covered animal pens. Parking areas will be constructed to accommodate parking for staff, public and shelter vehicles. Other pathways and service roads will be created to facilitate reliable and safe access. Landscaping and hardscaping will be developed throughout the project area, including the parking area. Lighting for the animal shelter will be developed to Town standards. The parking lots will be lit using 15-ft pole lights with cut-off fixtures. Walkways and other site areas will be lit with shorter (10 to 15ft tall), pedestrian-scaled poles

**Other permits:** Not applicable

**Toxic Sites:** None

**Public Hearing:** The Planning Commission public hearing for this item has been set for December 13, 2011, beginning at 6:00 p.m. at the Yucca Valley Community Center, 57090 29 Palms Highway, Yucca Valley, CA 92284.

**Public Review:** The Initial Study and related documents are available for public review daily. Members of the public may view these documents at the Planning Department, 58928 Business Center Drive, Yucca Valley, CA 92284, and submit written comments at or prior to the Planning Commission.

If any group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at, or prior to the Planning Commission hearing.

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Robert Kirschmann at 760-369-6575 X 328.

**Comment Period:** Based on the time limits defined by CEQA, your response should be sent at the earliest possible date. The public comment period on this project is from **Wednesday November 09, 2011 to Monday December 12, 2011**. All comments and any questions should be directed to:

Robert Kirschmann  
Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284  
(760) 369-6575 X 328  
RKirschmann@yucca-valley.org

Note to Press: Publish on November 09, 2011

Dated: November 03, 2011

# INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

For the Yucca Valley  
Animal Shelter Project

Prepared for:  
Animal Control Joint Powers Authority  
351 North Mountain View Avenue, Third Floor  
San Bernardino, CA 92415-0010

Mr. Brian Cronin, Secretary  
(909) 387-9152

Prepared by  
Williams Architects, Inc.  
276 N. Second Avenue  
Upland, CA 91786

Marie Rene' Glynn  
(909) 981-5188

October 25, 2011

## Table of Contents

<b>INITIAL STUDY OVERVIEW</b> .....	<b>4</b>
PROJECT DETAILS .....	4
SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	5
DETERMINATION .....	5
SOURCES .....	6
<b>PROJECT DESCRIPTION</b> .....	<b>7</b>
PROJECT SETTING.....	7
PROJECT BACKGROUND .....	7
PROJECT OBJECTIVES.....	10
<b>ENVIRONMENTAL ANALYSIS</b> .....	<b>11</b>
ENVIRONMENTAL CHECKLIST.....	11
I. AESTHETICS .....	12
II. AGRICULTURE AND FOREST RESOURCES.....	14
III. AIR QUALITY .....	15
IV. BIOLOGICAL RESOURCES.....	20
V. CULTURAL RESOURCES .....	22
VI. GEOLOGY AND SOILS.....	23
VII. GREENHOUSE GAS EMISSIONS:.....	27
VIII. HAZARDS AND HAZARDOUS MATERIALS .....	29
IX. HYDROLOGY AND WATER QUALITY .....	31
X. LAND USE AND PLANNING .....	36
XI. MINERAL RESOURCES .....	36
XII. NOISE .....	37
XIII. POPULATION AND HOUSING.....	39
XIV. PUBLIC SERVICES.....	40
XV. RECREATION .....	40
XVI. TRANSPORTATION / TRAFFIC .....	41
XVII. UTILITIES AND SERVICE SYSTEMS .....	42
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.....	44



**INITIAL STUDY OVERVIEW**

**PROJECT DETAILS**

1. Project title: Yucca Valley Animal Shelter
2. Lead agency name and address: Animal Control Joint Powers Authority (JPA, 351 N. Mountain View Avenue, 3<sup>rd</sup> Floor San Bernardino CA 92415-003
3. Contact person and phone number: Mr. Mark Nuaimi : 760-369-7207
4. Project location: Town of Yucca Valley, San Bernardino County, California, Assessor's Parcel Number, 0597-021-080-000, the south east corner of Malin Way & Paseo Los Ninos
5. Project sponsor's name and address: Animal Control Joint Powers Authority, 351 N. Mountain View Avenue, 3<sup>rd</sup> Floor San Bernardino CA 92415-003
6. General Plan Designation: Rural Living                      7. Zoning: RL-5
8. Description of project: The Animal Control Joint Powers Authority (JPA) proposes to develop a replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter. The replacement Animal Shelter will serve both the incorporated areas of the Town of Yucca Valley, as well as, the unincorporated areas of the County of San Bernardino. The facility will include three, new single story buildings of approximately 8,838 total square feet of enclosed building area, along with approximately 5,400 square feet of covered animal pens. Total kennel and administrative building areas covered with roofing will be approximately 15,300 square feet. Parking areas will be constructed to accommodate parking for staff, public and shelter vehicles. Other pathways and service roads will be created to facilitate reliable and safe access. Landscaping and hardscaping will be developed throughout the project area, including the parking area. Lighting for the Animal Shelter will be developed to Town standards. The parking lots will be lit using 15-ft pole lights with cut-off fixtures. Walkways and other site areas will be lit with shorter (10 to 15ft tall), pedestrian-scaled poles.
9. Surrounding land uses and setting: The project site consists of a five acre, green field site in the Town of Yucca Valley. The site is located in a Rural Living – 5 acre zoned area. The property directly to the north houses the current Yucca Valley Animal Shelter. The property to the west is vacant. The properties to the south include both a vacant parcel and a developed parcel with a single family residential dwelling unit zoned RL-5. The property to the east is developed with a single family residential dwelling. The property to the northeast is undeveloped and zoned Industrial. The area is rural in nature with primarily low density, single family dwellings on 5 acre lots.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
At a minimum, the following permits and approvals will be required:  
County of San Bernardino  
Town of Yucca Valley Conditional Use Permit
  - Town of Yucca Valley Building and Safety, Building Construction Permits
  - California Region Water Quality Control Board
  - General Construction Activity Storm Water Permit
  - Septic System discharge permit
  - San Bernardino County Fire Department, Fire Safety Requirements
  - Hi Desert Water District, Water Service Requirements
  - San Bernardino County Environmental Health

**SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

- |                                                   |                                                        |                                                                  |
|---------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture Resources         | <input type="checkbox"/> Air Quality                             |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources            | <input type="checkbox"/> Geology /Soils                          |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality               |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                                   |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                              |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> None 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 potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

**SOURCES**

The following documents or sources were utilized by this analysis:

1. California Environmental Quality Act (CEQA)
2. Town of Yucca Valley General Plan Environmental Impact Report (EIR),
3. Town of Yucca Valley Comprehensive General Plan, December 14, 1995
4. Town of Yucca Valley Development Code
5. Town of Yucca Valley Zoning District Map.
6. Focused Survey for Desert Tortoise, Habitat Assessment for Western Burrowing Owl, and General Biological Resource Assessment for a 5-acres+/- Site (APN 0597-021-08) in the Town of Yucca Valley, San Bernardino County, California, by Circle Mountain Biological Consultants, Inc., April 2011
7. Hydrology Report for Yucca Valley Animal Shelter, by Encompass Associates, Inc., October 18, 2011
8. Mojave Desert Air Quality Management District Rule Book
9. United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/>
10. Town of Yucca Valley, Master Plan of Drainage
11. State Planning and Zoning Law
12. Percolation Feasibility Study for Proposed Animal Shelter, by Leighton Consulting, Inc., July 20, 2011
13. Geotechnical Investigation, Proposed Yucca Valley Animal Shelter, APN 0597-021-080-000, by Leighton Consulting, Inc., July 22, 2011
14. Project Plans and Reports
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  - b) Low-Noise Emission Standards 40 CFR 203
  - c) National Primary & Secondary Ambient Air Quality Standards 40 CFR 50
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  - b) Noise Levels for Construction Equipment
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- Incorporated Areas, Map #06071C8120H. August 28, 2008.
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  32. Protected Native Desert Plant Survey & Site Plan, by Archie Reiser, Native Plant Specialist, May 19, 2011
  33. A.L.T.A. Survey by Encompass Associates Inc.
  34. Addendum Fault Investigation Report, Response to County Comments, Proposed Yucca Valley Animal Shelter, by Leighton Consulting, Inc., August 30, 2011
  35. Air Quality Assessment for Town of Yucca Valley Animal Shelter, by Lilburn Corporation, September 2011

## **PROJECT DESCRIPTION**

### **PROJECT SETTING**

The project site is located approximately half a mile west of Highway 247 and one block north of Skyline Ranch Road in the northern part of Yucca Valley. (Figure 1 Project Location and Site Map). The site is bordered by Paseo Los Ninos to the north and Malin Way to the west. The surrounding lots on the east, south and west are zoned Rural Residential (RL). The lots to the south include both developed and vacant lands, and the parcel to the west is undeveloped. The lot directly to the north of the site is the location of the current Yucca Valley Animal Shelter facility. The lot to the northeast is zoned Industrial. The project site is 5 acres. The terrain of the site is relatively flat to the north, with a low point at the wash, a USGS-designated dotted blue stream (intermittent stream), passing roughly east to west through the center of the site. The southern part of the site is made up of a hillside with rock outcroppings. Soils vary from sandy loam and gravel on the northern part of site, to gravel and cobbles on the rocky southern hillside. The site appears to be in its natural state except for a small concrete slab located toward the northern portion of the site. The plant community on site can best be described as Joshua tree woodland, with an understory of brush and grasses.

### **PROJECT BACKGROUND**

#### Animal Shelter Operational Overview

The replacement Animal Shelter will be a community-oriented facility in the Town of Yucca Valley. The Animal Care Joint Powers Authority (JPA) was formed by the County of San Bernardino (County) and the Town of Yucca Valley (Town) to provide for the financing, planning, design, construction, operation and maintenance of a replacement animal care and control facility in the Town of Yucca Valley to provide animal services and shelter to both the residents in the incorporated area of the Town and the unincorporated areas of the County. The facility will offer both traditional animal control services and other educational and community service programs. Animal control services will include the following:

- Surrender of unwanted or lost animals
- Humane care of all impounded animals
- Adoption of companion animals
- Redemption of lost animals
- Education relating to responsible pet ownership
- Maximize the adoptability of companion/domestic animals
- Work with other agencies, the press and the public to reduce the number of unwanted pets

The current facility serves approximately 500 visitors and 500 phone calls per month. The monthly volume of impounded cats and dogs averages 278, with approximately 70 of these animals being redeemed by their owners or adopted. The average monthly number of animals being euthanized is 204, and approximately 14 animal per month are found dead or brought in for disposal. The current facility contracts for rendering services, including the lease of a walk-in freezer and the pick-up and disposal of dead animals. It is anticipated that the replacement facility would provide animal care and control services for approximately the same volume of animals and visitors.

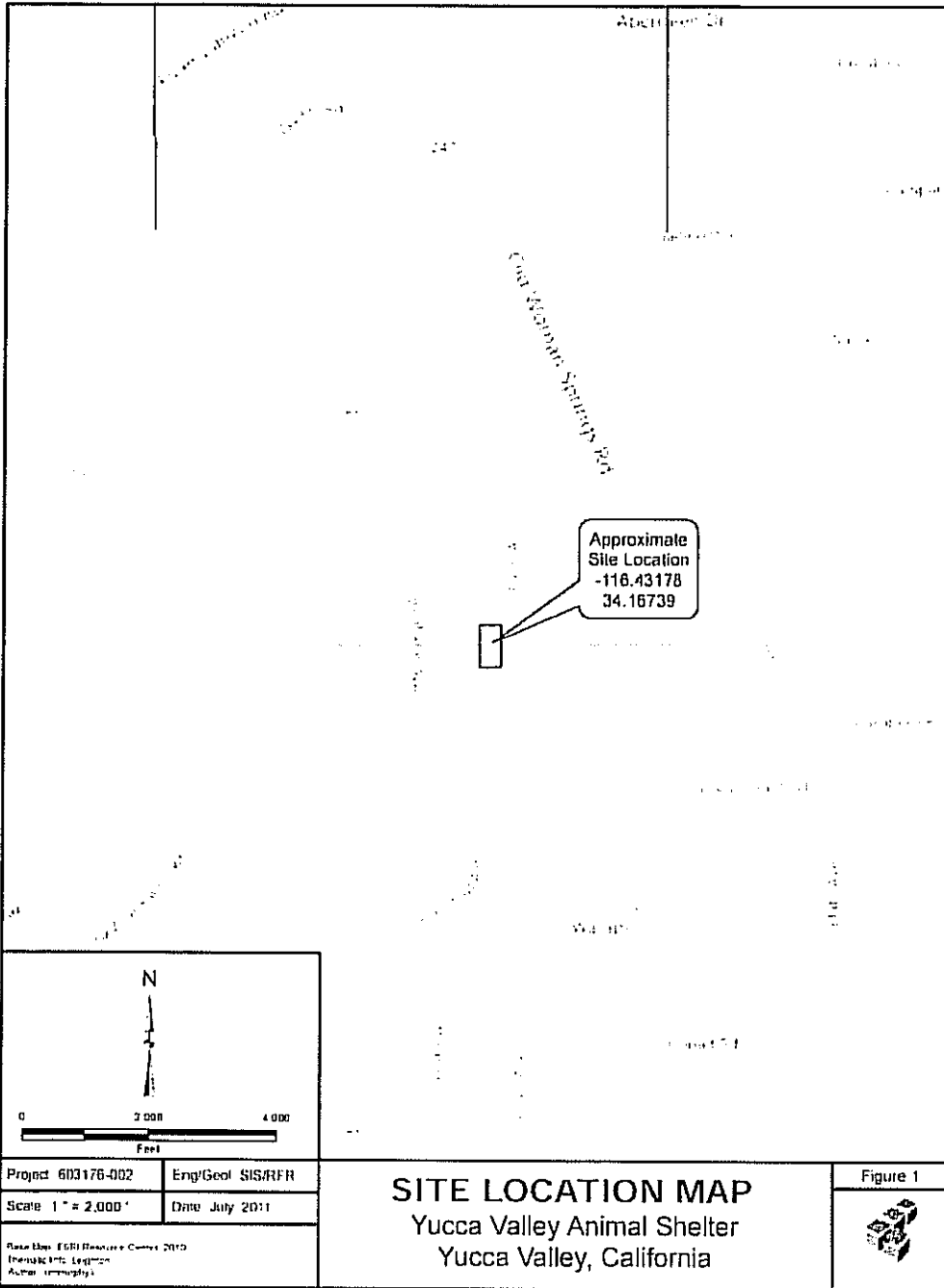
In addition to providing these services, the replacement facility will also offer the opportunity to provide for other services through the inclusion of its educational-oriented spaces/facilities which can be used by the community for a wide range of uses. These multi-purpose facilities include an indoor multi-purpose conference/training room and an assortment of exterior gathering spaces which can be used for both traditional animal training/exercise uses or other community uses (such as dog training classes for the public's dogs, etc.)

### Hours of Operation

The replacement facility is ultimately expected to be staffed by 7 full-time and 1 part-time person, as well as, 2 full time County Animal Control Officers and would typically be staffed from 8 a.m. to 5 p.m. Monday through Friday. There would be staff on-call during hours the shelter is closed. The facility is anticipated to be open to the public from 12 p.m. to 5 p.m. Tuesday through Saturday. There may be other events or training that may occur on site, outside of the normal business hours. Business hours are subject to change based upon operational needs. The business hours may return to historical levels, of Monday through Friday, 8:00 am to 5:00 pm, 7:00 am to 4:00 pm, with open business hours from 8:00 am to 5:00 pm on Saturdays. The hours of operation may be modified based upon the needs of the organization. The Shelter is anticipated to be closed to the public on Sunday's, but due to the requirements of housing animals, staff is present on the site on Sundays for cleaning, watering, feeding, vaccinations, and other daily duties not associated with serving the general public.

### The Role of Volunteers

Many of the newer shelters in California have been designed in a manner that actively engages community volunteers in the adoption and education programs of the facilities. The design of the replacement Yucca Valley Facility has anticipated such collaboration by developing areas that can be shared between staff and volunteers. Providing a positive working environment for volunteers including such areas as a meeting area, day lockers and work space helps volunteers feel connected and appreciated as valued team members. This has been found to be essential in retaining quality volunteers who assist in providing services which cannot be typically provided within the organization's limited budget.



**PROJECT OBJECTIVES**

The nearly 40 year old existing animal shelter facility located directly across Paseo Los Ninos is inadequate to serve the existing needs of the region. The facility has been added to over the years in a makeshift, adhoc arrangement of small sheds, buildings, and outdoor dog kennels. The existing buildings are in bad repair and are close to their life expectancy without significant renovation and repair. In order to adequately serve the existing need, the JPA proposes to construct a replacement Animal Care Facility that will improve the area's animal control and care functionality. As part of the development three new, single story buildings will be constructed. The buildings will consist of one administration/adoptions/support facilities building of approximately 4,730 square feet, and two dog kennel buildings. The kennel buildings will be approximately 2,593 square feet and 1,515 square feet each. The approximate total square footage of enclosed space will be 8,838 square feet, while the total covered building area will be approximately 15,300 square feet plus an additional 5,400 square feet of covered large animal pens. The buildings will be organized in a manner that creates a courtyard space in the center allowing for a public multi-functional space including dog exercise areas, a covered "get-acquainted" area for pet adoptions and open space. The project will also include the construction of a public parking area to accommodate approximately 12 parking spaces, a staff parking area to accommodate 12 staff parking spaces and Animal Control Officers vehicle parking. A covered, exterior pen area for horses and other large animals and associated sidewalks and landscape areas will also be included.

The JPA estimates the need to house and care for approximately 3,500 animals per year. This figure approximates the number of animals which are currently being housed and cared for at the existing facility. Based on the region's projected growth of 1% for the next 10 years, there is no significant growth impact anticipated in the animal population.

The replacement Animal Shelter will provide the following features and on-site facilities:

- Reception/Lobby Area
- Conference/Education Room
- Laundry/Grooming Rooms
- Unisex staff shower
- Male and female public restrooms
- Food Prep/Storage Rooms
- Freezer
- 30-40 adoptable dog kennels
- 30-40 impound dog kennels
- Cat isolation area
- Cat adoptable area
- Community cat room
- Office Area
- Staff Break Room
- Staff Restrooms
- Electrical room
- Mechanical room
- Circulation / hallways
- Animal Receiving Rooms
- Euthanasia Room
- General Storage
- Exterior covered animal pens
- Exterior dog exercise areas
- Lighted public and staff parking
- Lighted Parking Lot
- On-site landscaping and walkways
- On-site storm water retention
- Site Security Fencing
- Site security and general lighting

## **ENVIRONMENTAL ANALYSIS**

This Initial Study/Mitigated Negative Declaration (IS/MND) was prepared in conformance with the California Environmental Quality Act (CEQA) Statutes and Guidelines. This IS/MND analyzes the potential site-specific and localized impacts of the project with regard to 17 environmental topics, listed below:

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

## **ENVIRONMENTAL CHECKLIST**

The following checklist contains the Environmental Checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project. For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which mitigation has not been identified. If any potentially significant impacts are identified, an Environmental Impact Review must be prepared.

**Less Than Significant with Mitigation Incorporation:** An impact that requires mitigation to reduce the impact to a less-than-significant level.

**Less Than Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.

**No Impact:** The project would not have any impact.

Each section below contains a brief explanation of determinations of impact described in the Environmental Checklist, supported by the information sources cited above in Section 1.4.

## YUCCA VALLEY ANIMAL SHELTER

I. AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,6, 15
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4, 15
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4, 14

### DISCUSSION

a) The Town of Yucca Valley is located in the Morongo Basin in the eastern part of San Bernardino County. The Town is bordered on the west by the San Bernardino Mountains and to the south by the Joshua Tree National Park. The mountains provide dramatic and valuable viewsheds. The mountain ranges reach up to 4,673 feet above sea level to the north, south and west. The proposed project will have a less than significant impact on these aesthetic resources since the proposed improvements will be constructed in single story buildings on the lower elevation portion of the site. Given the distance between the project site and the surrounding mountain ranges, and building height limitations, the project would not significantly impact a scenic view; therefore, no mitigation is required.

b) The proposed project site is bordered by Paseo Los Ninos to the north, one undeveloped lot and one developed lot to the south, open land developed with a single family residence to the east, and Malin Way to the west. Skyline Ranch Road is located one parcel removed from the south property line. None of these streets have been identified as a state scenic highway. The proposed project will not impact historic buildings within a state scenic highway. Therefore, the project will have no impact on a state scenic highway and no mitigation is required.

Scenic resources that will be affected by the proposed project include Joshua trees and various desert plant species that occur on site. The construction of the Animal Shelter will involve removal of approximately 52 Joshua Trees. Of the Joshua Trees removed, 43 will be relocated to the southern portion of the site, 9 are not good candidates for transplanting due to disease or other existing damage to the tree. While the proposed project may potentially have a significant impact on the scenic resources of the Joshua Trees, this impact will be mitigated through the relocation of the Joshua Trees to the southern portion of the site in accordance with Ordinance 140 of the Town of Yucca Valley Development Code mitigating the effect to less than significant. The northern portion of the site will be developed with landscaping and pathway improvements that will improve the overall aesthetics of the Animal Shelter and site. The site will also be developed in accordance with the Town's development standards. Additionally, a concerted effort has been made to develop the smallest amount possible of the 5 acre site, while leaving the remainder of the site in its natural state. The developed portion of the site will constitute approximately 2.1 acres, while the remaining 2.9 acres will remain undisturbed. Landscaping associated with the replacement Animal Shelter and parking lots will be developed with plant types appropriate for the desert region and per Town development standards.

c) The existing site is an undeveloped lot surrounded on three sides by undeveloped lots. The north side is developed with the existing Animal Shelter and there are single family residences to the east and south. The proposed project includes removing trees and converting 14,263 ft<sup>2</sup> of dirt to asphalt parking. Tree removal will be mitigated through the relocation of approximately 43 Joshua Trees and the planting of some new trees appropriate to the desert region. Also, the project will include landscaping within and around the new parking lot, which will include the addition of trees and shrubs. Limiting development of the site to a portion of the northern side, while maintaining approximately 57% of the site in its natural state, will significantly limit the degradation of the site's visual quality and character.

All landscaping and proposed project construction aspects will be subject to building, design, landscaping, and lighting requirements found in the Codes of the Town of Yucca Valley which address the aesthetic quality of development within the Town. The Town Council, through Resolution, TC 10-06 has established guidelines for commercial construction. The building has been designed to comply with these guidelines. The proposed project is anticipated to include three, single story buildings, grouped to create a multi-purpose, exterior courtyard arrangement. The building will be pre-engineered metal building construction and clad with metal panels and/or exterior cement plaster. A metal roof with large overhangs to provide sun shading of kennels and walkways will be employed. The buildings will be sited to provide a public, administration/support building fronting onto Malin Way with a public parking lot accessible from Malin Way. The two, dog kennel buildings will be located directly east of the administration/support building. A staff/service parking area will be located along Paseo Los Ninos, directly north of the kennel building. Site landscaping will be provided along Malin Way, Paseo Los Ninos, the courtyard and around buildings, as appropriate for the desert environment. The proposed project will have a less than significant impact on the existing visual character of the site and its surroundings due to implementation of mitigation measures related to new tree plantings and landscaping.

d) The Project will include security lighting at the site. This will include both wall mounted light fixtures and parking lot and area lighting of pathways. This will add a new source of light or glare. To minimize the impacts to any surrounding residential uses, the lighting shall be directed down and screened in such a manner to reduce any spill over lighting or direct lighting. With the incorporation of the mitigation measure below, impacts will be less than significant.

#### **MITIGATION MEASURES**

- A-1** The removal of approximately 52 Joshua Trees will be mitigated through the relocation on site of approximately 43 of the Joshua Trees and the additional planting of new landscaping appropriate for the desert region around the building and parking lots.
- A-2** Limiting development of the site to a portion of the northern side while maintaining approximately 57% of the site in its natural state will significantly limit the degradation of the site's visual quality and character. The southern portion of the site, including an intermittent stream and a rocky outcropping will remain untouched by development. Additionally, any new structures on the site shall be limited to single story construction thereby minimizing the overall visual impact on the existing visual character of the site,
- A-3** Any lighting installed on the site shall be designed and installed to minimize adverse fugitive light and/or glare impacts to the adjacent residential properties. Additionally, all lighting on the site will be designed in a way consistent with the requirements of Ordinance 90, Outdoor Lighting, Section 87.0920 of the Town of Yucca Valley Development Code.

**Level of Significance after Mitigation Measures:** Less than Significant

## YUCCA VALLEY ANIMAL SHELTER

### II. AGRICULTURE AND FOREST RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5
d) Result in the loss of forest land or conversion of forest land to non-forest use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5
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 or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5

### DISCUSSION

a-e) There are no Prime Farmlands, Unique Farmland or Farmland of Statewide Importance in proximity to the project site, or within the Town of Yucca Valley, and as such, there are no impacts to these resources. There are no state or federally designated forests in close proximity to the project site or within the Town of Yucca Valley. The proposed project area is not zoned for agricultural use nor is there any Williamson Act contract in effect. The proposed project will not affect land zoned for agricultural use. Development of the project would not result in the premature conversion of other lands designed as farmland to non-agricultural uses as there are no active farmland uses in the vicinity of the project.

**Level of Significance:** No impact.

**III. AIR QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8, 21a, 35
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	8, 21a, 35
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8, 21a, 24, 35
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8, 21a, 35
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21a, 35

**DISCUSSION**

a-b) An Air Quality and Greenhouse Gas Assessment was prepared for this project in September 2011 by Lilburn Corporation. The report is a study of the potential impacts the project may have on the local and regional air quality in the vicinity during construction and ultimate operational use. The air quality assessment discusses the existing air quality in the vicinity/region and the potential air quality impacts associated with the proposed project. The assessment determined that project emissions during construction and during long-term operation of the project are anticipated to be less than significant. The following discussion is taken from the report.

