

VVTA RFQ 2025-03 CEQA CONSULTANT ADDENDUM NO. 2

Friday, December 6, 2024

The following questions were posed and need to be addressed through an addendum provided to all known bidders interested in this project.:

Q1: “Page 2 of RFQ. 1st paragraph states that ‘The resulting contract will be not to exceed 120 days.’ Is this accurate?”

A1: The term will be negotiated with the awarded contractor.

Q2: “Page 4 of RFQ: Would either of the projects that are part of the RFP result in an increase in system-wide traffic volumes?”

A2: For the 10-acre parcel - VVTA estimated that there would be 14 bus trips per hour into the transit hub. Assuming a service span of 5 am – 10 pm there would be approximately 238 daily bus trips to the facility.

For the 2.5-acre parcel – Hydrogen Fueling Station – there will not be an increase in traffic from this location.

Q3: “Page 6 of RFQ: 2nd bullet: is the hazard assessment referring to the need to prepare a Phase I Environmental Site Assessment, or just a hazard assessment prepared to support the CEQA analysis?”

A3: The second bullet point of page 6 of the RFQ is referencing hiring, coordinating, and supervising sub consultant specialists. If a hazard assessment is deemed necessary then the awarded contractor is responsible for any hiring, coordinating, and supervising of any sub-consultant specialists as required. .

Q4: “Page 6 of RFQ: 2nd bullet: what is the ‘construction phase monitoring and reporting’ referring to? Without a more detailed project description and without completion of the environmental analysis, it is not clear at this time what that might entail.

A4: **See A3**

Q5: “Page 6 of RFQ: 7th and 8th bullets: what is ‘liaison with regulatory agencies’ and ‘ensure regulatory agency requirements are met in a timely fashion’ referring to? As with the previous question, without a more detailed project description and without completion of the environmental analysis, it would be difficult to know what this might entail at this time.”

A5: The proposer shall be required to ensure all regulatory agency requirements are met as well as liaison with regulatory agencies to provide guidance to VVTA, as necessary, based on the initial study.

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- Q6:** “Page 8 of RFQ (Item i.II): The RFP states that ‘Bidder must list all services, equipment, and facilities that the Bidder has provided and/or operated under contract during the past five (5) years.’ Is this just for work with VVTA or corporate wide?”
- A6:** On the reference form, please include similar services provided for agencies – you may include VVTA as a reference, if your company has provided this similar service during the past 5 years.
- Q7:** Pages 10/11 of RFQ: We assume one CEQA document would be prepared for both projects but the cost estimate template shows that the costs need to be broken down by project. Are you envisioning one CEQA document, or two? Or can the costs be combined?
- A7:** Two CEQA documents need to be prepared; the Hesperia Transfer Hub and Hesperia Hydrogen Fueling Station are separate projects on different parcels. VVTA believes needs to have quotes for both properties – we need to see the cost for both properties because of the two separate budgets being used to pay for each project.
- Q8:** “Can we get the supporting technical studies (appendices) for Categorical Exclusions that were provided?”
- A8:** A copy of both NEPA documents for each parcel are included as Exhibit 1 and Exhibit 2 to this Addendum. A copy of the CE’s files with the County of San Bernardino are included as Exhibit 3 and Exhibit 4 to this Addendum.
- Q9:** “Please provide a copy of the approved NEPA document.”
- A9:** Please see A8 above.
- Q10:** “Are the general terms and conditions provided with the RFQ supposed to be the contract that we will be required to sign? If not, can you please provide a sample contract for review?”
- A10:** The general Terms and Conditions will be part of the contract to be issued upon award of this project.
- Q11:** “Do we need to fill out the subcontractor's list if we do not plan to include any subcontractors? Do we need to include our own firm info. on that form?”
- A11:** If your company is not using any subcontractors, then write “NA” on the top of the form when you submit your quote.

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Q12: “For item i.II (Bidder must list all services, equipment, and facilities that the Bidder has provided and/or operated under contract during the past five (5) years. Include company name, address, phone number, and contact.) can we just list work with VVTA? If you would like a list of all work from the last 5 years, can we limit the list of projects within the Victor Valley service area? We are a nationwide company, so it would be time and space prohibitive to list all projects.”

A12: See A6 above.