The site is located within the Mojave Desert Air Basin (MDAB), which is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD has jurisdiction over the portion of the MDAB within San Bernardino and Riverside counties.

Air quality is determined primarily by the types and amounts of contaminants emitted into the atmosphere, the size and topography of the air basin and the pollutant-dispersing properties of local weather patterns. As pollutants concentrate in the atmosphere, photochemical reactions occur, producing ozone and other oxidants. Another major factor that influences the MDAB's ambient air quality is its location downwind from the South Coast Air Basin and the San Joaquin Valley Air Basin. Air pollutants from these two air basins are transported into the MDAB and contribute significantly to the ozone violations that occur.

Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards are summarized in Table 1 for important pollutants. The federal and state ambient standards were developed independently with differing methods and purposes. As a result, the federal and state standards differ in certain areas.

**Table 1  
State and Federal Air Quality  
Designations and Classification**

<b>Ambient Air Quality Standard</b>	<b>Status</b>
One -hour Ozone (Federal)	Non- attainment; classified Severe-17 (portion of MSAQMD outside of Southeast Desert Modified AQMA is attainment)
Eight-hour Ozone (Federal)	Non-attainment, classified Severe-17 (portion of MDAQMD in Riverside County is attainment)
Ozone (State)	Non-attainment; classified Moderate
PM <sub>10</sub> (Federal)	Non-attainment; classified Moderate (portion of MDAQMD in Riverside County is attainment)
PM <sub>2.5</sub> (Federal)	Unclassified/attainment
PM <sub>2.5</sub> (State)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone)
PM <sub>10</sub> (State)	Non-attainment
Carbon Monoxide (State and Federal)	Attainment
Nitrogen Dioxide (State and Federal)	Attainment/unclassified
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Attainment
Particulate Sulfate (State)	Attainment
Hydrogen Sulfide (State)	Unclassified (Searles Valley Planning Area is non- attainment)
Visibility Reducing Particles (State)	Unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, February 2009. Verified September 2011

**Table 2  
MDAQMD Attainment Plans**

<b>Name of Plan</b>	<b>Date of Adoption</b>	<b>Applicable Area</b>	<b>Pollutant (s) Targeted</b>	<b>Attainment Date</b>
1991 Air Quality Attainment Plan (AQAP)	August 26, 1991	San Bernardino County portion	NO <sub>x</sub> and VOC	1994*
Mojave Desert Planning Area Federal Particulate Matter Attainment Plan	July 31, 1995	Mojave Desert Planning Area	PM <sub>10</sub>	2000*
Triennial Revision to the 1991 Air Quality Attainment Plan	January 22, 1996	Entire District	NO <sub>x</sub> and VOC	2005
2004 Ozone Attainment Plan (State and Federal)	April 26, 2004	Entire District	Ozone (NO <sub>x</sub> and VOC)	2007
Federal 8-Hour-Ozone Attainment Plan (Western Mojave Desert Non- attainment Area)	June 9, 2008	Western Mojave Desert Non-attainment Area	NO <sub>x</sub> and VOC	2021

\*Note: a historical attainment date given is an attainment plan does not necessarily mean that the affected area has been re -designed to attainment

# YUCCA VALLEY ANIMAL SHELTER

Source: MDAQMD and Federal Conformity Guidelines, February 2009. Verified September 2011

Federal and state air quality laws require identification of areas not meeting the ambient air quality standards. These areas must develop regional air quality plans to eventually attain the standards. The USEPA and the CARB have designated portions of the District as non-attainment for a variety of pollutants including ozone and PM<sub>10</sub>.

a) A project is considered non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. According to the MDAQMD's California Environmental Quality Act and Federal Conformity Guidelines, dated February 2009, a project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast. As the project is consistent with the land use plan and it will not increase the number of dwelling units, is not anticipated to increase the number of trips, or increase overall vehicle miles traveled in an affected area, the project is conforming.

b) The proposed project was screened using the CalEEMod version 2011.1.1 emission model to establish emissions associated with the proposed project during construction. The model can analyze emissions that occur during different phases of the project, such as building construction and architectural coatings. According to MDAQMD, a project is considered to cause a significant impact to air quality if it would exceed the MDAQMD thresholds of significance for criteria pollutants. The criteria pollutants analyzed in the CalEEMod model included reactive gasses (ROG), nitrous oxide (NO<sub>x</sub>), carbon monoxide (CO), particulates (PM<sub>10</sub> and PM<sub>2.5</sub>), carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O).

The CalEEMod model allows the user to set certain defaults to incorporate Air Quality Management District required rules and regulations. The project site is vacant, therefore, no demolition will occur. The development of the site would include site grading and soil preparation, and construction of the facility. The emissions calculations for the construction phase include fugitive dust from grading and exhaust emissions from on-site equipment and worker travel. Construction emissions are calculated based on emissions per 1,000 square feet. The fugitive dust emissions are based on earthwork activities per day. In order to account for dust suppression controls, it is assumed the contractor will comply with MDAQMA Rules 402 and 403 requiring the application of water to the site twice daily – see Mitigation Measure AQ-1. Construction emissions are considered short-term, temporary impacts. Table 3 shows the construction emissions that would occur from the proposed project.

**Table 3  
Construction Emission Summary  
(Pounds Per Day)**

<b>Source/Phase</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Site Preparation	11.1	90.0	52.3	0.1	13.0	9.0
Grading	7.3	55.6	34.4	0.1	6.4	4.8
Building Construction	6.2	40.9	24.8	0.0	2.9	2.8
Paving	6.3	37.7	22.9	0.0	3.5	3.3
Architectural Coating	20.0	3.2	2.0	0.0	0.3	0.3
<b>Highest Value (lbs/day)</b>	<b>20.2</b>	<b>90.0</b>	<b>52.03</b>	<b>0.1</b>	<b>13.0</b>	<b>9.1</b>
MDAQMD threshold	137	137	584	137	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2011  
Phases don't overlap and represent the highest concentration

As shown in the Table 3, the construction emissions would not exceed MDAQMD's threshold of significance for any of the criteria pollutants and would be considered less than significant.

Operational Emissions: The proposed project will not manufacture or produce any products on-site, therefore, no industrial type emissions will be emitted. Stationary source emissions associated with the

## YUCCA VALLEY ANIMAL SHELTER

operation of the site are primarily from natural gas consumption from space and water heating and mobile emissions were estimated by the CalEEMod model based on the size of the development. Emissions associated with these operational activities are shown in Table 4

**Table 4**  
**Operations Emission Summary**  
**(Pounds Per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	0.2	0.8	1.4	0.0	0.2	0.03
Energy	0.0	0.01	0.01	0.0	0.0	0.0
Area	0.42	0.0	0.0	0.0	0.0	0.0
<b>Total Value (lbs/day)</b>	<b>0.62</b>	<b>0.81</b>	<b>1.41</b>	<b>0.0</b>	<b>0.2</b>	<b>0.03</b>
MDAQMD threshold	137	137	548	137	82	82
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2011

Phases don't overlap and represent the highest concentration

As shown in Table 4, operational emissions associated with implementation of the proposed project would not exceed MDAQMD thresholds of significance for any pollutant. Therefore, operational emissions for the proposed project are considered less than significant.

c) The proposed project does not exceed any of the MDAQMD thresholds of significance for any criteria pollutants and is not considered to have a cumulative 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. The proposed project will have a less than significant impact with respect to cumulative direct or indirect project emissions.

d) The existing sensitive receptors near the proposed project include residences; however the proposed project is not expected to result in substantial pollutant concentration. Any pollutant concentrations would be produced during site preparation and construction by construction equipment. Since any such pollutant concentration would be minor and temporary; impacts would be considered less than significant.

e) Objectionable odors will be generated during a brief period of the asphalt paving for the new parking lot. Paving and associated odors are likely to last no longer than 3-4 days during the construction period. These odors are not expected to persist or have an adverse affect on residents or other sensitive receptors in the proposed project's vicinity.

During the operation of the replacement Animal Facility, any biological waste would be frozen, stored in freezers and picked up on a regular basis. Animal kennels are primarily inside the building. All kennels will be provided with drains and will be hosed down with a high-pressure water system and disinfectant daily to reduce odors. No significant objectionable odors are anticipated; therefore, the proposed project is expected to have a less than significant impact.

### MITIGATION MEASURES

**AQ-1** All construction contracts will include provisions for a comprehensive dust control plan and be consistent with MDAQMD requirements, including, but limited to Rules 402 and 403. Dust control efforts will include watering dirt surfaces twice daily and removing construction-site mud that has been deposited on roadways during construction.

**AQ-2** Limit traffic speeds on unpaved roads on and adjacent to project to 15 mph during construction.

**AQ-3** Install sandbags or other erosion control measures to prevent silt runoff on public roadways.

# YUCCA VALLEY ANIMAL SHELTER

**Level of Significance after Mitigation Measures:** Less than Significant

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6, 19, 25, 27
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 15, 18, 19, 27
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 14, 15, 18, 19
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 14, 15, 17, 19, 26, 27
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 4, 26, 32
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 4, 26,

## DISCUSSION

a-f) Review of the California Department of Fish and Game's (CDFG), California Natural Diversity Database, (CNDDDB) indicates that there are 13 special plants and animals reported from the Yucca Valley North 7.5 – minute U.S. Geological Survey quadrangle. A Focused Survey for Desert Tortoise, Habitat Assessment for Western Burrowing Owl, and General Biological Resource Assessment for the site was conducted by Circle Mountain Biological Consultants, Inc. in April 2011. The following discussion

is taken from the report.

Biological survey conducted on site found 57 plant species, one reptile, 17 birds and 9 mammal species during the survey. The plant community on site is best described as Joshua Tree woodland, with an understory of brush and grasses. (see Biological Report) No tortoise sign was found on site or in adjacent areas during the focused, protocol survey (U.S. Fish and Wildlife Services 1992, 2009) for the species. Based on the absence of desert tortoise sign on the project site, in adjacent areas, and reported from the region, Biologist's survey concludes that the desert tortoise is absent from the project site and adjacent areas. Additionally, the likelihood of tortoise entering the site is very remote given the closest site where desert tortoise have been detected is 2 ½ miles to the east on the east side of Old Woman Springs Road.

U.S. Fish and Wildlife Service (2002), California Department of Fish and Game (2009a, 2010), and California Native Plant Society (CNPS 2010) maintain lists of animals and/or plants considered rare, threatened, or endangered, which are collectively referred to as "special status species". No special status species were detected on-site during the Biologist's survey. Suitable habitat does exist on site for several bird species that are considered a Bird of Conservation Concern by the USFWS (2002) and a Bird Species of Special Concern by the CDFG (2009a). These species include LeConte's thrasher, loggerhead shrike, burrowing owl, northern harrier, and prairie falcon. If the entire site was developed, approximately 5 acres of foraging habitat would be lost, however, only 43% of the site is proposed to be developed. There is potential for loggerhead shrike and LeConte's thrasher to nest on site. Loss of eggs or young could occur during development of the site if construction occurs during the nesting season and involves removal of trees and shrubs. The project will involve the removal/relocation of some Joshua trees and brush. This could disturb the nesting of migratory birds. The Federal Migratory Bird Treaty Act (16 USC Section 703-711), 50 CFR 10, Fish and Game Code Sections 3503, 3503.5, 3513, and 3800 protect migratory and nongame birds, their occupied nests, and their eggs. Nesting or attempted nesting by migratory and nongame birds is anticipated to occur February through September 1. The incorporation of the mitigation listed below will reduce impacts to migratory and nongame birds to less than significant.

No evidence of burrowing owl, a California Species of Special Concern, was found on site during the biologist's survey, however, there is potential for the species to move on site from adjacent areas. With the mitigation incorporated below, impacts will be less than significant.

There is an intermittent USGS-designated blue stream on site. The wash runs roughly east to west through the center of the site. Impacts to washes, such as spoil deposition or alteration are regulated by the CDFG. Impact to wash onsite may require a 1601-03 Streambed Alteration Agreement from CDFG, as well as, review and evaluation through the Town based on Chapter 2 of Ordinance 140 (Riparian Plant Conservation) based on proximity of development to the stream bed.

The project development is planned to stay a minimum of 30 feet away from the managed flood plain of the intermittent stream bed. The buildings will be located approximately 41 feet from the managed flood plain at its closest point. Any paved area will be located approximately 30 feet from the managed flood plain at its closest point. The grading and hydrology of the site will occur in such a way as to not allow storm water from developed (paved) portions of the site to flow into the intermittent stream.

The project will not affect wetlands as defined by Section 404 of the Clean Water Act or interfere with fish and wildlife movements. The project will not be in conflict with any local policies to protect biological resources or provisions of an existing Conservation Plan.

The development of the site is limited to the northern portion of the site. The area adjacent to the intermittent blue stream, as well as, all land to the south of the stream bed will be left in its natural state. This will provide for approximately 2.9 acres of undisturbed foraging habitat. This will lessen the impact of the portion of the site that is being developed.

**MITIGATION MEASURES**

- BR-1** Joshua trees, and any other protected species of plants, affected by the development will be relocated to the southern portion of the site in accordance with state and local regulations and Chapter of Ordinance No. 140 (Desert Native Plant Protection) of the Town of Yucca Valley Development Code, which is intended to preserve native plants unique to Yucca Valley, outlines the regulations and guidelines for the management of plant resources in the Town). A removal permit shall be required for the removal of any native plant or tree, as regulated in Section 89.0107. of Ordinance 140 of the Development Code. In addition, site development will include the planting of trees and other appropriate vegetation as part of re-landscaping of the site.
  
- BR-2** To avoid impacts to migratory and nongame birds, their occupied nests, and their eggs, any trees should not be removed between February and September 1. If trees are to be removed between February and September 1, qualified Biologist shall survey the trees to be removed to determine if there are active nests. If active nests are found, an appropriate no disturbance buffer will be established to avoid disturbance until after the breeding season or after a wildlife biologist determines the young have fledged. If no active nests are found, no additional mitigation is required.
  
- BR-3** A preconstruction survey for burrowing owls shall be conducted by a qualified biologist 30 days prior to the start of construction of the project site. If no burrowing owls are detected, no further mitigation is required. If active burrowing owls are detected then the protocol established by the California Department of Fish and Game shall be followed.
  
- BR-4** A preconstruction survey for desert tortoise shall be conducted by a qualified biologist 30 days prior to the start of construction of the project site. If no desert tortoise is detected, no further mitigation is required. If desert tortoise are detected then the protocol established by the California Department of Fish and Game shall be followed.
  
- BR-5** All site development and construction activities shall maintain a minimum 30 foot buffer zone from any point of the existing bank of the intermittent stream. No construction or land disturbance activity shall occur within this buffer zone.

**Level of Significance after Mitigation Measures:** Less than Significant

<b>V. CULTURAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

**DISCUSSION**

a-d) There are no known or documented national or State historic resources that have been designated as landmarks or points of interest on or in the immediate vicinity of the project. The Town's General Plan states it will review and address issues related to cultural resources as set forth in the California Environmental Quality Act. The proposed project would not affect any historical or archaeological resources as defined in the CEQA's Section 15064.5. Additionally, there are no known paleontology resources, unique geologic features, or cemeteries within the project vicinity.

**MITIGATION MEASURES**

**CUL-1** In the event that cultural and/or paleontological resources are discovered during demolition and construction activities, construction shall be halted in the work area until a professional archaeologist and/or paleontologist has been retained and has the opportunity to investigate the resource and assess its significance. Any such resource uncovered during the course of project-related grading or construction shall be recorded and/or removed per standard archaeological or paleontological practices and/or applicable City and/or state regulations. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of Native Americans, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.

**Level of Significance after Mitigation Measures:** Less than Significant

**VI. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,13, 14, 15, 22, 34
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,13, 22,34
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 13, 22,34
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 13, 22
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13, 22, 23

## YUCCA VALLEY ANIMAL SHELTER

### VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 3, 13, 22,34
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 13, 22
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12, 13, 22

### DISCUSSION

a) i-iii) According to the Town of Yucca Valley General Plan EIR, the site lies within a seismically active region. Faults within the site planning area include the San Andreas Fault System, Johnson Valley, Burnt Mountain, Eureka Peak, and Pinto mountain Faults. A portion of the site is within the Alquist-Priolo Zone.

**Alquist-Priolo Fault Zoning Act:** The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) of 1994 (previously known as the Alquist-Priolo Special Studies Zones Act of 1972) primary purpose is to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. The A-P Act addresses only the hazards associated with surface fault rupture and not other earthquake hazards. The A-P Act requires the State Geologist to delineate the Earthquake Fault Zones along faults that are sufficiently active and well defined. Sufficiently active faults show evidence of Holocene surface displacement along one or more of their segments. Well defined faults are clearly detectable by a trained geologist at, or just below the ground surface. The A-P Act dictates that local jurisdictions withhold permits for development for sites within the A-P Zone until geologic investigations determine that the proposed structures are not threatened by surface displacements from future faulting. This investigation demonstrates that the building would not be placed across an active fault. This site specific evaluation requires a fault evaluation trench to be dug approximately perpendicular to any known fault and across the buildable area. This trench is then evaluated by a licensed geologist and an evaluation report is prepared. If an active fault is identified, a structure intended for human occupancy cannot be placed over the trace of the fault and must be set back, generally no closer than 50 feet from the fault.

A Fault Investigation Report was completed for the project site. (See report dated July 13, 2011 and Addendum to Report dated August 30, 2011 prepared by Leighton Consulting, Inc.) The purpose of the investigation was to evaluate the potential for surface earthquake fault rupture within the project site. To evaluate the fault rupture hazard, an approximately 275-foot long by 10 to 15 foot deep exploratory fault trench across the property was excavated. The trench was located approximately perpendicular to, and crossing, the previously mapped surface trace for the southern Johnson Valley Fault rupture from the 1992 Landers earthquake, provided by California Geological Society (Bryant, 1992). The 1992 ground surface fault rupture was mapped near the northwest corner of the project site. Based on the results of the investigation, no active faulting was observed within the limits of the exploration, however, field mapping after the 1992 Landers earthquake encountered ground cracking at the northwest corner of the

site. Accordingly, there exists a potential for surface rupture within a limited distance of the active fault trace. Therefore, the following conclusions and recommendations have been made by the consulting Geologist, with concurrence from the County Geologist:

- Faulting in the area and along the Johnson Valley fault has produced three events rupturing Holocene aged soils.
- No displaced Holocene-aged soils within the area explored were observed. However, an active fault should be considered to exist at the mapped trace of faulting observed immediately after the 1992 Landers earthquake.
- Fault setback provisions have been prepared based on the assumption of an active fault existing immediately beyond the area explored. The recommended fault setback zone is presented in accompanying Geotechnical Map – Plate 1.
- Structures intended for human occupancy should not be placed within the structure setback zone as shown on Geotechnical Map –Plate 1.
- Strong ground shaking and/or possible ground cracking/rupture along the identified active faults may occur near the site due to local earthquake fault activity. If this occurs, proposed structures and improvements may be damaged. The project design should attempt to anticipate these possibilities and incorporate mitigating measures. Recommendations from geologist for site remedial earthwork and foundation design should be incorporated into ultimate design of the project.
- Any future utilities that would cross the fault zone should be designed to accommodate future ground rupture and displacement. Utilities and associated infrastructure should be designed by a civil engineer with respect to potential ground shaking and possible ground displacement during future earthquakes.

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, which causes the soils to lose cohesion. The possibility of liquefaction occurring at the project site is dependent upon the occurrence of a significant seismic event in the vicinity, sufficient ground water (typically within 50 feet of the ground surface) to cause high pore pressure, and conditions relative to plasticity, relative density and confining pressures of the soil. The project's geotechnical investigation did not encounter free ground water at boring locations. The Department of Water Resource data for Wells 01N05E14P001S and 01N05E14Q001S indicate the depth of groundwater in the order of 82 to 100 feet below ground surface in 1958. Due to the absence of shallow groundwater (>50 feet), the geotechnical investigation determined the risk for liquefaction potential at the site to be considered very low. Although the Town of Yucca Valley is subject to the hazards associated with a seismically active region, adherence to the most recent construction and maintenance practices, such as the California Building Code (CBC) and the recommendations of the geotechnical investigation, would reduce impacts from known geologic hazards. Adherence to such practices and state and federal regulations would reduce the potential impacts relating to ground-shaking to a less-than-significant level.

a) iv) In the Town of Yucca Valley area, the potential for landslides to occur increases in the following: areas of high seismic potential, sites with rapid uplift and erosion resulting in steep slopes and deeply incised canyons, areas of rock with inherently weak component such as silt or clay layer, and areas of highly fractured and folded rock. In addition, slope orientation relative to the direction of the seismic wave can contribute to the occurrence of landslides. Although the Town of Yucca Valley may be subject to the hazards associated with landslides, adherence to the most recent construction and maintenance practices, such as the California Building Code (CBC), and implementation of the recommendations of the geotechnical investigation regarding earthwork, grading and foundations, would reduce the potential for landslides to a less than significant level.

b) The Animal Shelter project and associated site improvements will involve the disturbance and relocation of topsoil, rendering earth surfaces susceptible to erosion from wind and water. Soil erosion or the loss of topsoil resulting from the grading and excavation of the project site could result in an adverse impact. During construction activities, there is a potential for sedimentation, erosion, and runoff to occur. However, the project site is relatively flat in the area construction will occur. Construction projects resulting in the disturbance of one acre or more are required to obtain a NPDES permit issued by the

Regional Water Quality Control Board (RWQCB) to control soil erosion due to storm water. Project proponents are also required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Additionally, the project would be required to comply with Mojave Desert Air Quality management District (MDAQMD) rules to control fugitive dust. Implementation of dust suppression techniques required by MDAQMD, along with implementation of Best Management Practices (BMP's) required of all new development projects as specified in the NPDES permit and SWPPP for the project, would reduce potential impacts associated with soil erosion and loss of topsoil to a less than significant impact.

c-d) The project site is generally underlain by Holocene and Pliocene aged alluvium with a thin layer of topsoil (approximately 1 to 3 feet thick). The southern, elevated portion of the site is underlain by highly weathered grand diorite rock and capped with Tertiary-aged volcanic basalt. The older alluvium consists of silty fine to coarse grained sand with gravel, cobbles and scarce boulders.

Expansive soils are soils with a significant amount of clay. These soils have the ability to take on and absorb water. When this occurs, the soils swell and exert pressure on the loads imposed on them. Expansive soils are not considered a problem in the Yucca Valley due to the relatively minor amount of clay in the soil. Based on the results of the laboratory testing of the on-site soils in the geotechnical report, the on-site soils are generally considered granular and non-expansive.

e) Per the geotechnical investigation, the subsurface soil conditions on site are generally underlain by Holocene to Pliocene aged alluvium with a thin veneer of topsoil. The top soil is generally loose silty sand to sandy silt with abundant roots and extends to a depth of 3 to 5 feet below ground surface. The alluvial soils below the upper 3 to 5 feet are generally damp to moist and consist of silty to well-graded sand. Based on results of field testing, the upper 5 to 8 feet below ground surface are generally loose to medium dense with approximately 77 to 80 percent relative compaction. The alluvial soils below a depth of 8 feet appear relatively denser.

A percolation feasibility report was performed by Leighton Consulting, Inc. to determine the feasibility of utilizing an on-site septic system/ leach field disposal system. The percolation testing included two shallow boring locations and one deep test pit. Based on the results of the study, the soils encountered were classified as silty sand. Groundwater was not reported in any of the test pits. The on-site soils are considered suitable, and able to support the septic system/leach field using a percolation rate of 3.2 MPI for the design criteria of the system.

### MITIGATION MEASURES

- GS-1** All project structures will meet applicable standards of the CBC, Structural Engineers Association of California, and recommendations from the geotechnical investigation report for the site.
- GS-2** No structures intended for human occupancy (as defined by CCR, Section 3601) shall be located within the "structure setback zone" as defined in the Fault Evaluation Report, Geotechnical Map-Plate 1 dated 07/2011 by Leighton Consulting, Inc.
- GS-3** The project shall be designed incorporating mitigating measures for site remediation for earthwork and foundation design as defined in Geotechnical Investigation Report by Leighton Consulting, Inc. dated July 13, 2011.

**Level of Significance after Mitigation Measures:** Less than Significant

**VII. GREENHOUSE GAS EMISSIONS:**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Source
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) An Air Quality and Greenhouse Gas Assessment was prepared for this project in September 2011 by Lilburn Corporation. The report is a study of the potential impacts the project may have on greenhouse gases. The assessment determined that the proposed project GHG emissions would be less than significant. The following discussion is taken from the report.

The proposed project consists of the construction of a replacement Animal Shelter on a 5 acre site. GHG emissions were estimated by the CalEEMod model based on the size and proposed use of the project. GHG emissions include Mobile (vehicle trips), Energy (generation and distribution of energy to the facility), Area (facility in use), Water (generation and distribution of water to the facility), and Waste (collecting and hauling waste to the landfill) emissions.