Q13: “I recently received the RFP for CEQA services related to the proposed bus hub and fueling station. It appears that the RFP is focused on preparing two separate CEQA documents to analyze the two projects individually. I wanted to reach out to see if VVTA would be open to considering a joint CEQA document that analyzes both proposed activities as a single project.”

A13: See 7 above

All other terms and conditions of the RFQ remain the same.

***** END OF ADDENDUM NO. 2 *****

Victor Valley Transit Authority Hydrogen Fueling Facility CATEGORICAL EXCLUSION

DETAILED PROJECT DESCRIPTION:

The Victor Valley Transit Authority (VVTA) is the project sponsor for a proposed hydrogen fueling station (hereafter referred to as “the project”) in the City of Hesperia. The project would consist of hydrogen fueling equipment installation, civil grading, and civil-roadway improvements (Appendix 1-Figure 1). The lot is approximately 1.6 acres. The System would have the fueling capacity to serve up to 20 buses every 5 to 7 days and serve up to 20 cars daily. A schedule of hydrogen equipment that would be installed are as shown below in Table 1.

Table 1- Project Equipment Schedule

Components	Qty
18,000-gallon Cryogenic Tank Mounted Vertically	1
300 kg 450 Bar Gaseous Storage Tubes	5
150kg 700 Bar Gaseous Storage tubes	3
350 Bar Dispenser	1
700 Bar Dispenser (Public Use)	1
Hydrogen Compressor 350 Bar	2
Hydrogen Compressor 700 Bar	2
Air Heated Vaporizers	3
Controls, filters, piping, etc. etc.	1

Source: VVTA (2021)

The 350-bar dispenser will be installed in the area designated for bus fueling as outlined in the Figure 1. A 700-bar dispenser would replace an existing 300-pounds per square inch (psi) at the public compressed natural gas (CNG) station. Construction is tentatively scheduled to commence in Fall 2022 and end in Fall 2023. Anticipated cost for the project’s construction would be \$5.1 million dollars in 2020 dollars. Funding sources for this project include the Fixing America’s Surface Transportation (FAST) Act’s Congestion Mitigation and Air Quality Improvement program.

The project represents the second of two phases for VVTA’s overall plan to provide infrastructure for their future bus fleet that will utilize hydrogen fuel cell technology. Hydrogen is a clean fuel that, when consumed in a fuel cell, reacts electrochemically to produce electricity to power the vehicle. The only waste product is water vapor (the California Air Resources Board (CARB), 2020). In December 2018, CARB adopted their Innovative Clean Transit (ICT) regulation, which requires all public transit agencies in the state to gradually transition to a 100-percent zero-emission bus fleet by 2040. The project would serve as a hydrogen fueling station for VVTA’s bus fleet and one pump would be for public use. The first phase of the plan consists of the buildout of bus passenger loading areas and is also tentatively scheduled to commence construction in Fall 2022 and complete in Fall 2023. This first phase of VVTA’s plans shall be considered a separate but related development that would employ a separate environmental clearance process.

LOCATION (INCLUDING ADDRESS):

The project lies within the high desert in Southern California in the northern portion of San Bernardino County, California. The area surrounding the project site has low-density developments related to manufacturing and industry and has some vacant parcels neighboring the project site to the east. The project site's land use is designated as General Industrial by the City of Hesperia (Appendix 1-Figure 2). The assessor's Parcel number for the project is APN 0410-121-06 and is currently under ownership of VVTA. VVTA also owns the parcel associated to Phase I of the project.

METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY:

The purpose of the project is to build supporting hydrogen fueling infrastructure for VVTA's bus fleet that will transition to hydrogen fuel technology by 2040. While the project would align with the goals set forth by the Southern California Association of Governments (SCAG) the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), it is not listed in the 2020 Connect SoCal Transportation System Project List Draft Amendment #1 (SCAG, 2021) or in the 2019 Federal Transportation Improvement Program (FTIP) Amendment #1 (SCAG, 2021)

On September 23, 2020 SCAG adopted Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). As a plan with the goal of accelerating the region's progress towards transportation and GHG reduction targets, programs within the RTP/SCS focus on shifting travel to active transportation modes, expanding the transit network, and efficient movement of goods (SCAG, 2020). The conformity determination for the 2020 RTP/SCS and the 2019 FTIP Amendment #21-05, received federal approval on June 2, 2020.

Connect SoCal proposes programs that encourage the deployment of selected technologies to improve mobility and reduce greenhouse gases (GHGs). The Accelerated Electrification strategy is listed within Connect SoCal's Key Connections which serve to augment the Core Vision of the plan to address trends and emerging challenges while meeting greenhouse gas reduction goals. The Accelerated Electrification strategy offers a holistic and coordinated approach to de-carbonizing or electrifying passenger vehicles, transit, and goods movement vehicles. Through greater coordination, this strategy aims to go beyond benefits achieved through state mandates alone. In the light-duty sector, Connect SoCal plans for greater incentives to increase sales of electric vehicles and strategies to increase the availability of charging infrastructure. For transit, in 2018 the California Air Resources Board voted to mandate purchases of electric buses. SCAG can facilitate that process by working with transit agencies to ensure adequate charging stations and electricity rates.

The project is a direct result from the ICT regulation that ultimately aligns with the goals from the SCAG RTP/SCS. In December 2018, the California Air Resources Board (CARB) adopted their ICT regulation, which requires all public transit agencies in the state to gradually transition to a 100-percent zero-emission bus fleet by 2040. This regulation aims to improve air quality and climate protection goals across the state by addressing the public transportation sector, which is responsible for approximately 40% of greenhouse gas (GHG) emissions, 80% of Nitrogen Oxides (NOx), and 90% of diesel particulate matter emissions in California. This regulation aligns with other State policies, such as the Sustainable Communities and Climate Protection Program (SB 375), and SB 350, which provides an opportunity for transportation electrification including wide use of zero-emission buses. Through the deployment of

zero-emission technologies, the ICT regulation will provide significant benefits across the state, including:

- Reduce NOx and GHG emissions for all Californians, especially transit-dependent and disadvantage communities. The majority of these benefits will be in the State's most populated and impacted areas where transit buses are most prevalent
- Increase penetration of the first wave of zero-emission heavy-duty technologies into applications that are well suited to their use to further achieve emission reduction benefits
- Save energy and reduce dependency on petroleum and other fossil fuels
- Expand zero-emission vehicle industry to bring high quality green jobs to local communities and trained workforce to California
- Provide other societal benefits by encouraging improved mobility and connectivity with zero-emission transportation modes and reduced growth in light-duty vehicle miles traveled.

Thus, although the project is not included in the current adopted MPO plan, the purpose of the project and project would align with the goals of the SCAG 2020-2045 RTP/SCS. In addition, as explained in more detail in the Air Quality Section of this CE, below, the project's construction and operational emissions would not result in emissions that exceed the General Conformity de minimis levels. Under the federal Clean Air Act, the General Conformity Rule ensures that federal actions comply with the national ambient air quality standards (NAAQS). The General Conformity Rule applies to all federal actions that are taken in designated nonattainment or maintenance areas. Federal agencies that engage in, support in any way or provide financial assistance for, or approve any activity must demonstrate that such actions do not interfere with state and local plans, such as the State Implementation Plan (SIP), to bring an area into attainment with the NAAQS. Therefore, the federal agency must determine that the action is either exempt from determining conformity or subject to a formal conformity determination. Unless otherwise determined to be exempt, a conformity determination is required when the total of direct and indirect emissions of the criteria air pollutant or precursor in a federal nonattainment or maintenance area would equal or exceed the specified annual emissions rates, referred to as "de minimis levels." The conformity determination process is intended to demonstrate that the proposed federal action would not cause or contribute to new violations of federal air quality standards, increase the frequency or severity of existing violations of federal air quality standards, or delay the timely attainment of federal air quality standards. Therefore, the project would be exempt from a formal conformity analysis as an action for which associated emissions are below the specified de minimis levels.

LAND USE AND ZONING:

The project would be consistent with the existing land use that the City of Hesperia designates as General Industrial (Appendix 1- Figure 3). There are no proposed land use zoning changes at the project site.

PRIME AND UNIQUE FARMLANDS:

Prime and unique farmland do not exist within the vicinity of the project site (California Department of Conservation). The project would be developed on what the California Department of Conservation categorizes as Other Land (Appendix 1 – Figure 4). The closest Prime Farmland site exists approximately 2.9 miles southeast of the project site.

TRAFFIC AND PARKING IMPACTS:

This project site is immediately to the north of the Hesperia bus maintenance yard. VVTA also has a larger maintenance facility in Barstow with no plans to change the scale of service at either facility.