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere. The accumulation of GHGs has been implicated as a driving force for global climate change. The Town of Yucca Valley does not currently have any policies, regulations, significance thresholds or laws addressing climate change at this time. The MDAQMD does not have an adopted threshold of significance or guidance for evaluating GHGs. However, the MDAQMD allows the use of SCAQMD models and guidance documents as acceptable tools in addressing emissions of GHGs. Where SCAQMD is not the lead agency, they have not yet adopted CEQA GHG significance thresholds for new residential/commercial projects, but have proposed several draft thresholds. To assist in assessing the significance of GHG emissions from new residential/commercial development projects under CEQA, the SCAQMD has been working on developing thresholds. To achieve its policy objective of capturing 90% of GHG emissions from new residential/commercial projects and implementing a "fair share" approach to reducing emissions increases from each residential/commercial development sector, SCAQMD has proposed combining performance standards and screening thresholds. Based on a presentation given on September 28<sup>th</sup>, 2010 GHG CEQA Significance Working Group meeting, the last Working Group meeting prior to date of GHG assessment report by Lilburn for this project, SCAQMD staff proposed a draft threshold for 2020 of 4.8 MT/SP/YR (metric tons of CO<sub>2</sub>EQ per service population per year) for mixed use developments. Since the goal of AB 32 is to return to 1990 GHG emission levels by 2020, the basis for this threshold is the statewide emission inventory for 1990 based on "land use" related sectors divided by the statewide service population. The SCAQMD also developed draft thresholds for commercial and residential projects where it is not the lead agency. The draft thresholds recommend a 3,000 MTCO<sub>2</sub>EQ per year screening threshold.

Proposed project GHG emissions for construction are shown in Table 5. An interim threshold of 3,000 MTCO<sub>2</sub>E per year has been adopted by SCAQMD as potentially significant to global warming. Based on this threshold, and modeling the construction activity schedule to 13 months or less, the construction of the project would not exceed significance thresholds.

**Table 5  
Greenhouse Gas Construction Emissions**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Site Preparation	18.5	0.0	0.0
Grading	19.5	0.0	0.0
Building Construction	436.3	0.1	0.0
Paving	23.6	0.0	0.0
Architectural Coating	2.4	0.0	0.0
<b>Totals Per Year (lbs/day)</b>	<b>500.3</b>	<b>0.1</b>	<b>0.0</b>
<b>TOTAL MTCO<sub>2</sub>e</b>	<b>500.0</b>		
<b>Threshold</b>	<b>3,000</b>		
<b>Significant</b>	<b>No</b>		

GHG operational emissions were estimated by the CalEEMod model based on the size and proposed use of the project. GHG operational emissions include Mobile (vehicle trips), Energy (generation and distribution of energy to the facility), Area (facility in use), water (generation and distribution of water to the facility), and Waste (collection and hauling waste to landfills) emissions.

**Table 6  
Greenhouse Gas Operational Emissions  
"Tons Per Year"**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Mobile	22	0.0	0.0
Energy	3	0.0	0.0
Area	0.0	0.0	0.0
Water	0.02	0.06	0.0
Water	33.5	2.0	0.0
<b>TOTAL MTCO<sub>2</sub>e</b>	<b>101.8</b>		
<b>Threshold</b>	<b>3,000</b>		
<b>Significant</b>	<b>N/A</b>		

As shown in Table 6, operational emissions for GHG's for the proposed project would not exceed thresholds and result in a less than significant impact with respect to GHG emissions.

GHG emissions for both construction and operational emissions for the proposed project are significantly lower than thresholds and no mitigation measures are recommended.

**Level of Significance after Mitigation Measures:** Less than Significant

b) AB 32 is the State of California's primary GHG emissions current regulation. As previously discussed, SCAQMD guidance standards have been used in this analysis. The SCAQMD GHG significance threshold was designed to ensure compliance with AB 32 emissions reductions requirements. Therefore, if a project emits less than the draft significance threshold it can be assumed to comply with AB 32 within the SCAQMD jurisdiction.

In an effort to ensure the project will not have an impact on Greenhouse Gas emissions, the project will incorporate the following strategies.

**MITIGATION MEASURES**

**GCC-1**The project shall minimize waste through construction practices and design features. At least 50% of construction generated waste will be recycled/reused.

**GCC-2**The project shall incorporate at least 10 percent locally produced and/or manufactured building materials used for the project.

**GCC-3**The project shall meet or exceed California Building Code's most recent Title 24 energy standards including: installing energy efficient lighting, installing light-colored "cool" roofing system, installing energy-efficient heating and cooling systems, increasing the R-Value of the insulation to ensure heat transfer and thermal bridging is minimized, limiting air leakage through structure, installing high-efficiency window assemblies.

**Level of Significance after Mitigation Measures:** Less than Significant

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 15, 16
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 15, 16
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 15, 16
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	28
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3

**YUCCA VALLEY ANIMAL SHELTER**

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4

**DISCUSSION**

a-c) Policy 1 through 7 of the General Plan Hazardous and Toxic Materials Elements were adopted to reduce the potential safety risks associated with hazardous materials and urban development. Additionally, the disposal of all hazardous and/or toxic materials is required to be in compliance with Federal, State and County regulations. Activities associated with hazardous materials would also be subject to compliance with the San Bernardino County Hazardous Waste Management Plan (HWMP). The project does not involve the construction or operation of hazardous materials facilities. Construction activities would involve the standard use of fuels and lubricants for construction equipment, but would not be expected to utilize hazardous materials or generate hazardous waste. Therefore, the proposed project would not be expected to pose risk of accidental explosion or release of hazardous substances.

The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed project will not create hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.

d) The Town has identified and listed hazardous materials sites within Town limits pursuant to Government Code Section 65962.5. There are no hazardous materials or wastes known to currently exist on the project property. The project would not create a significant hazard to the public or the environment as a result of being sited on a hazardous waste materials site. Impacts related to hazardous materials sites would be less than significant.

e-f) The Yucca Valley airport is located approximately three miles east of the Town of Yucca Valley. The project site is not within the Airport Influence Area and is not within the vicinity of any private airstrips. It is not anticipated that the Animal Shelter project will result in a safety hazard for people residing or working in the area.

g) The Town of Yucca Valley has an adopted Emergency Preparedness Plan which details planned responses in the event of a natural or man-made disaster. The objective is to coordinate all the facilities and personnel of the Town, county and other jurisdictions into an effective organization capable or responding effectively to any emergency. This plan establishes the emergency organization, assigns tasks, specifies general procedures, and provides for coordination of planning efforts of the various emergency staff and resources. Response plans are identified for specific hazards. Approval of the proposed project and the subsequent construction of the buildings and related improvements will not directly interfere with the Emergency Preparedness Plan or emergency response system.

h) The threat of fire exists in both developed and undeveloped regions of the Town of Yucca Valley. Fires in developed areas are usually building fires, rubbish fires and brush fires on vacant lots. Fires in

undeveloped areas include large brush fires and grass fires. A wild land fire's hazard potential is affected by fuel, climate and topography. The topographical influences related to wild land fires include percentage of slope, configuration and orientation. The steeper the slope, the greater the rate at which the fire spreads. Additionally, steep slopes contribute to the channeling effects of winds which spread fires more rapidly, while restricting the ability of fire fighters to respond.

The General Plan describes strategies for wild land fire protection that include coordination with the San Bernardino County Fire Department (SBCFD) and the California Department of Forestry to assure adequate levels of fire prevention services, construction materials standards, special on-site fire protection requirements for hilly sites, and fire safety education.

The proposed project construction shall comply with all municipal codes for new construction including the 2010 California Fire Code and Town amendments and building construction standards. Incorporation of the appropriate fire protection strategies would reduce the potential for fire hazards. New plantings will be reviewed by applicable agencies for appropriateness. The Animal Shelter building and covered areas will be built with a fire-retardant roof covering as defined in the CBC or some other similarly approved fire-retardant roofing material. There is one fire hydrant within 500 ft of the Animal Shelter and additional fire hydrant(s) will be provided as required by applicable codes to ensure proper suppression in the event of a fire.

Using proper prevention measures such as fire hydrants, sprinklers, fire access and construction per the 2010 California Fire Code, the replacement Animal Shelter will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. The risks to people and buildings associated with hazards and hazardous materials are less than significant with application of appropriate mitigation.

**MITIGATION MEASURES**

**HAZ-1** Project structures will meet applicable standards of the CBC, Structural Engineers Association of California, Town of Yucca Valley Building Code, and will comply with all municipal codes for new construction including the 2010 California Fire Code and Town amendments and building construction standards and SBCFD general requirements.

**HAZ-2** Recommendations set forth in the Fault Evaluation Report and Geotechnical Exploration Reports provided by Leighton Consulting, Inc. for the Animal Shelter project shall be incorporated into the design and construction phases of development.

**HAZ-3** In the event malodorous or discolored soils, liquids, containers, or other materials known or suspected to contain hazardous materials and/or contaminants are encountered during project grading and/or construction, earthmoving activities in the vicinity of said material shall be halted until the extent and nature of the suspect material is determined by qualified personnel and in consultation with appropriate Town staff. The removal and/or disposal of any such contaminants shall be in accordance with all applicable local, State, and Federal standards to the degree that adequate public health and safety standards are maintained, to the satisfaction of the Town.

**Level of Significance after Mitigation Measures:** Less than Significant

<b>IX. HYDROLOGY AND WATER QUALITY</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3

## YUCCA VALLEY ANIMAL SHELTER

IX. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 14, 15, 17, 18, 29, 33
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 7, 15, 17, 18, 29
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 7, 12, 29
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	30, 34
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 30
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 10, 30
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

### DISCUSSION

a, f) The State Water Resources Control Board (SWRCB) and the nine RWQCBs are responsible for the protection and enhancement of the quality of California's waters. The SWRCB sets statewide policy and, together with the RWQCBs, implements state and federal laws and regulations. Water quality for all surface water and groundwater for the Town of Yucca Valley is regulated under the jurisdiction of the Colorado River Basin RWQCB.

Currently, the Town of Yucca Valley does not have specific standards for water quality. TE standards for water quality are established by the Water Quality Control Plan for the Colorado River Basin. During construction, the project would be required to obtain coverage under the State's National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and General Permit for Discharges of Stormwater Runoff Associated with Construction Activity. The Animal Shelter project will include the preparation and implementation of a stormwater pollution prevention plan (SWPPP) to meet the requirements of the General Permit. The implementation of BMPs, as described in the California Stormwater Quality Association Construction Handbook (CASQA Handbook), are required both during and after construction in order to reduce or eliminate adverse water quality impacts resulting from development.

The proposed project construction will comply with all applicable federal, state, and local water quality regulations. A new detention basin will serve to effectively treat pollutants associated with run-off from the new parking lot and site development. The facility will be served by an on-site septic and leach field system design to accommodate the project and meet all applicable codes and standards. The project will not violate water quality standards or waste discharge requirements, nor will it substantially degrade water quality.

b) The source of water supply for the Town of Yucca Valley is the Warren Valley Groundwater Basin (WVGB) which is recharged by the Morongo Basin Pipeline. The General Plan EIR determined sufficient water resources exist for residential and commercial land development without the use of additional water resources.

The project does not include new wells or other means of extracting ground water supplies. The development of the facility will result in increased use, but it is not expected to result in a depletion of groundwater resources.

c-e) There is a USGS-designated intermittent blue line stream passing roughly east to west through the center of the site. The site drains to a low point of the site where the streambed intersects Malin Way. The proposed development of the site is located on the northern, relatively flat portion of the site. Any alteration or impact to the existing stream bed must be approved by the California Department of Fish and Game through a Streambed Alteration Agreement.

The proposed project shows the closest point of development to the managed flood plain of the intermittent stream bed to be 30 feet. Any construction activity must be kept clear of the intermittent stream bed with a designated buffer zone. The distance of the development from the streambed will provide an adequate buffer zone to protect the stream.

The Town of Yucca Valley, Master Plan of Drainage designates the intermittent stream as a Regional Facility. The MPD calls for a 50' wide, 3' deep managed flood plain at the intermittent stream.

After the site has been graded to accommodate the development curbs, gutters, and retention basin will be installed to accommodate the drainage. The retention basin will be designed to hold the developments incremental increase plus 10%. A final Hydrology study will be completed in conjunction with the grading plan which the Town Engineer will review and approve.

The new parking lot and paved areas will result in an increase of 0.8 acres of impervious surface; this new pavement will alter site drainage and increase the rate or amount of surface runoff by less than 1

cubic feet per second (cfs) (100-year storm frequency). The parking lot construction includes the addition of a retention basin within the area to the south to prevent flooding and protect water quality. The detention basin will be approximately 1,430 cubic feet (ft<sup>3</sup>), which will be sufficient to contain the predicted increased runoff. The increase in surface runoff will be less than significant with mitigation incorporation of the proposed retention basin. The potential for this project to create a condition that would exceed the capacity of downstream stormwater drainage systems or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site is considered a less-than-significant impact.

g-j) The project does not include housing construction. The project is in Zone X of the FEMA Flood Maps and is not within a 100 year flood zone. There is a blue line stream which traverses the site. It is designated as part of the Yucca Valley Master Plan of Drainage as a regional facility and requires a 50' wide, 3' deep managed flood plain. The developed portion of the site will maintain a minimum buffer from the stream of 30 feet. The project site is not subject to inundation by seiche, tsunami, or mudflow, and there are no nearby dams.

The proposed buildings, and parking will not be constructed in locations where they will impede or redirect flood flows. Grading Plan, Drainage Plan, and Storm Drain Plan will be prepared to reflect designs to prevent flood damage to structures. Design measures will be consistent with the intent of those promulgated under the National Flood Insurance Program. Because mitigation measures will be incorporated, the project will not expose people or structures to a significant risk of loss, injury or death involving flooding.

### MITIGATION MEASURES

**HYD-1** Prior to the first issuance of a grading permit by the Town, the project proponent shall file a Notice of Intent (NOI) with the Colorado River Regional Water Quality Control Board to be covered under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of stormwater associated with demolition and construction activities.

**HYD-2** Prior to the first issuance of a grading permit by the Town, the project applicant shall submit to and receive approval from the Town of Yucca Valley a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control onsite and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural best management practices (BMPs) to control sediment and non-visible discharges from the site. Some of the BMPs to be implemented may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: necessary), and other discharge control devices. The construction and condition of the BMPs would be periodically inspected during construction, and repairs would be made when necessary as required by the SWPPP.
- All materials that have the potential to contribute non-visible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles would be surrounded by silt fences and covered with plastic tarps.
- The SWPPP would include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures would be documented in the SWPPP and utilized if necessary.

- The SWPPP would be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

**HYD-3** The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and available for Town inspection. In addition, the Contractor would also be required to maintain an inspection log and have the log on site available for review by the Town of Yucca Valley and the representatives of the Regional Water Quality Control Board.

**HYD-4** The following is a selection of BMP's which should be utilized in order of preference:

- 1) BMP's that promote storm water infiltration.
- 2) BMP's that store and beneficially use storm water runoff.
- 3) BMP's that utilize the runoff for other water conservation uses including but not limited to:
  - a) BMP's that incorporate vegetation to promote pollutant removal and runoff volume reduction and to integrate multiple uses; and
  - b) BMP's that percolate runoff through engineered soil and allow it to discharge downstream slowly.

**HYD-5** The following source control and BMP measures should be applied as applicable to the project site:

- 1) The incorporation of vegetated swales and landscaped buffer strips throughout the site.
- 2) Development and implementation of a street sweeping and catch basin cleaning program.
- 3) Use of native and/or non-invasive vegetation in landscaped areas.
- 4) Development and implementation of an Integrated Pest Management (IPM) Program for common area landscaping in multifamily residential areas.
- 5) Development and implementation of an educational program that provides information to residents on water quality issues including:
  - a) The use of chemicals (including household type) that should be limited to the property, with no discharge of specified wastes via hosing or other direct discharge to gutters, catch basins, and storm drains;
  - b) The proper handling of material such as fertilizers, pesticides, cleaning solutions, paint products, automotive products, and swimming pool chemicals; and
  - c) The environmental and legal impacts of illegal dumping of harmful substances into storm drains and sewers.

**HYD-6** Applicable Town codes and BMPs specified in the CASQA Handbook will be implemented for grading and erosion control. Other measures, such as siltation fences and filtering dewatering discharges through sediment traps, will be used as necessary to prevent sediment runoff. Areas of ground disturbance will be landscaped as soon as possible to reduce soil loss and sediment runoff.

**HYD-7** Project design will include measures for preventing flood damage to structures. Grading Plan, Drainage Plan, and Storm Drain Plan will reflect designs to prevent flood damage to structures.

**HYD-8** Project development and any construction activity must maintain a buffer zone of 30' minimum from the existing intermittent stream bed. A 50' wide, 3' deep managed flood plain will be sustained at the location of the existing intermittent stream.

**HYD-9** The retention basin will be designed to hold the development's incremental increase plus 10% minimum

**Level of Significance after Mitigation Measures:** Less than Significant

<b>X. LAND USE AND PLANNING</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4, 5
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4, 5
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

**DISCUSSION**

a-b) The project site is designated as Rural Living, Single Family Residential 5 acre minimum (RL-5). The Land Use Element for the General Plan intends this designation to provide "intermediate steps in development density between the more typical urban residential densities and "reserve" densities, providing lots sufficient for rural lifestyle, animal keeping and country living". The existing animal shelter is located on the lot directly to the north of the project site and the lot directly to its' east is zoned Industrial, while the majority of remaining lots in the area are zoned Rural Living, 5 acre minimum, which are developed with single family residences or undeveloped. The rural Living, 5 acre minimum land use district permits commercial kennels and catteries on minimum 2 acre lots, subject to the review and approval of a Conditional Use Permit. The Development Code, Ordinance 211 section 84.0401(a) allows for publicly owned or leased government facilities, such as animal shelters to be constructed in any land use district subject to a Conditional Use Permit process. The proposed development would neither disrupt nor violate any applicable land use plan, policy, or regulation.

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan as there is no plan in place for the project site. In the absence of an applicable habitat conservation plan, the project would not result in any conflicts and no mitigation is required. The proposed project is consistent with the Town of Yucca Valley General Plan. See Biological Resources for mitigations relative to plant and wildlife communities.

**Level of Significance:** No impact

<b>XI. MINERAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					

## YUCCA VALLEY ANIMAL SHELTER

### XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5, 13
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4, 5, 13

### DISCUSSION

a-b) Within the Town of Yucca Valley, there are relatively few mineral resources, as the majority of the area is made up of alluvial fans, consisting of sand, silty sands, gravel and traces of clay. The project site is not designated as containing mineral resources and the geotechnical investigation verified the composition of the on-site soils as older alluvial on the northern portion and weathered grand diorite rock capped by Tertiary-aged volcanic basalt on the southern portion. The proposed project would not result in the loss of availability of known mineral resources and no mitigation is required.

The proposed project will not 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. The proposed project will not 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 and no mitigation is required.

**Level of Significance:** No impact

### XII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13, 14
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4

- |                                                                                                                                                                                                                                                                     |                          |                          |                          |                                     |       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5     |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5, 17 |

**DISCUSSION**

a, c, d) In close proximity to the site (within one half mile), sensitive noise receptors include three single family residences. Development Code Section 87.0905(b), states that noise levels in residential areas shall not exceed 55 dBA at any time. (The standard used for maximum outdoor noise levels in residential areas in California and the Town specifically is a Community Noise Equivalency Level (CNEL) of 65 dBA. These noise impacts are characteristically "unmitigated" and represent the worst-case noise impact without any obstruction.

Community noise generation includes that associated with construction activities. Proposed project construction will result in intermittent, short-term noise impacts resulting from construction-related activities. Construction-related activities associated with the proposed project include excavating, grading, and general building construction. Construction-related activities would be limited to the day-time hours; however, the proposed development would be required to comply with the Town of Yucca Valley's Noise Ordinance. After completion of construction activities, ambient noise levels would return to approximate existing levels.

The existing noise environment in the vicinity of the Project is dominated by noise from local street traffic, which is minimal, and the existing Animal Shelter located directly to the north of the project site. Facility-generated noise is expected to be at or below currently prevailing noise levels. Noise from animals housed in the facility is expected to be sufficiently reduced by the building shell such that there will be no increase in the ambient noise levels in the vicinity of the project. The only significant source of animal noise will be dogs in the outdoor exercise areas, adoption yards and outdoor portion of their kennels. The dogs are fed indoors and are able to use the outdoor portion of their kennel at scheduled times.

Dog barking is typically initiated by the animal's exposure to a sensory stimulate, such as, people or other animals walking by their enclosure. The kennels are arranged so as to minimize the public's interaction with animals in exterior spaces, except in the adoption area. The viewing areas for dogs will occur within the building when the dogs are in the indoor portion of their kennels. When someone wants to get better acquainted with the animal, they are led to the adoption area, which is located between the buildings in a courtyard arrangement. Low, solid site walls will be installed to screen the outdoor kennel area from the adoption areas to minimize interaction with dogs, thus minimizing barking. Dogs will be supervised in adoption areas and any dogs barking excessively will be taken inside the facility.

In summary, the proposed project will not expose persons to or generate noise levels in excess of standards established in the Town's General Plan and Ordinances. The project construction and operation will create temporary, periodic increases in ambient noise levels in the vicinity as compared to current noise levels. Construction noise will be a one-time event and ambient noise levels will return to existing conditions. The project construction and operation will not create a substantial permanent increase in ambient noise levels in the vicinity as compared to current noise levels occurring at the existing animal shelter.

b) There will be no underground mining or blasting associated with project construction. The proposed project will not expose persons to or generate excessive ground-borne vibration or ground-borne noise levels.

e-f) The project is not located near an airport or private airstrip and no airborne noise associated with aircraft is anticipated.

**MITIGATION MEASURES**

**N-1** Construction stockpiling, equipment storage and maintenance shall occur at the western boundary of the site, near the intersection of Main Way and Paseo Los Ninos.

**N-2** All grading equipment shall be muffled and properly maintained throughout construction of the project.

**N-3** Grading and construction activities shall be limited to those hours prescribed in the Municipal Code.

**Level of Significance after Mitigation Measures:** Less than Significant

**XIII. POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14, 16
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14, 16
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14, 16

**DISCUSSION**

a) The project would not substantially affect population growth or exceed regional or local population projections due to the fact that no housing is proposed as part of the project.

b-c) The project would not induce growth, nor would it displace any housing development.

**Level of Significance:** No impact

**YUCCA VALLEY ANIMAL SHELTER**

**XIV. PUBLIC SERVICES**

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 14
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 14
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 14
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 14
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 14

**DISCUSSION**

a-e) The replacement Animal Shelter is not anticipated to induce new growth in the Town of Yucca Valley. Therefore the project is not expected to impact existing public services. The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the Town's public services.

**Level of Significance:** No impact

**XV. RECREATION**

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

**DISCUSSION**

a-b) The proposed project will not result in substantial population growth which would contribute to increased use of existing neighborhood and regional park facilities.

**Level of Significance: No impact**

**XVI. TRANSPORTATION / TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

**DISCUSSION**

a-b) The proposed project would incrementally increase vehicle trips during construction. Malin Way has been previously improved from Skyline Ranch Road north to the intersection with Paseo Los Ninos. Paseo Los Ninos will be improved to a modified local street including widening and curbs and gutters along the frontage of the project. There would need to be alternate access provided during construction for residences that use Paseo Los Ninos as their only means of access to their properties. There is one residence that would be impacted. With the exception of this, the surrounding neighborhood would

**YUCCA VALLEY ANIMAL SHELTER**

experience little or no impact from construction-related activities. The proposed project would not create transportation and circulation hazards, barriers or hazards for pedestrians or bicyclists; or result in inadequate emergency access or access to nearby uses as construction activities occur.

The proposed project is not expected to significantly increase traffic in relation to existing traffic loads. Traffic related to animal shelter activities is not expected to change from what serves the existing animal shelter facility located directly to the north of the proposed project.

c) Constructed features at the Animal Shelter will not exceed height restrictions established by the Federal Aviation Administration (FAA) and the project is not within an Airport Influence Area. The proposed project will not result in a change in air traffic patterns.

d) The proposed project will not take place in a traffic circulation area. The project will not increase hazards due to design features.

e) The proposed project will not be constructed in a way to interfere with emergency access. Service roads leading to the Animal Shelter will be sufficient to support emergency vehicles including police vehicles, ambulances, and fire trucks. Nor will it interfere with emergency access anywhere else as it is not located in a traffic circulation area.

f) The proposed project includes a new parking facility for on-site parking. The proposed project will not result in inadequate parking capacity.

g) The proposed project would not conflict with Town policies, plans, or programs to support alternative modes of transportation.

**Level of Significance:** Less than Significant

**XVII. UTILITIES AND SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 29
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 29
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7, 23
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3

## YUCCA VALLEY ANIMAL SHELTER

### XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 29
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4

### DISCUSSION

a, b, e) The Town of Yucca Valley is not served by a centralized wastewater collection system at this time. The California Regional Water Quality Board, Colorado River Region establishes requirements for waste discharge for project within the Town of Yucca Valley. It is anticipated that the project would be required to submit a waste discharge report application to the Board for approval. The project must conform to the requirements of the California Regional Water Quality Board, Colorado River Region, and therefore, no mitigation is required.

c) The proposed project includes 38,693 s.f. of new impervious surface associated with a new parking lot, walkways and building. These features will necessitate the construction of a new storm water detention basin. The detention basin will be constructed using BMPs as described in the CSWQ Handbook. The detention basin will be a rectangular section and will be located at the eastern portion of the site, south of the large animal outdoor area, north of the intermittent stream. The detention basin will be constructed to prevent environmental impacts.

d) The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources.

f) Solid waste generated in the Town of Yucca Valley is taken by Burrtec to the Landers Landfill for disposal. The Landers Landfill is owned by the County of San Bernardino. The proposed project will be served by Burrtec and no mitigation is required.

g) The proposed project construction and operations will comply with all applicable federal, state, and local statutes and regulations related to solid waste.

### MITIGATION MEASURES

**USS-1** A stormwater detention basin will be constructed as part of the project. No new run-off will occur as a result of the proposed project.