Currently, there are four or five bus routes which provide public transit services in Hesperia, including:

- 25 Oak Hills to Hesperia Super Target – every 2 hours
- 64 Super Target - Hesperia Post Office – every hour
- 66 Hesperia East Deviation – every hour
- 68 Hesperia - Victor Valley Mall – every hour
- NTC Commuter 104A/107A/102B/103B/107B to/from Fort Irwin – 2 morning runs 1 hour headways and 4 evening runs between 30 minutes and 1+ hour headways

The Hesperia Hydrogen Fuel Cell Area would serve as an extension of the existing bus maintenance yard to its south. It would serve the area buses approximately once per day. However, these buses are already traveling to/from the maintenance area for their daily maintenance. Thus, the construction of the Hydrogen Fuel Cell Area would not result in any change to the bus traffic of trip lengths in the area.

The project also proposes to serve up to 20 private cars for hydrogen fueling. These cars are most likely to travel to/from the site during the peak hours when commuters are already traveling to/from their worksites. This analysis assumes that half, or 10 cars trips, access the facility during the peak PM hour, the remainder is assumed to be primarily during the AM peak hour, 8 trips, and midday, 2 trips. It is also important to note that 20 cars is the most that this facility can serve in one day, but the number may be fewer on any given day.

The City’s General Plan identifies access to transportation corridors as an “issue” in this Industrial Core planning zone. It states “Access to Interstate 15 and Highway 395 from Planning Area 5 exists only from Main Street and Bear Valley Road. Limited truck traffic access to the Interstate 15 freeway contributes to congestion on Main Street. The future Interstate 15 freeway interchanges at Rancho Road and Eucalyptus Street would help alleviate traffic between the Industrial Core and the major transportation corridors within the City.”

The Hesperia General Plan Update, September 2009, Transportation Technical Report indicates that, in 2007, the closest intersections to this project site that were assessed, at Main and C Avenue, Main and E Avenue, and Lemon and I Avenue, functioned at a LOS D/F. However, these intersections are half-mile or more from the project site. These additional private car trips can reasonably be assumed to be distributed throughout the roadway network so as not to worsen any of the intersections of concern. All other intersections in the area were either not measured or function at an acceptable LOS in the 2009 document.

No on-street or off-street parking is currently at or adjacent to the project site. The parking also does not include provision of parking. VVTA workers are assumed to continue to park at the VVTA headquarters immediately to the south of the project site.

The intersection of Smoke Tree and E Avenue was recently upgraded from a 2-way stop to a 4-way stop to provide for safe bus and automobile crossing here. The intersection to the north between Live Oak and E Avenue is a 2-way stop and Live Oak is a dirt roadway. The project includes new paving but does not propose lane reconfigurations.

The project site would be located in a low-density semi-rural setting on an undeveloped parcel, providing adequate access to the property and parking locations on site during construction. Some traffic management plans would be implemented during civil roadway improvement activities on Live Oak Street and E Avenue. Flaggers or redirection of traffic through detour routes would occur but only be temporary in nature.

AESTHETICS AND VISUAL QUALITY:

The project site is located within the Mojave Desert and is primarily characterized by a flat terrain. Visually, the area surrounding the project site is semi-rural with low density industrial and manufacturing developments. There are no sensitive viewers in the area surrounding the project site and therefore the project would not substantially alter scenic vistas, visual character, or generate new sources of light and glare.

The foothills of the San Bernardino Mountains are located four miles south of the project site. During construction, contractors would use standard industry equipment such as excavators, cranes, and concrete trucks to support construction activities. The project would install cryogenic tank, gaseous storage tubes, and hydrogen compressors. The project would not affect or block any scenic vistas from the San Bernardino Mountains during its construction or operation since there are no sensitive viewers in the area surrounding the project site. Similarly, due to the lack of sensitive viewers, the project would not substantially alter the visual character or quality of the site and its surroundings.

Light sensitive receptors or land uses may include, but are not limited to, all types of residences; commercial or institutional uses that require minimal nighttime illumination for proper function, physical comfort, or commerce; and natural areas. The project would include installation of new standard exterior security lighting around and within the hydrogen fueling site, which would operate continuously. There are no sensitive viewers to lighting and therefore the project does not anticipate any impacts related to light, glare, and shade and shadow.