**Level of Significance after Mitigation Measures:** Less than Significant

## YUCCA VALLEY ANIMAL SHELTER

### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Source
Would the project:					
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 19, 25, 26, 27, 29
<p>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)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4, 19, 27, 29
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

### DISCUSSION

The following potentially significant impacts have been mitigated to a level less than significant with application of the identified mitigation measures:

Aesthetics - Mitigation Measures A -1, A-2, and A-3.

Air Quality - Mitigation Measures AQ-1, AQ-2, AQ-3.

Biological Resources - Mitigation Measures BR-1, Br-2, Br-3, Br-4, BR-5.

Geology – Mitigation Measures GS-1, GS-2, GS-3.

With incorporation of the these Mitigation Measures the project's impacts, individually and cumulatively, will be less than significant .

ADVERTISING FOR  
NOTICE OF PUBLIC HEARING  
YUCCA VALLEY COMMUNITY CENTER  
57090 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284

TUESDAY, DECEMBER 13, 2011, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE TOWN OF YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

**CASE NUMBER:** Conditional Use Permit, CUP 05-11, Environmental Assessment EA 03-11 Yucca Valley Animal Shelter

**APPLICANT:** Animal Control Joint Powers Authority  
351 North Mountain View Avenue, Third Floor  
San Bernardino, CA 92415-0010

**PROPOSAL:** The Animal Control Joint Powers Authority (JPA) proposes to develop a replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter. The replacement Animal Shelter will serve both the incorporated areas of the Town of Yucca Valley, as well as, the unincorporated areas of the County of San Bernardino. The facility will include three, new single story buildings of approximately 8,838 total square feet of enclosed building area, along with approximately 5,400 square feet of covered animal pens. Total kennel and administrative building areas covered with roofing will be approximately 15,300 square feet. Parking areas will be constructed to accommodate parking for staff, public and shelter vehicles. Other pathways and service roads will be created to facilitate reliable and safe access. Landscaping and hardscaping will be developed throughout the project area, including the parking area. Lighting for the Animal Shelter will be developed to Town standards. The parking lots will be lit using 15-ft pole lights with cut-off fixtures. Walkways and other site areas will be lit with shorter (10 to 15ft tall), pedestrian-scaled poles.

**LOCATION:** The project is located on the south east corner of Malin Way & Paseo Los Ninos and is identified as APN 0597-021-080.

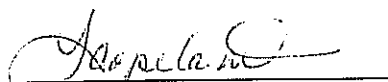
**ENVIRONMENTAL DETERMINATION:** The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to implement same. The Town determined that although the project could have significant impacts on the environment, the mitigation measures included in the Initial Study will reduce the potential impacts to less than significant levels. A Mitigated Negative Declaration is proposed.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing. The environmental findings, along the with proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7.30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760) 369-6575.

The Planning Commission in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Posted on November 8, 2011 and published on November 9, 2011.

November 7, 2011  
Date

  
Lesley Copeland  
Deputy Town Clerk

**Table III-1  
Town of Yucca Valley General Plan Land Use Designations**

<b>Land Use Designation</b>	<b>Density</b>	<b>Purpose of Land Use</b>
<b>Residential</b> (R-H-20) Hillside Reserve	0-1 du/20 ac.	This designation provides for limited single-family residential development within hillside areas and similarly constrained areas, providing the greatest potential for open space preservation and managed animal keeping. It serves as an intermediate land use designation between Open Space lands constrained by topography, biological resources, etc., and more intense residential uses. It precludes premature or inappropriate expansion of urban development. Development and use of these lands is restricted by topography/slopes, drainage and sensitive biological resources.
(R-L) Rural Living	Varies	This designation provides for single-family residential development on a range of lot sizes, including 1, 2.5, 5 and 10 acres. It also reflects lands constrained by topography, drainage, sensitive biological resources and surrounding patterns of subdivided land. This land use provides intermediate steps in development density between more typical urban residential densities and "reserve" densities, providing lots sufficient for rural life-style, animal keeping, and country living.
(R-S-2) Residential Single Family	0-2 du/ac	This low density designation provides for single family residential development on individual lots of approximately one-half acre. It assures minimum lot sizes adequate for large homes and substantial on-lot open space for recreational amenities and animal keeping. These lands serve to buffer standard single family subdivision development from rural living densities, and may be appropriate in areas with some physical site constraints.
(R-S-3.5) Residential Single Family	0- 3.5 du/ac	This designation provides for low density single family residential subdivisions with minimum lot sizes of 10,000 square feet. It allows the development of larger homes, while assuring adequate on-lot open space area and allowing animal keeping. This designation serves to transition between lower and more moderate residential densities.

## **PUBLIC SERVICES AND FACILITIES BACKGROUND**

One of the principal concerns of local government is the provision of adequate levels of public facilities and services. Land uses for public facilities include such governmental functions as the civic center, fire and police stations. Other include schools, hospitals and other medical facilities, utility facilities, public parks, and libraries (Also see the Public Buildings, Facilities, and Utilities Elements).

The level of public services and facilities needed to support residential, commercial and industrial development, and community needs is directly related to the intensity of development and socio-economic structure of the community. The planned, logical extension of Town areas cannot occur without the careful planning for the extension of public services and facilities.

The economic life and future of the Town, and the viability of the development environment, is directly tied to the level of services, types and intensities of land use, and the level of demand for services. The economic health of the Town is also dependent upon a balance between service costs and revenues generated by current and future development. While extension of many urban services is provided by various public agencies and regulated private companies, some of these service providers are not under the Town's regulatory jurisdiction. The Hi-Desert Water District is responsible for supplying domestic water services to the public. Nonetheless, the Town has the essential responsibility to cooperate and coordinate with the appropriate agencies to provide certain public services, and to assure that premature and inappropriate land uses are not encouraged.

## **PUBLIC FACILITIES GOAL, POLICIES AND PROGRAMS**

### **GOAL**

Maintenance of logical expansion of public services and facilities ensuring that they meet the needs of existing and future residents, businesses and visitors of the Town.

#### **Policy 1**

Pro-actively cooperate and coordinate with all providers of utility and public safety services in the community.

#### **Program 1.A**

Coordinate with those providers responsible for public utilities, police, fire, health, and other protection and care

service in the community.

**Responsible Agency:** Town Council; Community Development Department; Police Department; Fire Department; Hospitals; etc.

**Schedule:** Continuous

#### **Policy 2**

Encourage the development of public services and facilities in a manner which assures adequate levels of service, while remaining compatible with existing and future land uses.

#### **Program 2.A**

Coordinate and, as appropriate, regulate the development of public services and facilities to maximize the efficient delivery of service to the community, while assuring compatibility with surrounding land uses.

**Responsible Agency:** Community Development Department

**Schedule:** Continuous

## **OPEN SPACE AND CONSERVATION BACKGROUND**

The open spaces in the Town of Yucca Valley are important areas of aesthetic and recreational value, and give the community its essential character. These areas constitute a critically important part of the rural community environment. Open space areas within the Town include lands designated for the preservation of natural resources (plant and animal communities), washes and their banks, mineral deposits, parks and recreational facilities, multi-use trails, and areas where the presence of hazardous conditions have prohibited development.

There are four types of open space categories described in the Open Space, Mineral, Energy and Conservation Element, which include Open Space for the Use of Outdoor Recreation, Open Space for the Preservation of Natural Resources, Open Space for the Managed Production of Resources, and Open Space for Public Health and Safety. Each of these is discussed in more detail under the General Plan Open Space, Mineral, Energy and Conservation Element. Below are Policies and Programs for Open Space, and Conservation which assist the Town in implementing the Land Use as well as the Open Space, Mineral, Energy Elements.

**ORDINANCE NO. 136**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTIONS 84.0305 (RESOURCE CONSERVATION), 84.0310 (AGRICULTURE), 84.0320 (RURAL LIVING-RL), 84.0325 (SINGLE FAMILY RESIDENTIAL) OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED AND AMENDED BY THE TOWN OF YUCCA VALLEY RELATING TO PERMITTED LAND USES IN THE HILLSIDE RESERVE DISTRICT, RURAL RESIDENTIAL DISTRICT, AND SINGLE RESIDENTIAL DISTRICT (DCA-02-02).**

The Town Council of the Town of Yucca Valley does ordain as follows:

**SECTION 1. Development Code Amended.**

1.1 Section 84.0305 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby further amended to read as follows:

**"Sections: 84.0305 Hillside Reserve (R-HR) District.**

The Hillside Reserve (R-HR) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Hillside Reserve District regulations are to:
- (1) Provide for limited single-family residential development within hillside areas and similarly constrained areas and provide the greatest potential for open space preservation and managed animal keeping;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provision of public services and facilities needed to accommodate planned population densities.
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter "P" designate use classifications permitted in the RL District, the letters "PD" designate use classification allowed on approval of a Planned Residential Development, the letters "LSP" designate use classification allowed on approval of a Livestock Permit, the letters "CUP" designate use classification allowed on approval of a Conditional Use Permit.

<b>Hillside Reserve (R-HR) Use Classification</b>		<b>P CUP PD LSP</b>	<b>Permitted: Conditional Use Permit Planned Residential Development Livestock Permit</b>
<b>Use</b>	<b>Zoning District</b>	<b>Additional Use Regulations</b>	
	<b>20 ac</b>		
<b>Residential:</b>			
Family Day Care Homes:			
Large	CUP	Refer to Additional Uses Section of Development Code	
Small	P		
Home Occupations	HOP	Refer to HOP Section of Development Code	
Institutional Uses	CUP	Refer to Additional Uses Section of Development Code	
Manufactured Housing	P	Refer to Single Residential Design Standard Section of the Development Code	
Planned Residential Dev.	PD		
Single family dwellings	P	Refer to Single Residential Design Standard Section of the Development Code	
Mobile Home Parks	CUP	Not to exceed the underlying land use density on minimum parcel size of forty (40) acres	
Second Dwellings	CUP	Refer to Accessory Uses Section of Development Code	
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Commercial Kennels & Catteries	CUP	Two (2) acres minimum parcel size	
Row, Field, Tree, and Nursery crop cultivation	P		

- (c) **DEVELOPMENT STANDARDS:** The following schedule prescribes development regulations for the Hillside Reserve District:

<b>Hillside Reserve (R-HR) Property Development Regulations</b>		
<b>Use</b>	<b>Zoning District</b>	
Lot Size (acres)	20	Lot area measured in gross acres
Minimum Lot Frontage	150	
Maximum Lot Dimensions (Width to depth ratio)	1:4	
Yards (setbacks):		
Front	75'	(1), (2)
Side	75'	
Arterial/Collector Street Side	75'	
Local Street Side	75'	
Rear	75'	
Maximum Structure Height:	35	
Maximum Lot Coverage	None Required	
Maximum Housing Density (D.U./Acre)	1/20	
Minimum District Size (Acres)	100	

- (1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.
- (2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.

- (d) **ACCESSORY STRUCTURES REGULATIONS:** Residential accessory structures include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, and similar structures.

- (1) Any new accessory building requiring a building permit shall be subject to the following standards:

- (A) Any accessory structure shall be architecturally compatible with the primary structure.
  - (B) Any single accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of all accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.
  - (C) Lots in the R-HR land use district which are 10 acres in size or greater are exempt from any area requirements for accessory structures.
  - (D) All building setback standards of the land use district shall apply.
  - (E) Any accessory structure must be on the same parcel as the primary building.
  - (F) The maximum height of any accessory structure shall not exceed 20 feet.
  - (G) The maximum number of detached accessory structures shall be two, regardless of any requirement for a building permit.
- (2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material; a cargo container used as a temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit."

1.2 Section 84.0310 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County Code as adopted by the Town of Yucca Valley is hereby repealed.

1.3 Section 84.0320 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby further amended to read as follows:

**"Section: 84.0320 Rural Living (RL) District.**

The Rural Living (RL) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Rural Living District regulations are to:
- (1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provisions of public services and facilities needed to accommodate planned population densities.
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter "P" designate use classifications permitted in the RL District, the letters "PD" designate use classification allowed on approval of a Planned Development, the letters "LSP" designate use classification allowed on approval of a Livestock Permit, the letters "CUP" designate use classification allowed on approval of a Conditional Use Permit.

R-1 (Rural Living) Use Classification		P CUP PD LSP	Permitted Conditional Use Permit Planned Residential Development Livestock Permit
Use	Zoning District	Additional Use Regulations	
	R-1-1, 2.5, 5, 10, 20 ac		
<b>Residential:</b>			
Family Day Care Homes:			Refer to Additional Uses Section of Development Code
Large	CUP		
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Section of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		Refer to Single Residential Design Standard Section of the Development Code
Second Dwellings	CUP		Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP		Not to exceed the underlying land use density on minimum parcel size of twenty (20) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Commercial Kennels & Catteries	CUP		Two (2) acre minimum parcel size

Row, field, tree, and nursery  
crop cultivation

P

Any structure associated with  
this activity is limited to 10,000  
Sq. Ft. on parcels of 5 acres or  
less.

(c) **DEVELOPMENT STANDARDS:** The following schedule prescribes development regulations for the Rural Living Residential District:

<b>Rural Living (RL) Property Development Regulations</b>		
<b>Use</b>	<b>Zoning District</b>	
	<b>RL-1, 2.5, 5, 10, 20 ac</b>	
Lot Size (acres)	see map suffix	Lot area measured in gross acres
Minimum Lot Dimension (width/Depth in ft.)	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		
Front	50'	(1), (2)
Side	15'	
Arterial/Collector Street Side	50'	
Local Street Side	25'	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	20%	
Minimum District Size (Acres)	30	

(1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.

(2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.

(d) **ACCESSORY STRUCTURES REGULATIONS:** Residential accessory structures include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, and similar structures.

(1) Any new accessory building requiring a building permit shall be subject to the following standards:

- (A) Any accessory structure shall be architecturally compatible with the primary structure.
  - (B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.
  - (C) Lots in the RL land use district which are ten (10) acres in size or greater are exempt from the area requirements for accessory structures.
  - (D) All building setback standards of the land use district shall apply.
  - (E) Any accessory structure must be on the same parcel as the primary building.
  - (F) The maximum number of detached accessory structures shall be two, regardless of any requirement of a building permit.
  - (G) The maximum height of any accessory structure shall not exceed 20 feet.
- (2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material, a cargo container used as a temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit."

Section 84.0325 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County code as adopted and amended by the Town of Yucca Valley is further amended to read as follows:

**"Sections: 84.0325 Single Residential District (RS).**

The Single Residential (RS) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Single Residential District regulations are to:
- (1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provisions of public services and facilities needed to accommodate planned population densities.
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter "P" designate use classifications permitted in the RS District, the letters "PD" designate use classification allowed on approval of a Planned Development, the letters "LSP" designate use classification allowed on approval of a Livestock Permit, the letters "CUP" designate use classification allowed on approval of a Conditional Use Permit.

RS (Single Residential) Use Classification		P CUP PD LSP	Permitted Conditional Use Permit Planned Residential Development Livestock Permit
Use	Zoning District	Additional Use Regulations	
	RS-2, 3, 5, 5		
<b>Residential:</b>			
Family Day Care Homes:			Refer to Additional Uses Section of Development Code
Large	CUP		
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Section (88.0101) of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		
Second Dwellings	CUP		Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP		Not to exceed the underlying land use density on minimum parcel size of ten (10) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Row, Field, Tree, and Nursery Crop Cultivation	P		Any structure associated with this activity is limited to 10,000 sq. Ft. on parcels of 5 acres or less.

(c) **DEVELOPMENT STANDARDS:** The following schedule prescribes development regulations for the Single Residential District:

<b>Single Residential (RS) Property Development Regulations</b>		
<b>Use</b>	<b>Zoning District</b>	
	<b>RS-2, 3, 5, 6</b>	
Lot Size (square feet)	7,200 map suffix will modify	Lot area measured in net square feet
Minimum Lot Dimension (width/Depth in ft.)		
Less than 1 acre	60/100	
Greater than 1 acre	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		(1), (2), (3)
Front	25	
Side	5 & 10	
Arterial Street Side	25	
Local Street Side	15	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	40%	
Minimum District Size (Acres)	10	

- (1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.
- (2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.
- (3) A Final or parcel map may establish front yard setbacks no less than twenty-two (22) feet provided the average setback of all parcels is at least twenty-five (25).

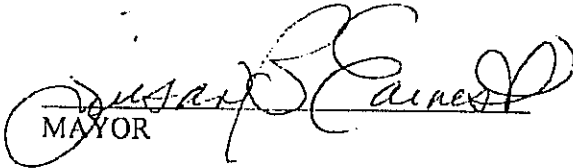
- (d) **ACCESSORY STRUCTURES REGULATIONS:** Residential accessory structures include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, and similar structures.
- (1) Any new accessory building requiring a building permit shall be subject to the following standards:
- (A) Any accessory building shall be architecturally compatible with the primary structure.
  - (B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building not to exceed 750 square-feet.
  - (C) Any accessory building shall meet the minimum building setback standards of the land use district but that an accessory structure not requiring a building permit may encroach up to 3 feet from the rear property line.
  - (D) The maximum number of detached accessory structures:
    - (1) Any RS lot having less than 20,000 square-feet in area shall be limited to one accessory structure.
    - (1) Any RS lot greater in size than 20,000 square-feet shall be limited to two accessory structures.
  - (E) Any accessory structure must be on the same parcel as the primary structure.
  - (F) The maximum height of any accessory structure shall not exceed 20 feet.
- (2) **USE OF CARGO CONTAINERS:** As storage for construction clean-up or construction material, a cargo container used as temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of an active building permit subject to the approval of a Temporary Use Permit."

SECTION 2. All prior enactment's of the Town including ordinances or portions of ordinances adopted, or incorporated by reference which are in conflict with this ordinance including chapter 5 of Division 4, of Title 8 of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley are hereby repealed, effective upon the date upon which this ordinance becomes effective and operative.

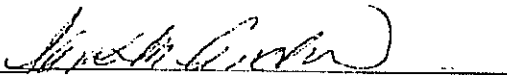
SECTION 3. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.


APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 6<sup>th</sup> day of February, 2003.

  
MAYOR

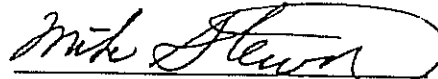
ATTEST:

  
Town Clerk

APPROVED AS TO FORM:

  
Town Attorney

APPROVED AS TO CONTENT:

  
Town Manager

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 136 as duly and regularly introduced at a meeting of the Town Council on the 16<sup>th</sup> day of January, 2003, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 6<sup>th</sup> day of February, 2003, by the following vote, to wit:

Ayes: Council Members Cook, Leone, Mayes, Neeb and Mayor Earnest

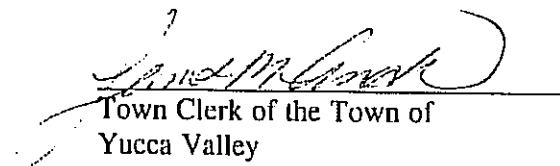
Noes: None

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 7<sup>th</sup> day of February, 2003.

(SEAL)

  
Town Clerk of the Town of  
Yucca Valley

**ORDINANCE NO. 211**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 4, SECTION 84.0410 OF THE COUNTY OF SAN BERNARDINO CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY RELATING TO SWAP MEETS**

The Town Council of the Town of Yucca Valley, California, does ordain as follows:

**SECTION 1. Code Amended**

Title 8, Division 4, Chapter 4, Section 84.0410 of the San Bernardino County Code as adopted by the Town of Yucca Valley is hereby amended in its entirety to read as follows:

**“Chapter 4**

**ADDITIONAL USES**

Sections:

84.0410 List of Additional Uses

**84.0401 List of Additional Uses.**

- (a) The following uses shall be allowed in any official land use district subject to the reviews specified by Sections 84.0401 and 84.0405.
- (1) Temporary and permanent government facilities and enterprises (Federal, State, and Local) where buildings and/or property are publicly owned or leased.
  - (2) Temporary support facilities associated with highway construction and other public facilities including, but not limited to, batch plants and equipment storage yards.
  - (3) Transportation facilities principally involved in the movement of people together with the necessary buildings, apparatus, or appurtenances incidental thereto, including but not limited to, airports, heliports, train stations, bus station and car pool facilities.
  - (4) Institutional uses including but not limited to schools, colleges, and universities, conference centers, hospitals, churches, rehabilitation centers and organizational camps.
  - (5) Museums, art galleries, and libraries.

- (6) Planetarium, aquariums, zoos, botanical gardens and arboretums.
- (7) Historic and monument sites.
- (8) Cemeteries, including pet cemeteries, subject to Design Standards and the mapping requirements specified by this Title. A Conditional Use Permit and a Tentative Tract Map filed concurrently shall be required.
- (9) Social care facilities with seven (7) or more clients.
- (10) Solid waste disposal sites, rubbish incinerators, and recycling centers. (Recycling centers are limited to certain land use districts as described in Section 84.0625 of this Division).
- (11) Sewer plants and sewage disposal sites.
- (12) Electrical generating stations.
- (13) Public utilities and public service uses or structures including but not limited to: reservoirs, pumping plants, electrical substations, repeater huts, towers and satellite receiving stations. A multiple site network may be submitted as one project.
- (14) Radio and television stations and towers.
- (15) Racetracks or stadiums.
- (16) Campgrounds not exceeding a density of four (4) sites per acre.
- (17) Sports-oriented recreational uses requiring remote locations including but not limited to: rifle, pistol and archery ranges, sky diving jump sites, off-road and recreational vehicle parks, marinas, golf courses, hunting and fishing clubs, ski resorts and recreational camps.
- (18) Gas pressure control stations, water treatment plants, (purification), water storage tanks, gas production plants, petroleum pipeline and pressure control stations.
- (19) Development of natural resources including, but not limited to: mineral deposits, extractions, natural vegetation and energy sources, together with the necessary buildings, apparatus or appurtenances incidental thereto.
- (20) Correctional institutions.
- (21) Bail bond operation located within one (1) mile of a correctional institution.
- (22) Arenas, field houses, auditoriums, rodeo facilities.

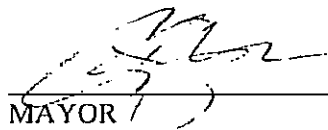
- (23) Recreation and community centers, gymnasiums, athletic clubs.
  - (24) Wildlife and nature preserves, lakes, general recreation, leisure and ornamental parks open to the general public.
  - (25) Emergency and transitional shelters for the homeless.
- (b) Subject to the requirements of an approved Conditional Use Permit, swapmeets may be allowed within the CG-General Commercial, CS-Service Commercial, and I-Industrial land use districts subject to the following conditions and requirements:
- (1) **Definition: "Swap Meet"** means any outdoor place, location, or activity that is generally held on weekends on an on-going basis where new or used goods or secondhand personal property is offered for sale or exchange to the general public by three or more individuals or licensed vendors, usually in compartmentalized spaces, each typically occupying no more than 150 square-feet per vendor on the same or adjoining properties. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operation, when all activities are conducted indoor.
  - (2) **Location Standards:** No swap meets shall be allowed on any land that is adjacent to or abutting either SR 62 or SR 247 unless the sales activity is a minimum of 400 feet from any property line adjacent to either highway. In a General Commercial (CG) land use district, any sales activity, excluding parking shall be a minimum of 200 feet from any parcel zoned Office Commercial, Neighborhood Commercial, Mixed-Use Commercial, or Single Family Residential. Any sales activity in Service Commercial (CS), excluding parking shall be a minimum of 200 feet from any parcel zoned Office Commercial, Neighborhood Commercial, Mixed-Use Commercial, or Single Family Residential.
  - (3) **Design Standards:**
    - (A) Permanent restroom facilities shall be provided in accordance with Building Code and San Bernardino County Health Department requirements.
    - (B) The sales area shall be distinctly defined in either the form of fencing or vegetation or in manner as approved by the Town and landscape screening shall be encouraged.
    - (C) Parking and parking lot landscaping shall be provided in accordance with Parking Code. Additional landscaping will be required along all street right-of-way.

- (D) Minimum parcel size shall be five acres.
- (E) No direct access to a swap meet will be permitted from either SR 62 or SR 247, but shall be restricted to non highway streets.

SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

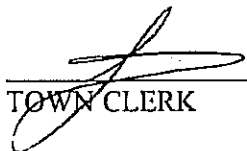
SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor attested by the Town Clerk this 18<sup>th</sup> day of May, 2010.

  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
TOWN CLERK

  
TOWN ATTORNEY

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 211 as duly and regularly introduced at a meeting of the Town Council on the 4<sup>th</sup> day of May, 2010, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 18<sup>th</sup> day of May, 2010, by the following vote, to wit:

Ayes: Council Members Huntington, Luckino, Neeb, and Mayor Mayes


Noes: None

Abstain: Council Member Herbel

Absent: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 19<sup>th</sup> day of May, 2010.

(SEAL)

  
\_\_\_\_\_  
Town Clerk of the Town of  
Yucca Valley



**Mojave Desert Air Quality Management District**

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

November 7, 2011

Town of Yucca Valley  
Community Development Department  
Attn: Yucca Valley Animal Shelter  
58928 Business Center Drive  
Yucca Valley, CA 92284

**Project: CUP 05-11, and EA 03-11 Yucca Valley Animal Shelter**

Dear Ms. Olsen:

The Mojave Desert Air Quality Management District (District) has received the Request for Comments for the Yucca Valley Animal Shelter located at the south east corner of Malin Way and Paseo Los Ninos. The project proposes to develop a replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter. The facility will include three, new single story buildings totaling 16,140 square feet. Building one is the administration building of 5,940 square feet; building two is a kennel building of 6,120 square feet; and, building three is a kennel building of 4,080 square feet. The site will also include covered animal enclosure areas, dog walking/get acquainted areas, parking, landscaping and retention on 2.1 acres of an approximately 5 gross acre lot.