AIR QUALITY:

The project site is located within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) in the Mojave Desert Air Basin (MDAB)(Appendix 1-Figure 5). The MDAQMD is classified as a non-attainment area under the National Ambient Air Quality Standards (NAAQS) for ozone (severe) and particulate matter less than 10 micrometers in diameter (PM10). The MDAQMD is designated as an attainment or unclassified area under the NAAQS for all other pollutants (carbon monoxide [CO], particulate matter less than 2.5 micrometers in diameter [PM2.5], nitrogen dioxide [NO2], sulfur dioxide [SO2], and lead). While the project would generate short-term emissions of criteria pollutants during

construction due to equipment exhaust, the project is not anticipated to adversely impact air quality in the project region. Additionally, project operational activities are not anticipated to adversely impact air quality in the project region.

Construction activities would generate short-term emissions of criteria pollutants associated with construction equipment exhaust; construction-related trips by workers; delivery and hauling truck trips; fugitive dust from site preparation activities; and off-gassing from traffic coating and paving activities.

As shown in Table 2, the short-term construction-related emissions are not anticipated to exceed the de minimis levels. The U.S. Environmental Protection Agency (EPA) has established de minimis levels or specified annual emissions rates for each criteria air pollutant or precursor below which a federal action would not be considered to interfere with a state’s plans to attain and maintain federal air quality standards. Thus, project construction would not cause or contribute to new violations of federal air quality standards, increase the frequency or severity of existing violations of federal air quality standards, or delay the timely attainment of federal air quality standards.

Table 2: Project Construction-Related Emissions

DESCRIPTION	ROG (TONS)	NOX (TONS)	CO (TONS)	SOX (TONS)	PM10 (TONS)	PM2.5 (TONS)
Maximum-year Construction Emissions	0.17	1.23	1.29	<0.01	0.07	0.06
De minimis levels (tons/year) ¹	25	25	100	100	100	100
Exceeds de minimis levels?	No	No	No	No	No	No

Source: VVTA (2021), EPA (2021)

Notes: ROG = reactive organic gases; NO_x = oxides of nitrogen; SO_x = sulfur oxides; CO = carbon monoxide; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less, PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

¹ The MDAB is designated as a severe nonattainment area for ozone, which is not directly emitted into the air, but is formed through a series of reactions involving ROG and NO_x in the presence of sunlight. Because ozone is not directly emitted, the applicable de minimis levels are applied to ROG and NO_x. The MDAB is designated as a moderate nonattainment area for PM₁₀. The MDAB is classified as an attainment or unclassified area for all other pollutants. Although the General Conformity thresholds are not applicable to pollutants that are in attainment or unclassified, the de minimis levels for maintenance areas for these pollutants are used to provide an analysis under NEPA.

As described above in the Traffic and Parking Impacts Section of this CE, the Hesperia Hydrogen Fuel Cell Area would serve as an extension of the existing bus maintenance yard to its south. It would serve the area buses approximately once per day. However, these buses are already traveling to/from the maintenance area for their daily maintenance. Thus, the construction of the Hydrogen Fuel Cell Area would not result in any change to the bus traffic or bus trip lengths in the area. The project also proposes to serve up to 20 private cars for hydrogen fueling. Unlike conventional internal combustion engines, these hydrogen—fueled buses and vehicles would not produce tailpipe emissions of criteria pollutants, including CO; fuel cell vehicles only emit water vapor and warm air (AFDC 2021). In addition, the project site is located in an area that is designated as an unclassified/attainment area for CO. Therefore, the project would not result in a CO hotspot and the hydrogen-fueled buses and vehicles would not be operational sources of emissions. As hydrogen would not be produced on-site, project operational emission sources would be limited to the hydrogen tube truck delivery trips. A fuel truck delivery is anticipated to occur once every 5 to 7 days. For the purposes of the analysis, it was assumed that the fuel delivery truck would be diesel-fueled with an average 200-mile roundtrip travel distance.

As shown in Table 3, the fuel truck emissions would not exceed the de minimis levels. Thus, project operation would not cause or contribute to new violations of federal air quality standards, increase the frequency or severity of existing violations of federal air quality standards, or delay the timely attainment of federal air quality standards.