We have reviewed the project and, based on the information available to us at this time, the District has no comments.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio".

**Alan J. De Salvio**  
Supervising Air Quality Engineer

AJD/tw

YV Animal Shelter.doc

**RECEIVED**

**NOV 09 2011**

**TOWN OF YUCCA VALLEY  
COMM DEV**

**SAN BERNARDINO COUNTY  
FIRE DEPARTMENT**

**OFFICE OF THE FIRE MARSHAL  
COMMUNITY SAFETY DIVISION**  
15900 Smoke Tree Street, 1st Floor, STE 131  
Hesperia, Ca. 92345  
(760) 995-8190 - Fax (760) 995-8205



**COUNTY OF SAN BERNARDINO  
PUBLIC AND SUPPORT  
SERVICES GROUP**

**MARK A. HARTWIG  
Fire Chief**

**DATE: November 21, 2011**

**EXPIRATION: November 2012**

**YUCCA VALLEY ANIMAL SHELTER  
351 NORTH MOUNTAIN VIEW AVENUE  
SAN BERNARDINO CA 92415-0010**

**PERMIT NUMBER: F201100827  
PROJECT NUMBER: CUP 05-11  
LOCATION: SEC MALIN WAY & PASEO  
PROJECT TYPE: CUP  
OCCUPANCY TYPE:  
APN: 0597-021-08-0000  
PROPOSAL:  
PLANNER: DIANE OLSON**

Dear Applicant:

With respect to the conditions of approval regarding the above referenced project, the San Bernardino County Fire Department requires the following fire protection measures to be provided in accordance with applicable local ordinances, codes, and/or recognized fire protection standards.

The *Fire Conditions Attachment* of this document sets forth the *FIRE CONDITIONS* and *STANDARDS* which are applied to this project.

**FIRE CONDITIONS: All FIRE CONDITIONS FOR THIS PROJECT ARE ATTACHED**

Page 1 of 3

Sincerely,

A handwritten signature in black ink that reads "Jeff Stinson / Jmc".

**Jeff Stinson, Fire Prevention Specialist  
San Bernardino County Fire Department  
South Desert Division Community Safety Division  
Duty, Honor, Community**

## FIRE CONDITIONS ATTACHMENT

DATE: 11-30-2011  
PROJECT: CUP 05-11  
PERMIT NUMBER: F201100827  
LOCATION: SEC MALIN WAY & PASEO  
  
PARCEL: 0597-021-08-0000



### CONDITIONS

Cond: NCCNOTE#3

A Knox key box must be provided for this project and installed in accordance with SBCoFD Standard 902.4.

Cond: NCC08

Provide Knox Box padlocks on all fire department access gates.

Cond: F93

Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4 [F93]

Cond: F89

Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all weather surface and shall be installed as specified in the General Requirement conditions (Fire # F-9), including width, vertical clearance and turnouts, if required. [F89]

Cond: F82

Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F82]

Cond: CON0018418

Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure. [F54]

Cond: CON0018416

Access. The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1

Single Story Road Access Width:

All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

Cond: ASTNOTE#6

Portable fire extinguishers shall be provided.

Cond: ASTNOTE#1

**FIRE CONDITIONS ATTACHMENT**

DATE: 11-30-2011  
PROJECT: CUP 05-11  
PERMIT NUMBER: F201100827  
LOCATION: SEC MALIN WAY & PASEO  
  
PARCEL: 0597-021-08-0000



All construction must comply with all appropriate fire protection installation standards as adopted by the San Bernardino County Fire Department.



PLANNING DIVISION

385 N. Arrowhead Avenue, San Bernardino, CA 92415-0182  
(909) 387-8311 Fax (909) 387-3223  
<http://www.sbcounty.gov/landuseservices>

CHRISTINE KELLY  
Director

November 23, 2011

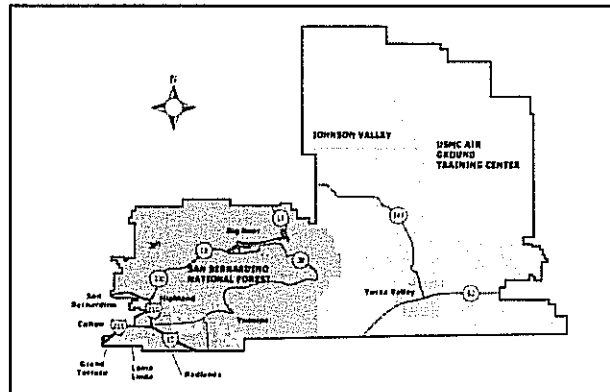
Town of Yucca Valley  
Community Development Department  
Attn: Yucca Valley Animal Shelter  
58928 Business Center Drive  
Yucca Valley, CA 92884

RE: COMMENTS REGARDING THE YUCCA VALLEY ANIMAL SHELTER

Dear Mrs. Olsen:

Thank you for providing the County of San Bernardino Land Use Services Department the opportunity to submit comments regarding the scope and content of the environmental information addressed within the Initial Study/Mitigated Negative Declaration for the Yucca Valley Animal Shelter Project.

The project is located within the 3<sup>rd</sup> Supervisorial District of the County of San Bernardino. The unincorporated area of the County is depicted on this district map:



Source: <http://www.sbcounty.gov/bosd3/district/DistrictMap.aspx>

Section V. Cultural Resources: Please consult with the County of San Bernardino Museum in the event that cultural and/or paleontological resources are discovered during the demolition and construction activities for guidance related to how to these resources provide a greater knowledge of County natural history and the importance of promoting County identity and conserving scientific amenities for the benefit of future generations.

Thank you again for providing the County an opportunity to submit comments regarding the scope and content of the Draft EA which are germane to our agency's statutory responsibilities under NEPA. If you have any questions, please e-mail me at [sziasroe@lud.sbcounty.gov](mailto:sziasroe@lud.sbcounty.gov) and/or call me at (909) 387-4124.

Sincerely,

Shellie Zias-Roe, Associate Planner  
Planning Division

RECEIVED

NOV 30 2011

TOWN OF YUCCA VALLEY

cc: Christine Kelly, Director Land Use Services Department  
Robert A. Lewis, Planning Director Land Use Services Department

Board of Supervisors

GREGORY C. DEVEREAUX  
Chief Executive Officer

BRAD MITZELFELT, .....First District  
JANICE RUTHERFORD, .....Second District  
LOSIE GONZALES, .....Third District

NEIL DERRY, .....Third District  
GARY C. OVITT, .....Fourth District  
FRANK BISHOP, .....Fifth District



BUILDING AND SAFETY DIVISION  
385 North Arrowhead Avenue • San Bernardino, CA 92415-0181  
(909) 387-8311 Fax (909) 387-4301  
<http://www.sbcounty.gov/landuseservices>

CHRISTINE KELLY  
Director

August 15, 2011

Rene Glynn  
Vice President  
Williams Architects, Inc.  
276 N. Second Avenue  
Upland, California 91786

SUBJECT: REVIEW OF FAULT RUPTURE HAZARD INVESTIGATION, PROPOSED ANIMAL SHELTER EXPANSION SOUTHEAST OF PASEO LOS NINAS AND MALIN AVENUE (APN 0597-021-08), YUCCA VALLEY

In accordance with your request, the following report has been reviewed:

*Fault Investigation Report, Proposed Yucca Valley Animal Shelter, Town of Yucca Valley, California, prepared by Leighton Consulting, Inc., Project No. 603176-002, dated July 13, 2011*

The report is signed and sealed by Robert F. Riha, California Professional Geologist and Certified Engineering Geologist.

The report indicates that the site will be developed with an animal shelter of steel frame construction, parking, utilities and street improvements. The proposed shelter is located immediately south of the existing animal shelter.

The site lies within an Alquist-Priolo Earthquake Fault Zone designated by the State of California to include traces of suspected active faulting associated with the Johnson Valley fault zone. The Alquist-Priolo Earthquake Fault Zone was established along the Johnson Valley fault following the June 28, 1992 magnitude 7.3 Landers earthquake.

Pursuant to Section 3603(d) of the Alquist-Priolo Earthquake Fault Zoning Act, application for a development permit within a delineated fault zone shall be accompanied by a geologic report prepared by a California Professional Geologist, which evaluates the potential hazard of surface fault rupture.

The report represents a fault-rupture hazard investigation only. We understand that a geotechnical report that evaluates soil conditions and provides grading and foundation recommendations is being completed separately.

RENE GLYNN

SUBJECT: REVIEW OF FAULT RUPTURE HAZARD INVESTIGATION, PROPOSED ANIMAL SHELTER EXPANSION SOUTHEAST OF PASEO LOS NINAS AND MALIN AVENUE (APN 0597-021-08), YUCCA VALLEY

PAGE 2

Generally, geology reports are reviewed with respect to several of the following:

- California Geological Survey, Note 41; *Guidelines for Reviewing Geologic Reports*.
- California Geological Survey, Note 49; *Guidelines for Evaluating the Hazard of Surface Fault Rupture*.
- California Board for Geologists and Geophysicists; *Guidelines for Engineering Geologic Reports*.
- California Board for Geologists and Geophysicists; *Geologic Guidelines for Earthquake and/or Fault Hazard Reports*.
- San Bernardino County Building and Safety Division, Standard Procedure A-146; *Fault-Rupture Hazard Investigation and Report Standards* (attached).
- San Bernardino County Building and Safety Division; *General Minimum Requirements for Engineering Geology Investigation Reports*.

In assessing risk, the age of onsite faulting is critical. For purposes of the Alquist-Priolo Earthquake Fault Zone Act, if it can be demonstrated that surface ground rupture has not occurred along a fault during all of the Holocene (approximately the last 11,000 years), the risk is considered small and the fault is designated as "not active".

The report indicates that approximately 275 feet of trench approximately 10 to 15 feet deep was excavated and logged during the subsurface investigation. The trench log is included as Plate 2 within the report.

As discussed within the report, the site lies along the southern margin of the 1992 rupture zone of the Johnson Valley fault as mapped by the California Geological Survey (CGS). Two surface cracks with no apparent vertical or horizontal displacement were identified by CGS through the northwest corner of the site. Although these cracks were included as an extension of the fault zone, CGS designated them as "shaking cracks".

No evidence of the previously identified cracking was observed within the trench. In addition, no evidence of active faulting was observed as verified by the well developed unbroken stratigraphy of the suspected Pleistocene age sediments exposed near the bottom of the trench.

With respect to the sediments exposed, the report states "*Two predominate alluvial sequences were observed with distinct pedogenic soils which, based on degree of development of the lower units, provide a record of at least several tens of thousands years to possibly several hundred thousand years (Mid to Late Pleistocene)*". However, without a quantitative age analysis or some other substantial evidence, we are assuming the lower most sediments are no older than latest Pleistocene in age (11,000 to 20,000 years old).

Although no evidence of faulting was observed, the report conservatively recommends a 25 foot building setback from the previously mapped surface cracks.

RENE GLYNN

SUBJECT: REVIEW OF FAULT RUPTURE HAZARD INVESTIGATION, PROPOSED  
ANIMAL SHELTER EXPANSION SOUTHEAST OF PASEO LOS NINAS AND  
MALIN AVENUE (APN 0597-021-08), YUCCA VALLEY

PAGE 3

The investigation appears to adequately evaluate the hazard of surface fault rupture through the site; however, additional information is needed. Prior to approval of the report, the following items need to be addressed by the Project Geologist (Leighton Consulting, Inc.):

- Standard Procedure A-146 requires that trench locations be tied to a recoverable point and building setbacks be tied to a surveyed point. The direction, length and setback distance of the recommended building setback must be specified on the plat within the report as well as discussed within the text.
- Review of aerial photographs and a lineament analysis is considered standard of practice for a fault investigation. There is no discussion of aerial photographs and no aerial photographs are referenced.
- As a result of the shaking cracks mapped through the northwest corner of the site, is it prudent to recommend foundation reinforcement for this site? Although this may be addressed in the separate geotechnical report, a discussion should be included within the geology report.
- It is apparent, based upon review of Plate 1, that the entire Alquist-Priolo Earthquake Fault Zone was not trenched during this investigation. Standard Procedure A-146 states: *"Any portion of a site that lies within an Alquist-Priolo Earthquake Fault Zone which was not covered by trenching or other approved means during the fault rupture hazard investigation, must remain restricted. No human occupancy structures or fault sensitive development can occur within that portion of the site unless a subsequent investigation demonstrates it is free of active faulting."* Is a second building setback line appropriate to designate the area not covered by the investigation? If not, why?

Sincerely,



WESSLY A. REEDER, County Geologist  
PG 4270 EG 1447  
Land Use Services Department  
Public and Support Services Group  
(909) 387-4240

WAR:ljg

Enclosure

# DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION • REDUCTION • OPERATIONS  
SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO

825 East Third Street • San Bernardino, CA 92415-0835 • (909) 387-8104  
Fax (909) 387-8130

GRANVILLE M. "BOW" BOWMAN, P.E., P.L.S.  
Director of Public Works

November 4, 2011

Town of Yucca Valley  
Community Development Department  
58928 Business Center Drive  
Yucca Valley, CA 92284

File: 6-000/2.04

Attention: Diane Olsen, Planning Technician

## RE: YUCCA VALLEY ANIMAL SHELTER

Dear Ms. Olsen:

The District is in receipt of your letter dated November 1, 2011, advising the District of the Town's proposed replacement animal shelter on a five acre parcel located directly to the south of the existing Yucca Valley Animal Shelter within the Town of Yucca Valley.

From the information provided, it appears that neither the San Bernardino County Flood Control District (District) nor the San Bernardino County Transportation Department has facilities or right-of-way in this area that could be impacted by your proposed replacement animal shelter project. Therefore, a permit will not be required, and the District has no further comments to offer regarding this matter and is returning your plans with this letter.

If you have any questions regarding the above, please contact the undersigned at (909) 387-7995.

Sincerely,

MOHAMMAD ALI, P.E.  
Permit Engineer

MA:MM:jh  
Attachments

TownYuccaValleyNoImpact-11042011

RECEIVED

NOV 03 2011

TOWN OF YUCCA VALLEY  
COM DEV

GREGORY C. DEVEREAUX  
Chief Executive Officer

Board of Supervisors  
BRAD MITZELFELT ..... First District  
JANICE RUTHERFORD ..... Second District  
JOSIE GONZALES ..... Fifth District  
NEIL DERRY ..... Third District  
GARY C. OVITT ..... Fourth District

## Robert Kirschmann

---

**From:** Diane Olsen  
**Sent:** Monday, November 28, 2011 7:24 AM  
**To:** Robert Kirschmann  
**Subject:** FW: Town of Yucca Valley Initial Study  
**Attachments:** image001.jpg



Diane Olsen  
Planning Technician  
Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284  
(760) 369-6575 X 317  
[www.yucca-valley.org](http://www.yucca-valley.org)

---

**From:** Franklin Dancy [mailto:FDancy@morongo-nsn.gov]  
**Sent:** Friday, November 18, 2011 10:32 AM  
**To:** Diane Olsen  
**Subject:** RE: Town of Yucca Valley Initial Study

Diane Olsen  
Planning Technician  
Town of Yucca Valley

Dear Ms. Olsen:

Thank you for contacting the Morongo Band of Mission Indians regarding Conditional Use Permit 05/11 and Environmental Assessment 03-11 for the Yucca Valley Animal Shelter Project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). It appears that the environmental analysis found within Mitigation Measures CUL-1 of the Initial Study adequately addresses tribal concerns regarding the discovery of historical, cultural and archaeological artifacts of significance. Based upon this finding, the Morongo Band of Mission Indians has no further comments at this time.

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

*Franklin A. Dancy, Director of Planning*  
Department of Planning and Construction Services  
Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220  
office 951-755-5212  
fax 951-922-8146  
cell 951-990-0948

---

**From:** Diane Olsen [mailto:dolsen@YUCCA-VALLEY.ORG]  
**Sent:** Tuesday, November 08, 2011 9:00 AM  
**To:** Alan DeSalvio, MDAQMD; Bruce Lombardi, Gas Co; Charles LaClaire, City of 29 Palms; Christine Kelly, SBC LUS; Cpt.

Dorothy Miller, SBSB; Daniel Kopulsky, Cal Trans; Dennis Drager, SB County Clerk; Derrick Zietz, SCE; Franklin Dancy; Joe Meer, MBTA; John Rokke, CRWQCB; Josh Dugas, SBC Env Health; Karin Messaros, JTNP; Larry Moore, Verizon; Lisa Butterfas, SBC Fire; Martha Ostrander, HDWD; Matt Rhoades, USPS; Michael Precup, YV Airport; Michael Snow, YV Fire; Mohammad Ali, SBCPW; Robert Johnson, MCAGCC; Roger Wagner, CMC; Ron Smith, MUSD; Roy Villarreal, Burrtec  
**Subject:** Town of Yucca Valley Initial Study

Good Morning,

The Town of Yucca Valley is currently review a Conditional Use Permit, CUP 05-11 and Environmental Assessment, EA 03-11 for the Yucca Valley Animal Shelter. Attached for your review is the Initial Study for the project. The Town is proposing to adopt a Mitigated Negative Declaration. The comment period for the project begins on November 09, 2011 and ends on December 12, 2011. Please take the time to review the attached documents and provide any comments that you may have. A hard copy has been sent via the US Postal Service. If you have any questions please contact Robert Kirschmann at 760-369-6575 ext 328.

Thank you,  
Diane Olsen  
Planning Technician  
Town of Yucca Valley  
760 369-6575 ext 317

## Robert Kirschmann

---

**From:** Marina West <bdvwa2@mindspring.com>  
**Sent:** Tuesday, November 29, 2011 12:24 PM  
**To:** Mark Nuaimi; margosturgesyv@aol.com; jandwhorne@yahoo.com  
**Cc:** mostrander@hdwd.com; Shane Stueckle; Robert Kirschmann; 'Rene G'; 'Ed Muzik'  
**Subject:** RE: Fw: Map of Basins-Ames  
**Attachments:** current shelter location.jpg

Here are my comments (for the record) on the Yucca Valley Animal Shelter Project EIR

I compiled the attached map which may resolve some unanswered questions.

Mr. Nuaimi is correct in his paragraph below. The only missing piece of information is that the site, in fact, lies within the Ames Valley Water Basin Agreement (aka Stipulated Judgment) boundaries. This means that HDWD is legally allowed to serve this facility with water produced from the HDWD 24 well. The location of the shelter does not overlie any "mapped" groundwater basin of the state. It overlies an area of elevated and exposed bedrock which means it has poor recharge potential and little if any groundwater production potential.

Other than the Judgment boundary which restricts the use of HDWD 24 water to within that boundary, I see no other potential impacts from this facility on BDVWA's service area. Our nearest production well is approximately 3.5+ miles north. The ability of septic discharges to negatively influence the Pipes Groundwater Subbasin of the Ames Valley Groundwater Basin is extremely remote in my opinion.

Thank you for the opportunity to comment on this project.

Sincerely,

Marina West, PG  
General Manager  
Bighorn-Desert View Water Agency

---

**From:** Mark Nuaimi [mailto:mnuaimi@YUCCA-VALLEY.ORG]  
**Sent:** Wednesday, November 23, 2011 1:02 PM  
**To:** Marina West, BDVWA; margosturgesyv@aol.com; jandwhorne@yahoo.com  
**Cc:** mostrander@hdwd.com; Shane Stueckle; Robert Kirschmann; Rene G  
**Subject:** RE: Fw: Map of Basins-Ames  
**Importance:** High

Marina, et al ...

Attached is a composite map that I put together from HDWD data on the Warren Basin and a presentation provided to your agency from Todd Engineers. This shows that the current and proposed animal shelter location is neither over the Warren Basin nor the Ames Valley Basin. Hopefully this addresses any questions regarding the location... I guess the folks who put the Hi-Dez kennels there knew what they were doing ☺.

I also have additional data that shows we are located nowhere near any production wells for your district, no recharge facilities, or any other facilities that will produce potable water for consumers.

Happy Thanksgiving everyone!

Mark

**From:** Marina West, BDVWA [mailto:bdvwa2@mindspring.com]  
**Sent:** Wednesday, November 23, 2011 10:13 AM  
**To:** margosturgesyv@aol.com; jandwhorne@yahoo.com  
**Cc:** Mark Nuaimi; mostrand@hdwd.com; Marina West  
**Subject:** Re: Fw: Map of Basins-Ames

Margo, I don't believe that is correct. I recall that Martha Ostrander (HDWD) and I evaluated this, quite some time ago. I'll have to check my records at the office to provide you an adequate response.....and, I'm on vacation until Tues.

Have a Happy Thanksgiving,

Marina

-----Original Message-----

**From:** Margo Sturges  
**Sent:** Nov 23, 2011 8:29 AM  
**To:** MarinaBigHornWork  
**Subject:** Fw: Map of Basins-Ames

Per Bill Horn  
Sent via BlackBerry by AT&T

---

**From:** Jackie Horne <jandwhorne@yahoo.com>  
**Date:** Wed, 23 Nov 2011 08:26:46 -0800 (PST)  
**To:** MargoSturgesYV@aol.com<MargoSturgesYV@aol.com>  
**ReplyTo:** Jackie Horne <jandwhorne@yahoo.com>  
**Subject:** Re: Map of Basins/Sewer Master Plan 2009

Bill says it is above the "ames Means" basin.

---

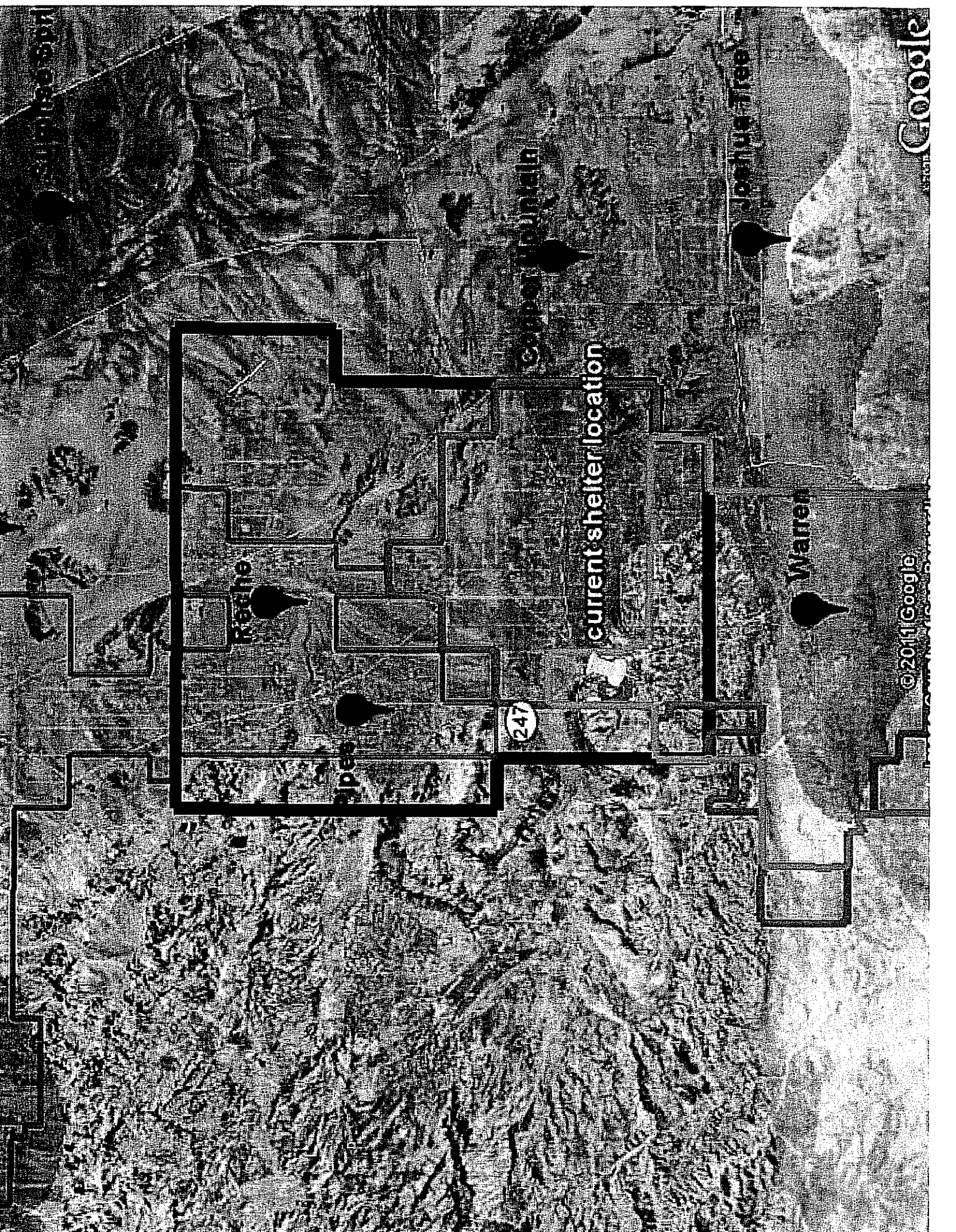
**From:** "MargoSturgesYV@aol.com" <MargoSturgesYV@aol.com>  
**To:** rlonneeagle@earthlink.net; Loriherbel@aol.com; JandWHorne@yahoo.com  
**Sent:** Wednesday, November 23, 2011 12:30 AM  
**Subject:** Map of Basins/Sewer Master Plan 2009

Question:

Is the Animal Shelter located on Skyline Ranch Road sitting above the Warren Basin or the Ames Reche Basin?

Help.

Margo



Reche

Copper Mountain

current shelter location

Warren

Joshua Tree

247

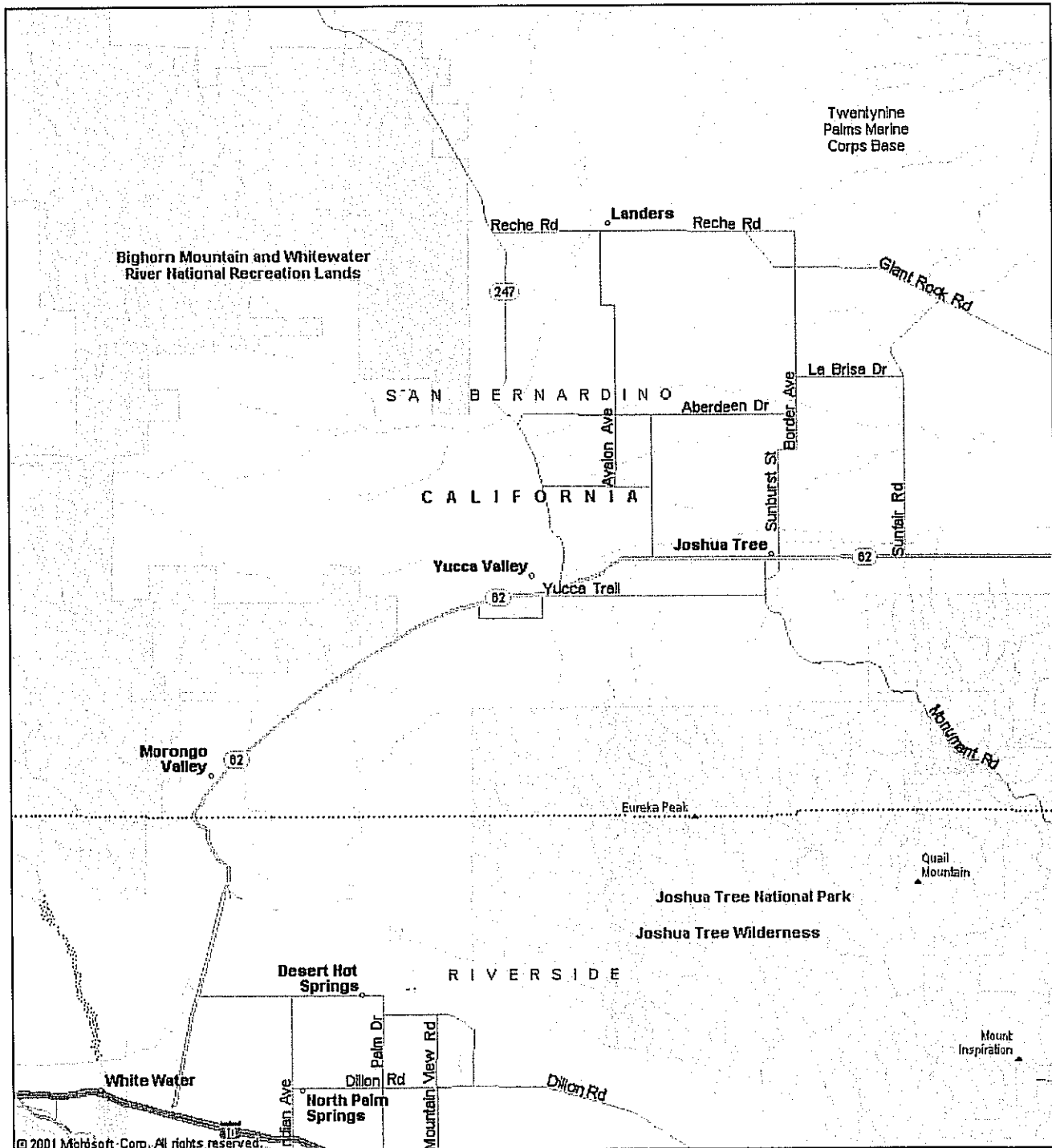
©2011 Google

Google

**Subject:** RE: Yucca Valley Animal Shelter Project EIR; comments (for the record) on the Yucca Valley Animal Shelter Project EIR

The site is given within the Ames Valley Water Basin. This means that HDWD is legally allowed to serve this facility.

The location of the shelter does overlay "mapped" blueline that reaches groundwater in the Warren Basin.



The hydrogeology is complex due to tectonic activity with faults compartmentalizing water-bearing deposits into five major hydrogeologic sub-units: the west, midwest, mideast, east, and

northeast hydrogeologic units (Figure B).

Re. See attachment

**. STAFF REPORT IN SUPPORT OF A BASIN PLAN  
AMENDMENT TO PROHIBIT THE DISCHARGE OF  
WASTEWATER INTO THE GROUND FROM SEPTIC  
SYSTEMS IN THE TOWN OF YUCCA VALLEY**

California Regional Water Quality Control Board

California Environmental Protection Agency

**Prepared by**

**Regional Water Board Staff**

**California Regional Water Quality Control Board**

**Colorado River Basin Region**

MAY 2011

The hydrogeology of the area is similar to other areas at 3800 feet above sea level. The amount of flow is not known. During rain, water crosses Old Woman Springs Road in two places, running east into a wash about 3 miles to Yucca Mesa Road, meaning that it runs into the Joshua Tree Retreat/Mental Physics Warren Basin. It all has excellent recharge potential and can effect groundwater production potential.

I see no other potential impacts from this facility planned for Yucca Valley. The ability of septic discharges to negatively influence the Warren Valley sub basin of the Pinto Fault Groundwater Basin is potential in my opinion.

Thank you for the opportunity to comment on this project,

Sincerely,

Ramon Alviso Mendoza



**STAFF REPORT IN SUPPORT OF A BASIN PLAN  
AMENDMENT TO PROHIBIT THE DISCHARGE OF  
WASTEWATER INTO THE GROUND FROM SEPTIC  
SYSTEMS IN THE TOWN OF YUCCA VALLEY**

California Regional Water Quality Control Board  
California Environmental Protection Agency

**Prepared by**

**Regional Water Board Staff**

**California Regional Water Quality Control Board  
Colorado River Basin Region**

MAY 2011

**I. EXECUTIVE SUMMARY ..... 2**

**II. INTRODUCTION ..... 4**

**III. BACKGROUND ..... 5**

**1. YUCCA VALLEY – GROUNDWATER USE..... 5**

**2. YUCCA VALLEY – AREA DESCRIPTION ..... 6**

**3. YUCCA VALLEY - GEOLOGY AND HYDROGEOLOGIC SETTING ..... 7**

**4. SEPTIC SYSTEM USE IN YUCCA VALLEY ..... 10**

**IV. REGULATORY BASIS ..... 12**

**1. BASIN PLAN – BENEFICIAL USES ..... 12**

**2. BASIN PLAN – GROUNDWATER QUALITY OBJECTIVES ..... 12**

**3. GUIDELINES FOR DESIGNING SEPTIC SYSTEMS ..... 12**

**V. PROBLEM STATEMENT ..... 14**

**1. WATER QUALITY AND PUBLIC HEALTH ISSUES ASSOCIATED WITH SEPTIC SYSTEM USE..... 14**

**2. MAINTENANCE PROBLEMS AND FAILURES ASSOCIATED WITH SEPTIC SYSTEMS..... 15**

**3. WATER QUALITY AND PUBLIC HEALTH IMPACTS OF SEPTIC SYSTEM USE IN YUCCA VALLEY ..... 20**

**VI. REGULATORY APPROACHES TO ADDRESS SEPTIC SYSTEM FAILURE IN YUCCA VALLEY..... 22**

**1. MEMORANDUM OF AGREEMENT..... 22**

**2. BASIN PLAN AMENDMENT ..... 22**

**3. PROHIBITION OF NEW DISCHARGES? ..... 28**

**VII. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONSIDERATION OF ALTERNATIVES ..... 29**

**VIII. RECOMMENDED ALTERNATIVE – SEPTIC SYSTEM PROHIBITION. 30**

**IX. PUBLIC PARTICIPATION..... 31**

**X. SCIENTIFIC PEER REVIEW ..... 32**

**XI. PROHIBITION EXEMPTIONS..... 33**

**XII. COMPLIANCE ASSURANCE AND ENFORCEMENT ..... 33**

**XIII. SUMMARY ..... 33**

## I. EXECUTIVE SUMMARY

The State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (regional water boards) are the "principal state agencies with primary responsibility for the coordination and control of water quality" (California Water Code (CWC) § 13001 of the Porter-Cologne Water Quality Control Act, CWC § 13000 et seq.). The State Water Board develops statewide policy, and each of the nine regional water boards adopts a region-specific water quality control plan (Basin Plan) in accordance with the California Water Code and the federal Clean Water Act (42 U.S.C. § 1251 et seq.). Basin Plans provide guidelines and describe the full range of regional water board activities that serve to optimize the beneficial uses of state waters by preserving and protecting water quality.

The Colorado River Basin Regional Water Quality Control Board (Regional Water Board) is responsible for protecting water quality within the Colorado River Basin Region (Region 7). The Region 7 Basin Plan provides the basis for the Regional Water Board's regulatory programs. The Basin Plan specifies beneficial uses and water quality objectives (jointly referred to as "water quality standards" in the Clean Water Act) for ground and surface waters within its region, and provides implementation plans that describe permitting options, waste discharge prohibitions, monitoring and enforcement, salt and nutrient controls, and other control measures necessary to preserve and protect water quality and beneficial uses. The Basin Plan also includes prohibitions on the use of septic tank-subsurface disposal systems (septic systems) in specific areas of Region 7.

Regional Water Board staff proposes to amend Chapter 4 of the Region's Basin Plan to prohibit the discharge of wastes from septic systems in specific areas in the Town of Yucca Valley (Town), San Bernardino County, to mitigate and eliminate the threat of nitrate contamination to groundwater due to septic tank discharges. Because the Town lacks a municipal wastewater collection and treatment system, all residents and businesses in Yucca Valley use septic systems and subsurface disposal systems to treat and dispose of domestic wastewater. The only exceptions are Applebee's Restaurant, the Best Western Yucca Valley Hotel, and the Desert Vista Village and Drake Development subdivisions, which utilize on-site wastewater treatment package plants. Like many areas in California, the Town has experienced periods of rapid population growth and localized increases in septic system density, such as along the main business corridor, one of the areas addressed by this prohibition. This rise in system density in certain areas, combined with system failures due to age or inadequate maintenance in the Town as a whole, presents a significant threat to public health for Town residents due to increased wastewater loading to the vadose zone (unsaturated soil strata), and impacts to local groundwater used for municipal supply from nitrates, pathogens, and salts (total dissolved solids).

To assist the Town and address the threat and impacts that septic systems have on ground water quality, the Hi-Desert Water District (HDWD) has prepared a Sewer Master Plan and received sewerage authority approval from the San Bernardino County Local Agency Formation Commission. In addition, HDWD is doing groundwater recharge studies for its basins to better understand potential impacts to groundwater quality from septic system discharges, and increased septic system density. The Sewer Master Plan calls for the construction of a municipal sewage collection and wastewater treatment facility (WWTF) in three phases. The prohibition bans discharges of wastes from septic systems in Phases 1, 2, and 3 in the Town, pursuant to a time schedule, with the prohibition becoming effective for Phase 1 (essentially the main business corridor in Town) by **May 19, 2016.**

## II. INTRODUCTION

Each regional water board is required to develop a water quality control plan, referred to as a Basin Plan, for the waters within its jurisdiction (CWC § 13240). The Basin Plan implements relevant provisions of the federal Clean Water Act and the California Water Code, and includes water quality objectives and beneficial uses for ground and surface waters within its region.

The Basin Plan also identifies implementation plans to achieve water quality objectives (CWC § 13242). Implementation plans may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (CWC § 13243). A prohibition on the use of septic systems must: "be supported by substantial evidence in the record that discharge of waste from such disposal systems will result in violation of water quality objectives, will impair present or future beneficial uses of water, will cause pollution, nuisance, or contamination,<sup>[1]</sup> or will unreasonably degrade the quality of any waters of the state" (CWC § 13280). The current (2008) Basin Plan for the Colorado River Basin includes prohibitions on the use of septic systems in Cathedral City Cove, and in areas that overlie the Mission Creek and Desert Hot Springs Aquifers. These prohibitions were adopted in 2002 and 2004, respectively.

Regional Water Board staff is proposing to amend the Basin Plan to include a conditional prohibition of discharge from septic systems in specific areas of the Town of Yucca Valley (Town). Substantial evidence exists to indicate that septic system usage in the Town has caused a violation of water quality objectives in groundwater and threatens to cause conditions of pollution, contamination, and nuisance. The evidence also indicates that Nitrates from septic system discharges have impaired water quality and beneficial uses in the Warren Subbasin. Furthermore, failing septic systems and increased septic system density caused by periods of high growth can exacerbate nitrate contamination to groundwater. In short, the continued discharges of wastes from these septic systems would unreasonably degrade the quality and result in widespread pollution of waters of the state. Therefore, the statutory requirements of CWC Sections 13243 and 13280 to impose this conditional prohibition have been satisfied.

---

<sup>1</sup> "Pollution" is defined as "(1) an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following: (A) The waters for beneficial uses. (B) Facilities which serve these beneficial uses. (2) 'Pollution' may include 'contamination.'" (CWC § 13050(l).) "Contamination" is defined as "an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. 'Contamination' includes any equivalent effect resulting from the disposal of waste, whether or not waters of the state are affected." (CWC § 13050(k).) "Nuisance" is defined as "anything which meets all of the following requirements: (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal. (3) Occurs during, or as a result of, the treatment or disposal of wastes." (CWC § 13050(m))

### **III. BACKGROUND**

#### **1. YUCCA VALLEY – GROUNDWATER USE**

Historically, the sole source of municipal water supply for the Town is groundwater extracted from the Warren Subbasin, which is part of the Morongo Groundwater Basin. The Hi-Desert Water District (HDWD), the local water purveyor, initiated an artificial recharge program in February 1995 to reverse a decline in groundwater levels, which in some areas dropped about 300 feet from 1940 to 1994. HDWD operates thirteen supply wells in the Valley, and imports water from the California State Water Project (SWP) to recharge the Warren Subbasin through surface spreading. As a result of this recharge effort, groundwater levels have recovered by as much as 250 feet from 1995 to 2001.

Associated with the water level recovery, however, were groundwater nitrate ( $\text{NO}_3$ ) concentration increases from background concentrations of 10 mg/L to levels exceeding the United States Environmental Protection Agency (USEPA) drinking water maximum contaminant level (MCL) and California Department of Public Health Primary MCL of 45 mg/L as nitrate (10 mg/L nitrate as nitrogen). As a result, HDWD removed two impacted wells from service, Numbers 36L1 and 36K2 (see Figure B), and constructed a nitrate removal facility to treat groundwater extracted from three other impacted wells. The treated groundwater was then blended with well water not impacted by nitrate before distribution to the public. HDWD operated the nitrate removal facility from 2002 through November 2009.

In 2002, HDWD completed a "Drinking Water Source Assessment" report for each of its thirteen production wells. The assessment indicated that District wells ranked "very high" for vulnerability to nitrate contamination from septic systems, and that eight wells intersected nitrate plumes generated by septic system discharges. The District installed the above-mentioned water treatment facility to remove nitrates from groundwater. (Hi-Desert Water District, Source Water Assessments, December 2002)

In a 2003 report prepared by the U.S. Geological Survey, titled "Evaluation of the Source and Transport of High Nitrate Concentrations in Groundwater, Warren Subbasin, California" Water-Resources Investigations Report 03-4009 (USGS Report) (Appendix A), the USGS concluded that "septage from septic tanks was the primary source of nitrate ( $\text{NO}_3$ ) to the ground-water system." (USGS Study, page 1). This USGS study was begun in 1997 in cooperation with HDWD and the Mojave Water Agency, in conjunction with the artificial groundwater recharge program.

## **2. YUCCA VALLEY – AREA DESCRIPTION**

The Town of Yucca Valley is located in the southwestern area of the Mojave Desert, approximately 25 miles north of Palm Springs and 100 miles east of Los Angeles (Figure A). This southwestern part of the Mojave Desert is bordered to the north by the San Bernardino Mountains and to the south by the Little San Bernardino Mountains. The Town of Yucca Valley is the main population center in this area. The Town has experienced steady growth, increasing in population from 16,405 in 1992 to 21,044 in 2007. The current population is estimated at 25,500. Conservative growth estimates prepared for the Town of Yucca Valley by Stanley R. Hoffman and Associates indicate the Town's population will exceed 30,000 in 2021. These data were included in the Technical Advisory Committee's socio-economic sub-groups final report to the larger committee (see Section XI. Public Participation below).

Annual rainfall in Yucca Valley averages 6.5 inches with most of this water lost to evaporation. Evapotranspiration averages 66.5 inches per year. The Valley is located within the Morongo Groundwater Basin. The area topography typically slopes toward Highway 62 from the north and south, while storm water generally flows to the east via Yucca Creek.



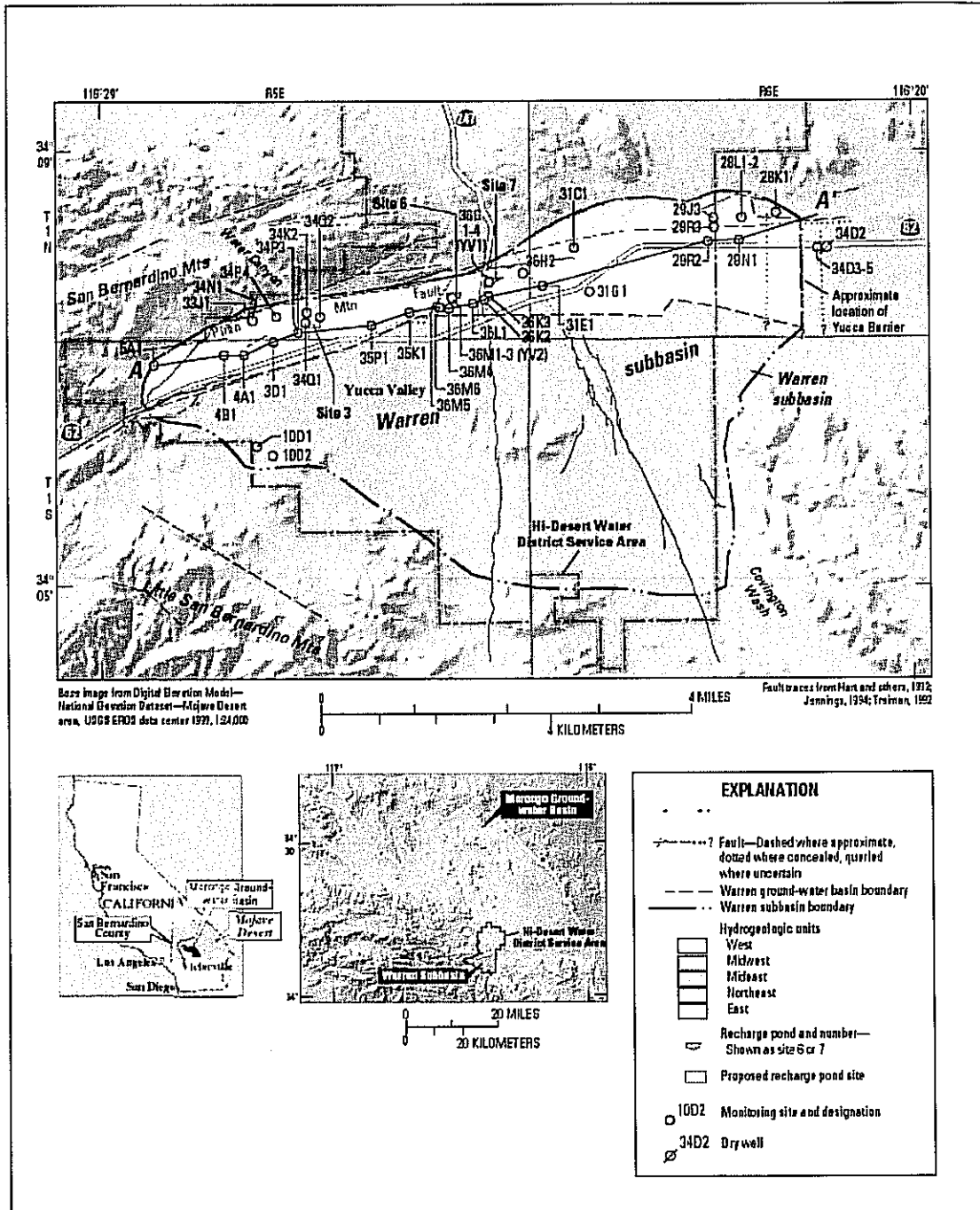
Quaternary alluvial fan deposits overlie Tertiary aged basement complex throughout most of the basin. The alluvium consists of poorly sorted detrital sand and gravel eroded from neighboring mountains, and varies in thickness from a few feet along the basin border to more than 1,000 feet at the basin axis. The alluvium becomes slightly consolidated with depth, and finer grained down slope toward the basin axis.

Productive water-bearing sediments occur in the unconsolidated to partly consolidated Miocene to Quaternary alluvial fan deposits characterized by unconfined, interbedded gravels, conglomerates, and silts. These deposits average about 11 percent specific yield, and have well yields up to 4,000 gallons per minute. Regionally, continental deposits are interpreted to range up to 10,000 feet in thickness. Wells in the Warren Subbasin are known to reach 1,610 feet below ground surface without encountering bedrock. Geophysical studies suggest Warren Valley basin deposits may exceed 2,000 feet in depth (California's Groundwater Bulletin 118, Updated 2/27/04).

Natural recharge to the Warren Subbasin varies from year to year, and occurs by percolation of precipitation and ephemeral streams from Water Canyon in the north and Covington Canyon in the south, and from minor amounts of groundwater flow in the adjacent fractured bedrock. Natural recharge is supplemented by percolation of septic tank effluent, and State Water Project water delivered via the Morongo Basin Pipeline to spreading grounds near the Yucca Valley Airport (California's Groundwater Bulletin 118, updated 2/27/04).

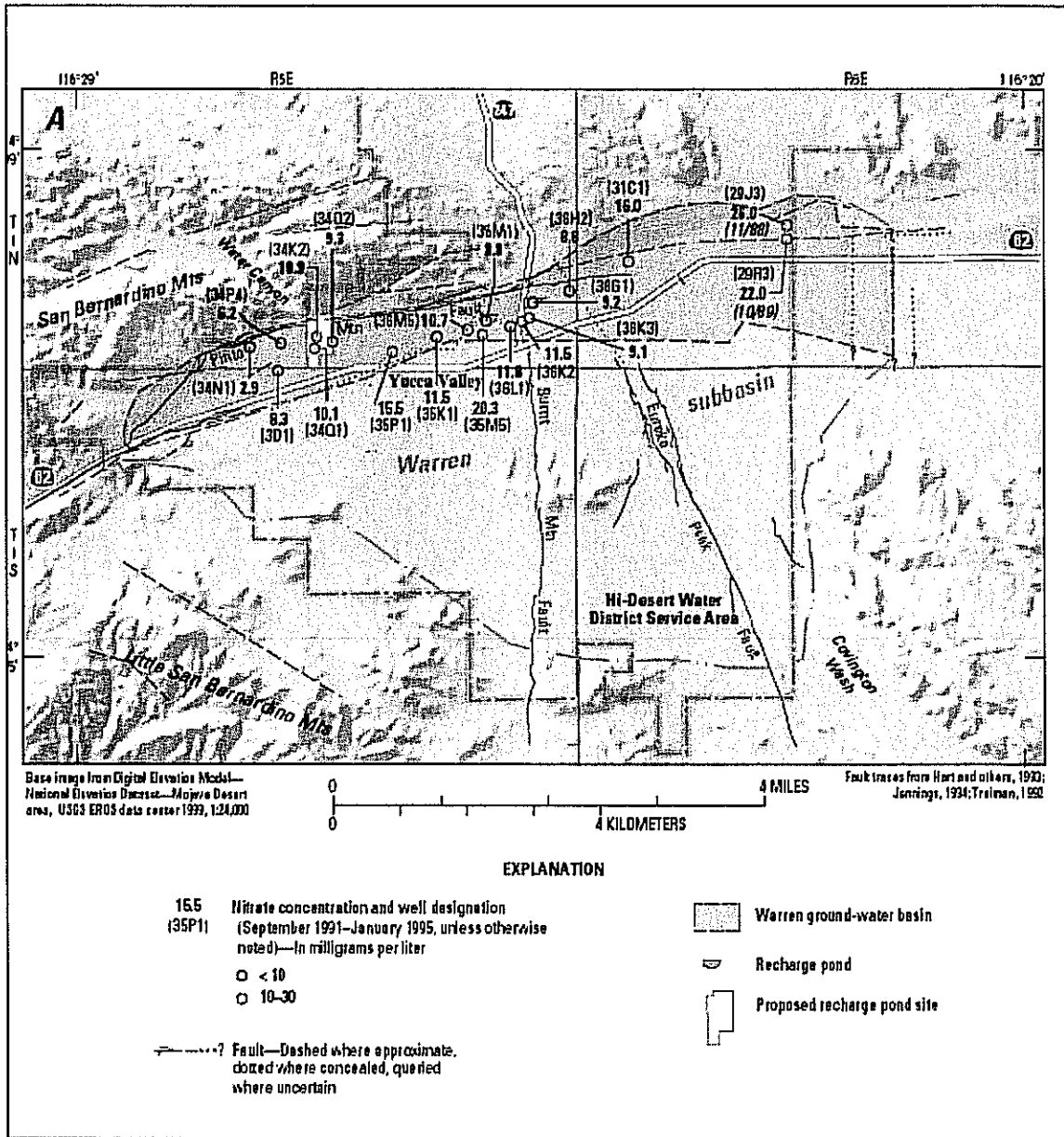
In 1977, in response to an increasing overdraft problem, the Warren Basin was adjudicated by the Superior Court of San Bernardino County, and HDWD was appointed as the Water Master for the basin.

**FIGURE B**  
**Yucca Valley Water Bearing Hydrogeologic Units**



from USGS Report 03-4009

Figure C  
Municipal Wells & Recharge Basins



from USGS Report 03-4009

#### 4. SEPTIC SYSTEM USE IN YUCCA VALLEY

HDWD estimates that it will service a population approximating 80,000 when the Yucca Valley area is completely developed. HDWD estimates that water was provided to 25,500 Town residents via 10,000 service connections in 2008, and that 8,500 housing units (including multi-family dwellings) are currently within its

jurisdiction. With the exception of a few units in new subdivisions serviced by "package plants" (small wastewater treatment facilities), all dwellings use septic tanks and subsurface disposal systems to treat and dispose of wastewater.

Businesses and restaurants in Yucca Valley are generally located along Highway 62, the main business corridor. There are fifty-three restaurants in the Town, and like most dwellings, all restaurants use septic systems for wastewater disposal except for Applebees Restaurant, which has an advanced treatment system and waste discharge requirements (WDRs) issued by the Regional Water Board. Other package plant treatment systems in the Town also have WDRs issued by the Regional Water Board (e.g., the Best Western Yucca Valley Hotel and Suites). Other than these few exceptions, wastewater discharges generated by businesses, restaurants, and housing units are not regulated by the Regional Water Board. Residential housing typically uses leach fields for wastewater disposal, while businesses use seepage pits due to limited space.

Two relatively new subdivisions in Yucca Valley, the Desert Vista Village and Desert Knoll, with 105 lots and 177 lots respectively, each have a sewer system and package treatment plant designed for denitrification (i.e., nitrogen removal). Wastewater flows appear to be less than the minimum needed to successfully operate these package plants, however, due to poor sales of homes in the subdivisions. Without this minimum loading, the package plants perform similarly to community septic systems (i.e. provide primary treatment) albeit with long detention times. When home sales increase and hydraulic loads reach 20% of design flows (approximately 21 and 36 homes for each respective subdivision), the package plants should be able to adequately treat (i.e., denitrify) the wastewater flows generated by the subdivision residents.

The use of septic systems must be balanced against environmental and site-specific factors, such beneficial uses of receiving waters, depth to groundwater, as septic system density, and soil type. The systems must also be properly engineered, installed, and maintained, and soils must have the appropriate characteristics to handle the liquid loading from the septic systems. Soils in the Town are mostly porous and permeable with high percolation rates. These factors, combined with the high density of septic systems found in some areas of the Town,<sup>2</sup> are among the factors that contribute to septic system effluent, locally contaminating groundwater with salts (particularly nitrates). This contamination pathway was demonstrated in a 2003 study of the Yucca Valley area by the United States Geological Survey (USGS), which found groundwater contaminated with nitrates and other salts from septic system discharges (Appendix A). The contamination of the groundwater beneath the Town violates the Basin Plan's water quality objectives, which directly impacts the beneficial uses of the groundwater.

---

<sup>2</sup> Approximately 92% of the Town is zoned for residential and commercial development on one-half acre or smaller lots. The highest density occurs with multi-family zoning, which allows up to ten dwelling units per acre (see Appendix B).

## IV. REGULATORY BASIS

### 1. BASIN PLAN – BENEFICIAL USES

Groundwater in the area subject to this conditional prohibition occurs within the Warren Hydrologic Area of the Joshua Tree Hydrologic Unit.

#### Designated Beneficial Uses for Groundwater in the Joshua Tree Hydrologic Unit

Designated Beneficial Uses	Description
Municipal and domestic supply (MUN).	Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.
Industrial process supply (IND)	Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.

Source: California Regional Water Quality Control Plan for the Colorado River Basin Region (CRWQCB--CRBR, June 2006)

Nitrate ( $\text{NO}_3$ ), Total Dissolved Solids (TDS), and pathogens are the main constituents of concern in septic system effluent. As previously mentioned, the primary Maximum Contaminant Level (MCL) for nitrate allowed in public drinking water systems is 45 mg/L, which is equivalent to 10 mg/L nitrate expressed as nitrogen ( $\text{NO}_3\text{-N}$ ).

### 2. BASIN PLAN – GROUNDWATER QUALITY OBJECTIVES

The Basin Plan for the Colorado River Basin Region has narrative groundwater quality objectives, which state in relevant part:

“...the Regional Board's objective is to minimize the quantities of contaminants reaching any groundwater basin. ...the objective will be to maintain the existing water quality where feasible.”

### 3. GUIDELINES FOR DESIGNING SEPTIC SYSTEMS

In 1979, the Regional Water Board adopted: “Guidelines for Sewage Disposal from Land Developments” to establish minimum criteria for septic systems necessary to comply with water quality objectives, and to protect beneficial uses of groundwater within the region. These guidelines prescribe percolation rates, soil characteristics,

minimum depth to groundwater, and ground slopes needed to protect groundwater from effluent impacts.

In addition, septic systems installed in Yucca Valley must meet requirements prescribed by the San Bernardino County Health Department discussed in various publications including: "Got Septic?"; "FAQ's for Single Family Residences"; "FAQ's for Multiple Residences/Commercial Projects"; "Minimum Setbacks and Locations of Septic System", and "How to Size Your Leach Lines".

In accordance with CWC Section 13291, which became law pursuant to Assembly Bill 885, the State Water Board issued draft regulations for septic systems statewide. The public comment period for the draft regulations extended from November 7, 2008, to February 23, 2009. During this time, the State Water Board received over 2,500 e-mails, and hundreds of comment letters. In addition, the State Water Board recorded hours of oral comments from twelve public workshops held throughout the state. State Water Board staff is currently revising the draft regulations to address the comments received.

## V. PROBLEM STATEMENT

### 1. WATER QUALITY AND PUBLIC HEALTH ISSUES ASSOCIATED WITH SEPTIC SYSTEM USE

A conventional septic system consists of a septic tank, and either a leach field or a seepage pit. The function of the septic tank is to remove solids and floatables, while the leach field, or seepage pit, allows the clarified wastewater to percolate into the underlying soil. If soil conditions are appropriate, some filtering and biological treatment of nutrients and bacteria found in septic tank wastewater occurs in the vadose zone (unsaturated soil strata) reducing nutrient loading and the threat to human health posed by bacteria and other pathogens. However, even under proper operation and maintenance of the septic systems (tank and subsurface disposal system), the systems still pose a threat to water quality because certain constituents (e.g., salts and organic chemicals) pass-through the system and can reach and impact groundwater quality. Typical constituents found in domestic wastewater are listed in Table 1, below (USEPA, 2002).

**Table 1  
Typical Constituents and Concentration Ranges in Residential Wastewater**

Constituent	Concentration In milligrams/liter <sup>3</sup>
Total Solids	500-880
Volatile Solids	280-375
Total Suspended Solids	155-330
Volatile Suspended Solids	110-265
Biochemical Oxygen Demand	155-286
Chemical Oxygen Demand	500-660
Total Nitrogen (TN)	26-75
Ammonia (NH <sub>4</sub> )	4-13
Nitrites and Nitrates (NO <sub>2</sub> -N; NO <sub>3</sub> -N)	<1
Total Phosphorus (TP)	6-12
Fats, Oils, and Grease	70-105
Volatile Organic Compounds	0.1-0.3
Surfactants	9-18
Total Coliforms (TC) <sup>4</sup>	10 <sup>8</sup> -10 <sup>10</sup>
Fecal Coliforms (FC) <sup>5</sup>	10 <sup>6</sup> -10 <sup>8</sup>

The use of decentralized systems (including septic systems) is usually a low-cost, long-term approach to wastewater treatment, particularly in less densely populated areas (EPA Response to Congress, April 1997). These low density areas

<sup>3</sup> Based on assumed water use of 60 gallons/person/day.

<sup>4</sup> Most probable number of organisms per 100 milliliters.

<sup>5</sup> Most probable number of organisms per 100 milliliters.

assimilate the waste within the soil, and provide filtration by percolation, minimizing the threat to public health due to exposure to inadequately treated waste. Typically, bacteria present within the top five feet of soil can reduce the amount of nitrogen in septic tank effluent through a process called "biological denitrification", which converts  $\text{NO}_3$  into nitrogen gas.

## **2. MAINTENANCE PROBLEMS AND FAILURES ASSOCIATED WITH SEPTIC SYSTEMS**

Septic systems can fail, which may result in severe short-term or long-term adverse impacts to groundwater. Town staff, who are responsible for issuing permits to replace failed septic tanks, leach fields, and seepage pits, provided the following data for the Town from 2002 through March 2010 (Table 2):

**Table 2  
Town of Yucca Valley - Septic System Component Replacement Permits  
2002 – March 2010**

<b>Component Requiring Permit for Replacement</b>	<b>Commercial/Industrial</b>	<b>Residential</b>
Septic Tanks	16	480
Leach Fields	3	124
Seepage Pits	35	140

The data in Table 2 translate to a failure rate (i.e., number of replacements/number of septic systems) of **8.8%** for Residential (or 8,500 residences), and **5.4%** for Commercial and Industrial (or 1,000 businesses). Ninety-two percent of the failures occur in areas scheduled to be sewerred during one of three wastewater facility treatment and collection installation phases (Figure E). Some septic systems are repaired without a permit. Thus, the above failure rates are very conservative estimates.

Septic system malfunctions can result from a number of factors, including, but not limited to:

### **a) Poor soil conditions:**

If sediments are too coarse grained, wastewater percolation will be too fast and filtration poor. Alternatively, if sediments are too fine grained, wastewater can not percolate quickly enough, which may cause the wastewater to pond on the surface. Shallow bedrock, caliche, and other impermeable layers can also cause wastewater surfacing.

**b) Elevated groundwater:**

An elevated groundwater table can reduce or eliminate treatment provided by a properly functioning leach field disposal system. The Regional Water Board's 1979 "Guidelines for Sewage Disposal for Land Developments" requires a minimum ten-foot separation between the ground surface and the highest anticipated groundwater elevation, and a minimum five foot separation between the base of the disposal facility and the highest anticipated groundwater elevation. If these minimum separations are not maintained, effluent may surface and/or contaminate groundwater. Groundwater in Yucca Valley is generally deep (i.e., typically greater than 100 feet), except where mounding occurs due to artificial recharge.

**c) Hydraulic overloads caused by high septic system density:**

A high density of septic systems (i.e., several per acre), and/or septic system use beyond design capacity can exacerbate septic system failure rates.

**d) Improper design or construction**

Properly designed septic systems are sized and constructed according to site specific conditions, and the requirements of the Uniform Plumbing Code (UPC). Improperly designed/constructed septic systems typically result in premature failure. In the past, many septic tanks installed in Yucca Valley were constructed of steel. Steel tanks can oxidize (rust) over time, causing a loss of structural integrity and creating a safety hazard.

**e) Use of seepage pits for subsurface disposal**

A seepage pit is basically a covered pit with porous walls through which treated effluent can seep into the surrounding soil. The use of seepage pits for wastewater disposal inhibits the conversion of  $\text{NH}_4$  (ammonia) to  $\text{NO}_3$  (nitrate), a process known as biological oxidation that is essential to the biological denitrification process that occurs to some extent in properly designed leach fields. Additionally, wastewater discharges from the pit into the surrounding soil typically occur several feet below the ground surface, where adequate sources of carbon needed for biological denitrification are unavailable. The lack of oxidizing conditions and a carbon source hinders denitrification, enhancing nitrate movement into groundwater (EPA 9009-F-01-001, Seepage Pits May Endanger Groundwater Quality).

**f) Lack of septic system maintenance:**

If septic systems are not properly designed and regularly maintained, failures can result. If residents dispose of hazardous chemicals, toxic substances, pesticides or other chemicals into septic systems, surface and/or groundwater quality may be adversely impacted. Restaurants typically install grease traps before their septic tanks, and require more maintenance than residential systems. Regional Water Board staff has

observed overflows from restaurant systems in parking lots on several occasions, and received complaints from the public regarding unpleasant odors emanating from on-site systems in restaurant parking lots.

Regional Water Board staff reviewed records from January 2006 thru May 2008 from four septic tank pumping companies that service the Town. The record review included 1,471 addresses with 1,335 single-family residences, 33 restaurants, 11 mobile home parks, and 92 other non-residential systems. The 1,471 addresses represent 15% of the estimated 9,500 septic systems in use in the Town. Data indicate that 1,335 residential septic tanks (i.e., 17.3% of all residential systems) were pumped once every three years. Forty-eight residential systems required multiple pumpings in the same year, which indicates problems with those systems. Restaurants required pumping on average 3.1 times per year, or 8.5 times as frequently as residential systems, while other non-residential systems required pumping three times as often as residential systems, or approximately 1.1 times per year. Pumping frequency for restaurants varied from once in 29 months to once per month, which was the case for several establishments, highlighting the difficulty of treating restaurant discharges using septic systems. This is due to high flow rates which increase the potential for carry over of solids; the presence of fats, oils, and grease in the waste stream; and the high "strength" (i.e., organic loading) of wastewater. Use and proper maintenance of grease traps is critical to effectively treating restaurant discharges using on-site wastewater systems. Clogging of seepage pits and drain fields by grease is a frequent cause of failure.

Most area businesses, including restaurants, are located in the Town's main business corridor along California State Highway 62. The majority of areas zoned for high density--up to ten dwelling units per acre--are located along this corridor (Appendix B). Phase 1 of HDWD's planned municipal sewer system (Figure E) was designed to capture as many of these high density areas as practicable.

In summary, septic system failures are likely to occur if systems are improperly designed, installed or maintained; hydrogeologic conditions are unsuitable; and/or septic system density is too high. Discharges from failed systems can adversely affect public health and ground and surface water quality. Typical contaminants found in domestic wastewater, and their potential environmental impacts, are provided in Table 3 (USEPA, 2002).

**Table 3: Typical Septic Tank Constituents of Concern in Groundwater**

<b>CONSTITUENTS OF CONCERN</b>	<b>REASON FOR CONCERN</b>
Pathogens	Parasites, bacteria, and viruses can cause disease through direct and indirect body contact, or ingestion of contaminated water. Pathogens can persist, and migrate significant distances in ground and surface waters.
Nitrogen	Nitrogen is an aquatic plant nutrient that contributes to eutrophication and loss of dissolved oxygen in surface waters such as lakes. Nitrogenous compounds migrating to groundwater typically oxidize to nitrate. In drinking water, excess levels of nitrate can cause methemoglobinemia, or "blue baby" disease in infants, which can be fatal.
Toxic Organic Compounds	Organic compounds toxic to humans and aquatic life are present in household chemicals and cleaning agents. These compounds can persist in groundwater and contaminate down-gradient sources of drinking water. Some organic compounds accumulate in ecosystem food chains.
Heavy Metals	Heavy Metals can cause serious human health concerns, including cancer.
Dissolved Inorganic Compounds	Sodium is deleterious to soil structure (dispersion agent), and septic system leach field performance. Salts and some dissolved ions, are resistant to degradation, and very mobile in groundwater.
Endocrine Disruptor Compounds	The occurrence of pharmaceuticals, cleaners, and personal care products (e.g., shampoo) in wastewater, is an emerging water quality concern and public health issue.

**NITROGEN TRANSFORMATION**

Nitrogen is the major constituent of concern in septic system effluent in Yucca Valley. Most nitrogenous compounds in septic tank effluent eventually convert to nitrate in soil by the processes discussed below.

The mobility of ammonium and organic forms of nitrogen in soil are dependent upon the oxidation-reduction potential of the soil. Ammonium and organic forms of

nitrogen in septic tank effluent are not very mobile. Most organic nitrogen is converted to ammonium-nitrogen ( $\text{NH}_4^+\text{-N}$ ) by bacterial enzymes as indicated below; a process known as mineralization.

Organic N  $\rightarrow$  bacterial enzymes (mineralization)  $\rightarrow$   $\text{NH}_4^+$  + other products

Mineralization can be carried out under aerobic or anaerobic conditions. In both instances, ammonium-N is first converted to nitrite, and then to nitrate by soil bacteria (nitrification).

$\text{NH}_4^+ + 1.5 \text{O}_2 \rightarrow$  Nitrosomonas  $\rightarrow$   $\text{NO}_2^-$  (nitrite) +  $2\text{H}^+$  +  $\text{H}_2\text{O}$  + energy

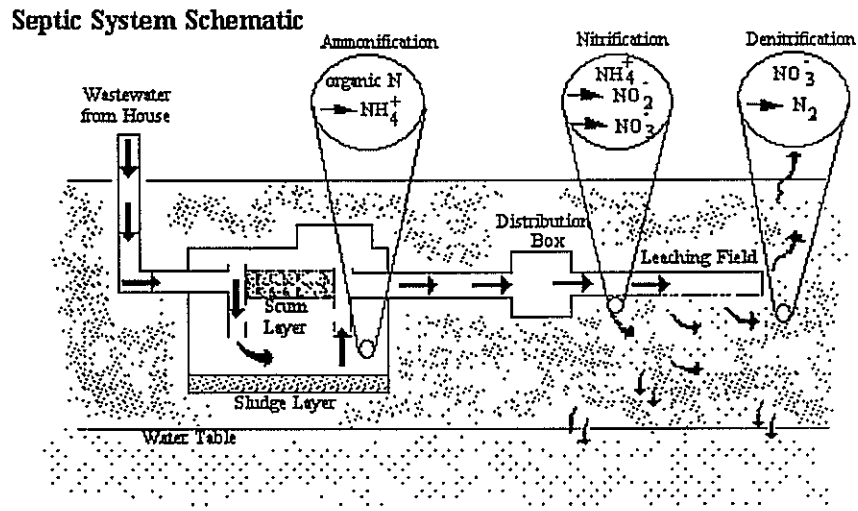
$\text{NO}_2^-$  (nitrite) +  $0.5 \text{O}_2 \rightarrow$  Nitrobacter (Nitrification)  $\rightarrow$   $\text{NO}_3^{2-}$  (Nitrate) + energy

Nitrification occurs in soil under aerobic conditions only. Unlike ammonium and organic forms of nitrogen, nitrate ions are very soluble and readily migrate with water. Under suitable conditions, most nitrogen in septic tank effluent is converted to nitrate, which can migrate to groundwater by percolation of wastewater or rainfall. Under anaerobic conditions, nitrate is converted into nitrogen gas in the unsaturated zone (denitrification) if an energy source is available.

$\text{NO}_3^{2-}$  + organic carbon (energy)  $\rightarrow$  denitrifying bacteria (denitrification)  $\rightarrow$   $\text{N}_2$  +  $\text{H}_2\text{O}$  +  $\text{CO}_2$

Some nitrogen escapes into the atmosphere through the denitrification process (see Figure D). The remaining nitrate percolates through the vadose zone, eventually contacting groundwater. When septic systems fail, various species of nitrogen (i.e., nitrate, nitrite, and ammonia) occur in wastewater effluent, contaminating groundwater through percolation. Percolation of septic tank effluent can introduce high levels of nitrate into groundwater, violating water quality objectives. High nitrate concentrations in water used for domestic supply may cause methemoglobinemia ("blue baby syndrome") in infants six months or younger that consume water with nitrate levels that exceed the maximum contaminant level (MCL). These infants may become seriously ill and die if untreated (<http://water.epa.gov/drink/contaminants/basicinformation/nitrate.cfm>).

**Figure D. Schematic of Septic System Nitrification & Denitrification Processes**



N = nitrogen,  $\text{NH}_4^+$  = ammonium ion,  $\text{NO}_2^-$  = nitrite,  $\text{NO}_3^-$  = nitrate,  $\text{N}_2$  = nitrogen (gas)

Malfunctioning septic systems are a significant source of groundwater contamination. According to the USEPA, septic tank discharges are the third leading cause of groundwater pollution in the United States (USEPA, Onsite Wastewater Treatment Systems Manual, February, 2002). Poorly functioning septic systems are a threat to public health, and ground and surface water quality, and deflate property value (Id.). Septic systems are not a suitable option for wastewater disposal in high-density areas (i.e., residences on small,  $\leq 1/2$  acre lots) because they may not provide sufficient dilution for percolating effluent, thereby contributing excess nutrients to groundwater. Additionally, high septic system density may cause wastewater to mound or surface, potentially exposing the public to health threats from inadequately treated wastewater. The Regional Water Board has adopted waste discharge prohibitions for septic tanks in the Cathedral City Cove area, and for areas that overly the Mission Creek or Desert Hot Springs aquifers to protect groundwater from the threat of contamination posed by septic systems in those areas (California Regional Water Quality Control Plan for the Colorado River Basin Region, June 2006).

### **3. WATER QUALITY AND PUBLIC HEALTH IMPACTS OF SEPTIC SYSTEM USE IN YUCCA VALLEY**

Virtually all residents in the Town use septic systems and subsurface disposal systems to treat and dispose of domestic wastewater. The exact number of septic systems in Yucca Valley is unknown, but is believed by staff to exceed 9,500. If septic systems are installed on all buildable lots, the number of septic systems in Yucca Valley will approximate 25,000 (Town of Yucca Valley Master Plan). At least

some septic systems are currently "failing", causing inadequately treated wastewater to percolate to, and contaminate groundwater. Failures are due to disintegrating steel septic tanks, and failed disposal systems (Table 2).

a) **Nitrogen Loading to Groundwater in Yucca Valley Due to Septic System Use**

Total nitrogen (TN) in septic system effluent typically ranges from 20 to 85 mg/l, averaging around 40 mg/l (Metcalf & Eddy, 3<sup>rd</sup> Edition). Using an average wastewater flow rate of 83 gpd/capita (HDWD-MWH Preliminary Design Report Part 1), nitrogen loading from septic systems in Yucca Valley is conservatively estimated by regional water board staff at over 108 tons per year. (Appendix E)

b) **Pollution, Contamination and Nuisance Resulting From Failing Septic Systems in Yucca Valley**

As indicated by the maps of repair permits issued in Appendix C, failing septic systems in Yucca Valley are an ongoing problem. On multiple occasions, Regional Water Board staff has observed grease and effluent overflowing in restaurant parking lots in Yucca Valley. Effluent discharges from failed systems can percolate to groundwater. As a result, these discharges have violated water quality objectives for nitrate, total dissolved solids (TDS), and/or pathogens, thereby impacting beneficial uses. Surfacing discharges from failed systems are a hazard to public health since they consist of sanitary wastes and the public is directly exposed to them. Discharges of sanitary waste from septic system failures also generate odors and aesthetic conditions offensive to the community; hence, the discharges create a nuisance since they interfere with the public's enjoyment and use of property. Continued use of septic systems in Yucca Valley will continue to cause conditions of pollution, contamination, and nuisance, thereby unreasonably degrading the water quality of waters of the State.

## **VI. REGULATORY APPROACHES TO ADDRESS SEPTIC SYSTEM FAILURE IN YUCCA VALLEY**

### **1. MEMORANDUM OF AGREEMENT**

In June of 2008, the Regional Water Board, the Town of Yucca Valley, and the Hi-Desert Water District entered into a Memorandum of Agreement (MOA) in order to provide interim policy to mitigate the impacts from septic systems, while the proposed WWTF is built and this proposed regulation is implemented. The MOA is intended to clarify the roles, duties, and responsibilities of each Party with respect to the proposed municipal WWTF, and for addressing groundwater contamination caused by septic tank systems. Under the terms of the MOA, the Town reviews, approves, and oversees the installation and maintenance of those septic systems, pursuant to USEPA standards, that discharge 2,500 gallons per day or less. Generally, the San Bernardino County Health Department requires an onsite percolation test performed by a State certified engineer or geologist, and a report summarizing test results for their review and approval. Percolation test reports submitted to the County for the Yucca Valley area indicate soils typically meet the minimum criteria established by the County/Regional Water Board.

CWC Section 13280 prohibits the use of new or existing septic systems if there exists:

*....substantial evidence in the record that discharge of waste from such disposal systems will result in a violation of water quality objectives, will impair present or future beneficial uses of water, will cause pollution, nuisance, or contamination, or will unreasonably degrade the quality of any waters of the State.*

Regional Water Board staff and other agencies have collected evidence to indicate septic system use in Yucca Valley has caused and continues to cause:

- a. violations of water quality objectives;
- b. impairment of groundwater beneficial uses;
- c. conditions of pollution, nuisance, and/or contamination and
- d. unreasonable degradation of the quality of State waters.

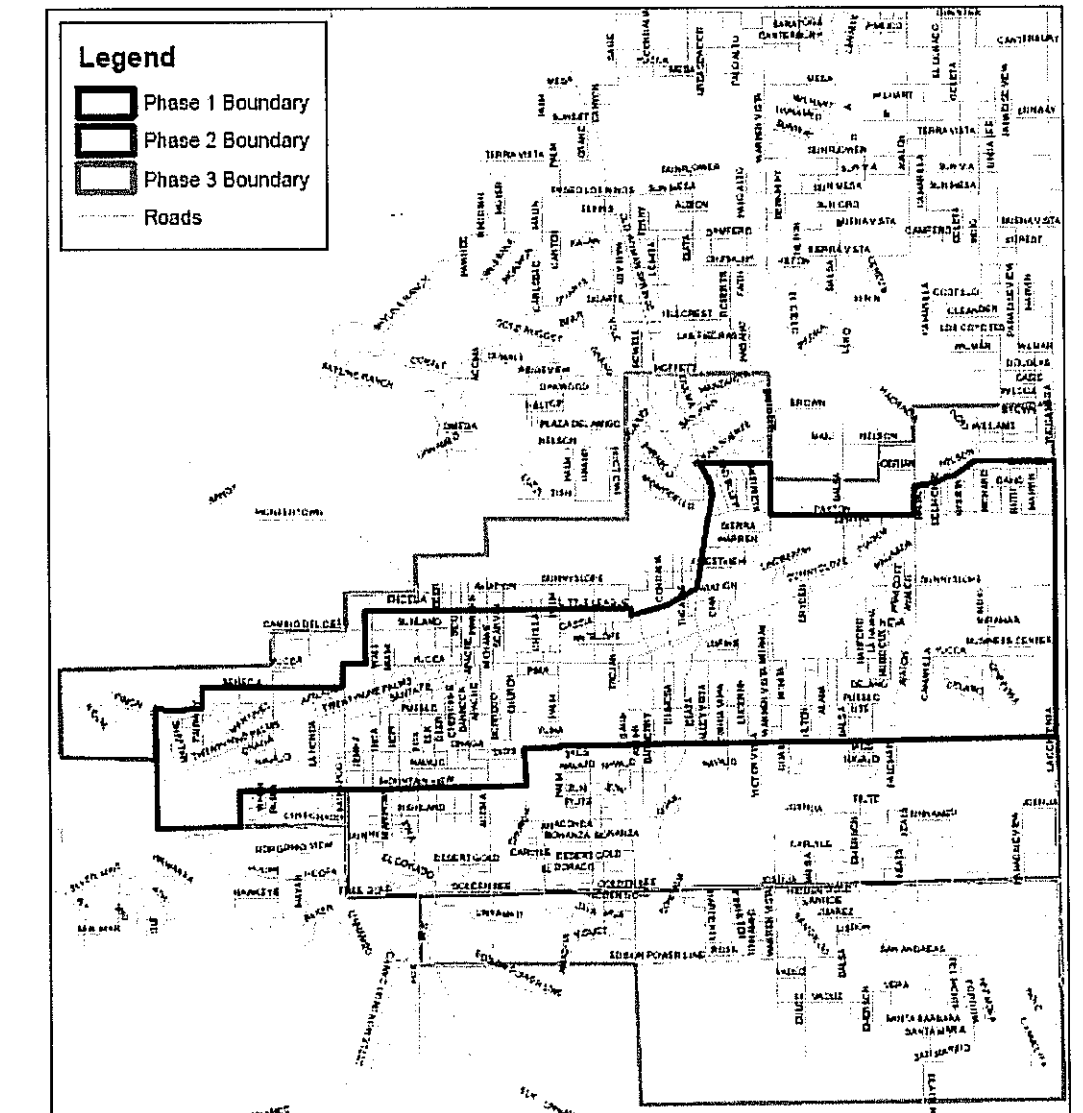
This evidence is substantial and thus, supports the Regional Water Board staff's decision to propose amending the Region's Basin Plan to incorporate a waste discharge prohibition for certain septic systems in Yucca Valley.

### **2. BASIN PLAN AMENDMENT**

Regional Water Board staff proposes to amend Chapter 4 of the Region's Basin Plan to prohibit septic system use in three areas of the Town to address

groundwater pollution and degradation caused by septic tank effluent. The amendment proposes that all septic system discharges within the Phase 1 cease by May 19, 2016, within Phase 2 by May 19, 2019; and within Phase 3 by May 19, 2021. The proposed prohibition recognizes the time needed to design, finance, and construct a sanitary sewer system and the lack of disposal alternatives in the interim. Figure E, below, shows the areas covered by each Phase.

**Figure E  
HDWD SEWER MASTER PLAN PHASES**



From HDWD-MWH Sewer Master Plan, January 2009

The Phase 1 area is bounded by the Nelson Avenue to the north, Onaga Trail to the south, La Contenta Road to the east, and Rockaway Avenue to the west. The Phase 2 area is bounded by Onaga Trail to the north, Golden Bee Drive to the south, La Contenta Road to the east, and Kickapoo Trail to the west. The Phase 3 area covers the remaining residential customers on the west end of HDWD's

service area along with some low to medium density residential customers located north of the Yucca Wash up to Cobalt Road. HDWD estimates the three sewer system phases will cover 94% of the developed parcels within the project area.

**a) Septic System Prohibition Considerations**

The proposed Basin Plan amendment provides an adaptive approach for addressing this problem. As indicated above, the hydrogeology of Yucca Valley is complex, with most areas characterized by hilly topography with shallow alluvium overlying fractured bedrock. Septic system density varies in the Town. However, the USGS Study clearly indicates groundwater in the Town has been degraded by septic system discharges, particularly in areas with high densities of residential lots (i.e., several septic systems per acre). This is caused in part by the poor performance of septic systems in high density areas due to inadequate soils and excessive loading.

The proposed Basin Plan amendment will prohibit the discharge of septic system effluent in densely populated areas along the main business corridor (Phase 1), as well as in two other relatively low-density areas within the three-phased collection system delineated in HDWD's Sewer Master Plan. Construction of a sanitary sewer system designed to serve these lots is the most cost-effective solution. Eliminating discharges in high-density areas may facilitate proper operation of septic systems in low-density areas by improving assimilative capacity of the groundwater. Under this scenario, property owners located outside the sewer master plan area benefit from the elimination of discharges within the plan's area through improved groundwater quality.

However, if this approach is determined later to be ineffective in addressing groundwater quality throughout the Town, and septic system effluent is shown to continue to adversely impact community groundwater supplies, the prohibition may need to be amended to prohibit septic system discharges elsewhere in the Town. This adaptive approach will enable water quality concerns to be addressed in a timely manner, and may also help reduce the hardship residents would have to endure if faced with a blanket discharge prohibition for both small and large lots.

Based on site conditions, a septic system prohibition is necessary to protect public health and water quality in Yucca Valley. Community feedback to Regional Water Board staff at town hall meetings, and during meetings with HDWD (June 13, 2007) attended by several of community residents and other interested individuals, suggests community support for groundwater protection and the construction of a sanitary sewer system, but significant concerns remain over the cost of such a municipal system.

**b) Economic Considerations**

Public Resources Code Section 21159, which is set forth in the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et

seq.) requires that economics be considered when evaluating methods of compliance for proposed Basin Plan amendments. CWC Section 13280 requires the Regional Water Board to consider factors identified in CWC Section 13241, which includes economic considerations and the need for housing. Affordable housing is still available to Yucca Valley, with many residences consisting of manufactured homes. A report from the US Census Bureau recorded 16,865 people residing in the Town of Yucca Valley in the year 2000, with a median household income of \$30,420. This was considerably lower than the state median household income for 2000, estimated at \$47,493.

Regional Water Board staff believes that in the long term the proposed amendment will have a positive impact on property values, given that converting to a public sewer system typically increases market value, while a failing septic system decreases market value. HDWD's cost estimates for Phase 1 of the collection and treatment system have ranged from \$85 million to \$128 million, or \$8,500 to \$12,800 per residence, assuming 10,000 water connections and no financial assistance. HDWD, using the engineering consulting firm of Webb and Associates, subsequently estimated costs during the formation of the assessment district. HDWD estimated the cost for the WWTP and conventional sewer system to be approximately \$125 million, or approximately \$12,500 per residence, again based on the assumption of 10,000 water connections. Webb and Associates recently estimated total costs for Phases 2 and 3 of the project to be approximately \$77.35 million. In addition, there are costs to construct lateral sewer lines, to connect to the main sewer, and to properly abandon existing septic systems. These costs for each parcel owner are estimated to be in the range of \$3,000 to \$6,000 (see Table 4, below). The lateral sewer line will cost \$80-\$150 per foot to construct depending on: terrain; easements needed; engineering work required; pipe and backfill materials; methods of construction; and surface restoration. Septic system abandonment involves: (1) obtaining a permit (approximately \$300), (2) pumping the tank, (3) removing and disposing of the lid, and (4) filling the empty septic tank with compacted dirt or sand (\$600-\$1600). Finally, there may be specific local agency requirements for septic tank abandonment. Once sewers are constructed, the process can take four to six months to complete. It is emphasized that all costs presented in this staff report are preliminary estimates.

**Table 4**  
**Approximate Cost to Connect to Conventional Sewer**

<i>Item Unit Cost</i>	<i>Number of Units</i> <i>Total Average Cost</i>
Sewer Connection Fee \$8,500	1 dwelling \$8,500
Septic Abandonment Fee \$300	1 tank \$300
Pump & Fill Septic Tank \$1,200	1 tank \$1,200
Lateral Construction \$100/foot	30 feet \$3,000
Total Cost	1 dwelling \$13,000

As an alternative to a conventional sewer and WWTP, HDWD has also considered a Septic Tank Effluent with Pumped or Gravity collection system (STEP/STEG), and a recirculating textile system (RTS) system, for wastewater treatment. This system offers advantages, including reduced capital costs for both wastewater collection and treatment. With a STEP/STEG, septic tanks are retained and used for primary treatment, which allows use of small diameter collection lines installed to contour local topography. Capital costs for a central treatment system are typically reduced, since influent has received primary treatment. However, operation and maintenance costs may increase because service providers are usually responsible for facilities on individual properties, resulting in increased service calls from property owners.

Total capital cost estimates for constructing a STEP/STEG collection system and RTS treatment plant range from \$29 million to \$115 million, or \$2,900 to \$11,500 per residence, assuming 10,000 water connections and no financial assistance. Connection costs to this type of system are shown below in Table 5.

**Table 5**  
**Approximate Cost to Connect to STEP/STEG System**

<i>Item Unit Cost</i>	<i>Number of Units</i> <i>Total Average Cost</i>
Sewer Connection Fee \$8,500	1 dwelling \$8,500
Lateral Construction \$37.50/foot	30 feet \$1,125
Total Cost	1 dwelling \$9,675

With a median household income of \$30,420 in the year 2000, revenue is not expected to increase significantly since a large portion of the Town's population is retired. Thus, converting to a sewered system will be a significant burden to many Town residents. To defray economic impacts,

the Town, HDWD, or community can apply for funding through grants or other sources, or extend expenses over several years by forming an assessment district. With an assessment district, the HDWD and/or the Town of Yucca Valley can address septic tank impacts to the environment and public health through a centralized authority. This will require HDWD to develop a mechanism to assess sewer costs in a given service area. Some of the costs shown in Tables 4 and 5 above can be amortized over several years to reduce immediate costs to residents.

CWC section 13291.5 states:

*It is the intent of the Legislature to assist private property owners with existing systems who incur costs as a result of the implementation of the regulations established under this section by encouraging the state board to make loans under Chapter 6.5 (commencing with Section 13475) to local agencies to assist private property owners whose cost of compliance with these regulations exceeds one-half of one percent of the current assessed value of the property on which the onsite sewage system is located.*

HDWD is exploring this and other options to obtain financial assistance to sewer Yucca Valley, and to assist local residents. Regional Water Board staff is committed to working with HDWD, municipalities and other entities to identify and procure funding to mitigate the financial burden to Yucca Valley residents.

**c) Other Considerations**

In addition, CWC section 13281 requires the Regional Water Board to consider information provided pursuant to Health and Safety Code section 117435, such as evaluating adverse impacts if septic systems discharges are permitted, failure rates of individual disposal systems, and other criteria.

As part of a cooperative agreement between HDWD and USGS, it was observed (letter to Joe Glowitz, from USGS, April 27, 2009) that a well located in the east hydrogeologic subunit sampled on February 4, 2009, had a nitrate as N concentration of 18.4 mg/L (federal MCL for nitrate as N is 10 mg/L). This is significant because the east hydrogeologic unit has not received any recharge, suggesting that the high nitrate concentration in groundwater in this area may be due to downward migration of septic tank effluent rather than rising groundwater intersecting effluent plumes.

In general, Town residents support constructing a wastewater treatment plant/sewer, given adverse impacts to groundwater and public health from septic system discharges, provided it is not cost prohibitive.

### **3. PROHIBITION OF NEW DISCHARGES?**

Regional Water Board staff considered including an immediate prohibition of new septic system discharges in the Basin Plan Amendment for the business corridor of Yucca Valley, Phase 1 in HDWD's Sewer Master Plan. Such a prohibition of new discharges would not have been a strict moratorium on new construction, because building could have proceeded so long as developers used holding tanks, package plants, or other means for waste disposal. This option could also have been implemented for new housing developments in Yucca Valley on an interim basis, until sewer infrastructure is constructed by HDWD. However, proliferation of package plants throughout the Town could have significant impact on the environment and undermine the viability of a centralized sewage collection and treatment system for the Town (see also CEQA Checklist discussion on pg. 19). Therefore, the Regional Water Board will continue to review new development on a case-by-case basis pursuant to the MOA it has with the Town and HDWD.

Efforts set forth by HDWD and the Town to provide sewer service to areas at risk of groundwater contamination from septic tank discharges, combined with the positive community response to convert to sewer, obviates the need for an immediate discharge prohibition for new development. However, if the sewer effort fails to win public approval or stalls for other reasons, the Regional Water Board may need to take other measures to protect water quality. These may include prohibiting new wastewater discharges throughout Yucca Valley and progressive enforcement (e.g., cease and desist orders and administrative civil liability complaints) to ensure dischargers and responsible parties comply with the terms of this prohibition.

## **VII. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND CONSIDERATION OF ALTERNATIVES**

The California Secretary for Natural Resources has certified the basin planning process as meeting the requirements of Public Resources Code section 21080.5 of CEQA (Cal. Code Regs., tit. 14, § 15251(g)). Based on the Secretary's certification, the basin planning process is exempt from certain environmental review requirements of CEQA, including preparation of an Initial Study, Negative Declaration, and Environmental Impact Report. However, as part of the Basin Planning process, the Regional Water Board is required to prepare: (1) a Basin Plan amendment; (2) an Environmental Checklist that identifies potentially significant adverse environmental impacts of the amendment, measures to mitigate significant adverse environmental impacts identified in the Checklist, and (3) a description of the proposed amendment and range of reasonable alternatives to comply with the amendment (Cal. Code Regs., tit. 23, § 3777).

Regional Water Board staff has prepared this draft staff report, Environmental Checklist, and proposed Basin Plan amendment for distribution to interested persons, including Town residents. These documents may be revised based on comments received from the public or the Regional Water Board. If revised, the final staff report will address any additional CEQA considerations, including economics, which may arise as a result of any changes to the proposed amendment.

The Environmental Checklist also contains a detailed discussion on alternatives to the proposed prohibition (Preferred Alternative), including the "No Action" alternative. It also has a detailed discussion on the range of reasonable alternatives/methods available to comply with the proposed prohibition. The Preferred Alternative is summarized in the following Section.

## VIII. RECOMMENDED ALTERNATIVE – SEPTIC SYSTEM PROHIBITION

Regional Water Board staff is recommending that the Regional Water Board amend the Region's Basin Plan to prohibit septic system use in three areas of the Town, in accordance with the following time schedule for each area, or sooner than the prescribed time schedule if sewer service becomes available:

- Phase 1 by May 19, 2016
- Phase 2 by May 19, 2019
- Phase 3 by May 19, 2022

The HDWD's Sewer Master Plan (January 2009) proposes three phases of sewer service for the Town and the surrounding area (Figure E). Areas selected for sewer service pose the greatest risk to public health and water quality due to a high density (too many septic systems per unit area), or a high failure rate (causing wastewater surfacing and/or groundwater impacts). Sewering these areas, along with a hook-up requirement when sewer service becomes available, should mitigate current impacts to public health and water quality from septic system use in the Town.

If, however, the septic system prohibition proposed above fails to adequately address public health and water quality impacts in Yucca Valley, the Regional Water Board may need to amend the Basin Plan further. Such amendments may include, for example, extending the area subject to the prohibition. Alternatively, if the sewer project does not go forward due to financial problems or for other reasons, the Regional Water Board may need to amend the Basin Plan to immediately prohibit all new septic systems discharges, and eliminate existing systems via a time schedule order.

## IX. PUBLIC PARTICIPATION

Public participation is an integral part of the Basin Plan amendment process. On November 15, 2007, Regional Water Board staff published a Public Notice inviting concerned, interested, and affected individuals, as well as public and private entities, to participate in a Technical Advisory Committee (TAC) to develop a Basin Plan amendment to conditionally prohibit septic systems in Yucca Valley. The reason for this action was to eliminate groundwater impacts from discharges of septic system effluent. The objectives of the TAC were as follows:

- advise staff to develop and implement the prohibition;
- provide expert opinion and scientific evaluations;
- provide CEQA documentation;
- identify financial assistance/resources, and
- assist with public outreach and education.

The TAC, which conducted its first meeting on February 21, 2008, was comprised of nine individuals representing the community, HDWD, and the Town. The TAC conducted a total of ten meetings before it was formally dissolved in May 2009.

On June 13, 2007, Regional Water Board staff conducted a town hall meeting in Yucca Valley with representatives from HDWD and the Town to discuss septic system problems and potential solutions.

On December 18, 2007, Regional Water Board staff held a public workshop and CEQA Scoping Meeting in the HDWD's meeting room in Yucca Valley. Board staff presented the draft environmental checklist and an overview of the Basin Plan amendment. HDWD staff presented findings from its sewer feasibility study. Interested persons, community representatives, and area residents were present, and provided comments.

On March 17, 2011, the Regional Board held a public workshop in the Town of Yucca Valley Community Center's Yucca Room from 11:00 a.m. to 3:00 pm. Board staff presented the proposed Basin Plan Amendment to Prohibit Discharges from Septic Systems in the Town of Yucca Valley and Regional Board members and staff heard comments and answered questions from area residents, community representatives, and area property owners. Changes to the proposed basin plan amendment and this staff report were made in response to certain public comments received both at the public workshop and submitted in writing.

The Regional Water Board will consider adoption of the proposed Basin Plan amendment at a public hearing scheduled as follows:

Thursday, May 19, 2011, 10:00 a.m.: \*\*\*\*.  
*City of La Quinta, City Council Chambers*  
*78-495 Calle Tampico*  
*La Quinta, CA 92253*

The Basin Plan amendment may be revised further in response to comments received during the public hearing. A Notice for the Public Hearing will be mailed to residents and interested parties in the affected area, published in local newspapers, and posted in local libraries and post offices. Additionally, the Notice and all relevant documents will be posted on the Regional Water Board's webpage.

## **X. SCIENTIFIC PEER REVIEW**

Health and Safety Code section 57004 requires that the scientific basis of any statewide plan, basin plan, plan amendment, guideline, policy, or regulation undergo external peer review before adoption by the State or Regional Board. The "scientific basis" and "scientific portions" are defined as those "foundations of a rule that are premised upon, or derived from, empirical data or other scientific findings, conclusions, or assumptions establishing a regulatory level, standard, or other requirement for the protection of public health or the environment." Accordingly, regional water board staff submitted the draft staff report in support of the proposed basin plan amendment to prohibit septic tank discharges in the Town of Yucca Valley to the peer review process in July of 2010. Two peer reviewers were chosen by State Water Board staff, in a process independent of regional board staff.

Both of the participating peer reviewers concurred that the scientific information presented in the staff report support the proposed septic tank discharge prohibition. One of the reviewers stated:

"I felt the staff report was very well written and highlights the evidence for failing septic tanks in the Yucca Valley area – something that is not covered in the USGS report. This result, in conjunction with all the evidence provided by the USGS, indicates that the proposed amendment to the basin plan is needed and scientifically warranted."

The second peer reviewer concluded:

"The installation of a sewer during Phase I implementation is justified by the annual rate of failure of septic systems within Yucca Valley. Septic systems for residential development at that density along with commercial establishments exceed waste accommodation rates and the soil's infiltration capacity."

The comment letters from both reviewers, and regional water board staff's responses to those comments can be found in Appendix F.

## **XI. PROHIBITION EXEMPTIONS**

In response to oral comments received at the public workshop held on March 17, 2011, and to written comments received by Regional Water Board staff, the Basin Plan Amendment was changed to include procedures whereby properties affected by the Prohibition might be exempted from the requirements of the prohibition, if certain unique conditions were sufficiently demonstrated to the Regional Water Board. These conditions may include, but are not limited to, technical, environmental, or economic conditions that would make connection to the collection system, or installation of an on-site advanced treatment and disposal system, technically impracticable or economically excessively burdensome.

## **XII. COMPLIANCE ASSURANCE AND ENFORCEMENT**

In response to oral comments received at the public workshop held on March 17, 2011, and to written comments received by Regional Water Board staff, the Basin Plan Amendment was changed to include specific information about actions Regional Water Board staff will take to achieve compliance with the prohibition, including a list of enforcement actions that may be pursued if specific dischargers are not responsive to more cooperative staff compliance efforts.

The changes to the amendment include specific directives to the Executive Officer to assist the Town of Yucca Valley and HDWD obtain financial assistance, and to notify all property owners affected by the amendment of:

- a) key deadlines of the Prohibition,
- b) options available to comply with the amendment, and
- c) sources of potential financial and technical assistance.

## **XIII. SUMMARY**

Laboratory analyses of groundwater samples collected from supply wells in the Town indicate an exceedance in the drinking water standard (i.e., maximum contaminant level) for nitrate ( $\text{NO}_3$ ). As a result, HDWD removed impacted supply wells from service and treated well water to remove  $\text{NO}_3^-$  before distribution to the public. The USGS Study concluded that septage from septic tanks is the primary source of  $\text{NO}_3$  to the ground-water system in Yucca Valley. This investigation provided the core scientific basis to prohibit septic tank use in specific areas of the Town.

HDWD's 2002 "Source Water Assessment" completed for Yucca Valley's production wells rated *all* supply wells "most vulnerable" to nitrate contamination from septic systems. Irrespective of the source(s) of the existing nitrate contamination in groundwater, additional mass loading of nitrate from new development/high density septic system use will clearly cause further degradation to groundwater. It is therefore necessary to immediately protect vulnerable sub-

basins in the Yucca Valley area not currently impacted by nitrates, where high density septic system use may ultimately lead to further water quality degradation.

Violations of water quality objectives and conditions of pollution, contamination, and nuisance have resulted from septic system use in the Yucca Valley area. The building boom that has occurred over the last 10 years has exacerbated water quality problems associated with septic system use in the area, including excess nutrients (nitrate) in groundwater.

In June 2007, Regional Water Board staff, in collaboration with HDWD and Town officials, formalized discussions to address water quality and public health concerns caused by septic system use in the Town. These discussions led to the adoption of a Memorandum of Agreement (MOA) to establish interim policy to mitigate the impact from the septic systems while a municipal sewage collection and treatment system for the Town is designed and built. On September 19, 2007, the Regional Water Board adopted Resolution R7-2007-0074 in support of the efforts by the Town of Yucca Valley and the HDWD to phase out wastewater discharges from septic systems. The resolution states, in relevant part:

*"...The Regional Board considers construction of the RWWTF (regional wastewater treatment facility) proposed by the District and Yucca Valley and elimination of the groundwater quality threat and impacts from septic systems in Yucca Valley to be strategic regional water quality priorities..."*

In response to violations of water quality objectives for nitrate, scientific evidence, directives from the Regional Water Board, and requests from local entities, Regional Water Board staff is proposing a Basin Plan amendment to prohibit septic system use in three areas of the Town to protect high quality municipal beneficial use groundwater aquifers vulnerable to degradation from septic system discharges

## **REGIONAL WATER BOARD CONTACT**

All enquiries regarding the proposed Basin Plan Amendment should be directed to:  
Jon Rokke (760) 776-8959

## REFERENCES

1. Hi-Desert Water District, Source Water Assessments, December 2002
2. USGS, Evaluation of the Source and Transport of High Nitrate Concentrations in Groundwater, Warren Subbasin, California, (Water-Resources Investigations Report 03-4009)
3. USEPA, Onsite Wastewater Treatment Systems Manual, February 2002.
4. EPA Response to Congress on Use of Decentralized Wastewater Treatment Systems, April 1997
5. USEPA National Primary Drinking Water Regulations, EPA 816-F-09-004, May 2009
6. USEPA, Basic Information About Nitrate In Drinking Water, <http://www.epa.gov/OGWDW/contaminants/basicinformation/nitrate.html#six>
7. California's Groundwater Bulletin 118, updated 2/27/04
8. California Regional Water Quality Control Plan for the Colorado River Basin Region, June 2006
9. HDWD-MWH Preliminary Design Report, Volume 1, January 2009
10. HDWD-MWH Sewer Master Plan Final Report, January 2009
11. USEPA Seepage Pits May Endanger Groundwater Quality, EPA 909-F-01-001, April 2001
12. US Census Bureau, Yucca Valley town, California, Census 2000 Demographic Profile Highlights
13. Metcalf & Eddy, Wastewater Engineering Treatment Disposal and Reuse, 3rd Edition 1991
14. Letter from USGS to Joe Glowitz, April 27, 2009
15. Technical Advisory Committees Socio-economic subgroup Final Report
16. Onsite Wastewater Treatment Systems by Burkes & Minnis, 1994

# **APPENDIX A**

**U.S. Department of the Interior  
U.S. Geological Survey**

**Evaluation of the Source and Transport of High Nitrate Concentrations in  
Groundwater, Warren Subbasin, California**

**Water-Resources Investigations Report 03-4009**

**(Attach complete report)**

# **APPENDIX B**

**(Attach Town of Yucca Valley Zoning Map)**

# **APPENDIX C**

**(Attach Septic Failure Data and Location Maps)**

# **APPENDIX D**

**(Attach Recent Data)**

# **APPENDIX E**

**(Attach Nitrogen Loading Calculation)**

# **APPENDIX F**

**(Attach Scientific Peer Review Comment Letters, and Staff Responses to  
Comments Letters)**