Table 3: Project Operational Emissions

DESCRIPTION	ROG (TONS)	NOX (TONS)	CO (TONS)	SOX (TONS)	PM10 (TONS)	PM2.5 (TONS)
Annual Fuel Delivery Emissions ¹	<0.01	0.05	0.01	<0.01	0.04	0.01
De minimis levels (tons/year) ²	25	25	100	100	100	100
Exceeds de minimis levels?	No	No	No	No	No	No

Source: VVTA (2021), EPA (2021)

Notes: ROG = reactive organic gases; NO_x = oxides of nitrogen; SO_x = sulfur oxides; CO = carbon monoxide; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less, PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

¹ Fuel truck delivery emissions include running, starting, and idling exhaust emissions. Please refer to Appendix 2 for additional details.

² The MDAB is designated as a severe nonattainment area for ozone, which is not directly emitted into the air, but is formed through a series of reactions involving ROG and NO_x in the presence of sunlight. Because ozone is not directly emitted, the applicable de minimis levels are applied to ROG and NO_x. The MDAB is designated as a moderate nonattainment area for PM₁₀. The MDAB is classified as an attainment or unclassified area for all other pollutants. Although the General Conformity thresholds are not applicable to pollutants that are in attainment or unclassified, the de minimis levels for maintenance areas for these pollutants are used to provide an analysis under NEPA.

Furthermore, as described in the Metropolitan Planning and Air Quality Conformity Section of this CE, the project represents the second of two phases of VVTA’s overall plan to build infrastructure that would service VVTA’s bus operations that would transition to utilize hydrogen fuel cell technology in accordance with California Air Resources Board’s ICT regulation, which requires all public transit agencies in the state to gradually transition to a 100-percent zero-emission bus fleet by 2040. As such, implementation of this project would enable the transition to a zero-emission fleet and provide infrastructure for public hydrogen fuel cells, resulting in a reduction of existing tailpipe emissions from conventional buses and vehicles. Thus, the project is not anticipated to adversely impact air quality in the project region.

HISTORIC AND CULTURAL RESOURCES:

The identification effort included a records search conducted at the South Central California Information Center (SCCIC) of the California Historical Resources Information System (CHRIS), located at California State University, Fullerton; a review of historic maps; and a field survey.

Map research indicates that no historic buildings or structures were located within or adjacent to the project area of potential effect (APE). The project APE is defined as a half-mile radius around the project site; its vicinity is undeveloped in the 1902 and 1942 Hesperia, CA 1:62500 USGS maps. In the 1956 Hesperia, CA 1:24000 USGS Smoke Tree Lane and E Avenue are both shown as developed roads, but no buildings or structures are mapped in the APE or its vicinity.

A records search was requested for the project APE and a half-mile buffer (the project study area) from the SCCIC on August 11, 2021. The SCCIC responded on October 5, 2021. The complete results of the records search are included as Appendix 3. The records search revealed:

- A total of 5 studies have been conducted within half-mile of the project APE. Approximately 10 percent of the project study area has been previously investigated. None of these studies overlaps the project APE.
- There are no recorded historic districts within half-mile of the project APE.
- There are no recorded historical resources within half-mile of the project APE.
- There are no recorded archaeological resources within half-mile of the project APE.

As a result of the field survey, one resource that is historic in age was identified. The resource consists of an early twentieth century refuse deposit. The majority of the resource is located outside the APE, but a portion of the artifact scatter surrounding the main deposit extends into the APE. Observed artifacts include glass (including sun colored amethyst glass and aqua glass with bubbles), cans (including hole-in-cap cans), and ceramics, and appeared to be the result of domestic refuse dumping. The resource was documented on appropriate California Department of Recreation 523 series forms and evaluated for inclusion in the NRHP (Appendix 3). The resource is not eligible for inclusion in the NRHP under any criteria. SHPO concurrence with the finding of no effect will be obtained for the project.

The California Native American Heritage Commission (NAHC) was contacted on July 30, 2021, and their assistance requested in identifying Native American tribes with ancestral ties to the project APE. The NAHC responded via email on August 26, 2021, with a list of 11 tribal contacts representing 7 Native American tribes, including Chemehuevi Indian Tribe; Morongo Band of Mission Indians; Quechan Tribe of the Fort Yuma Reservation; San Fernando Band of Mission Indians; San Manuel Band of Mission Indians; Serrano Nation of Mission Indians; Twenty-Nine Palms Band of Mission Indians. Of these tribes, all except the San Fernando Band of Mission Indians and the Serrano Nation of Mission Indians are federally recognized.

A search of the Sacred Lands File was requested on July 30, 2021. The NAHC responded in a letter sent via email dated August 26, 2021, "The results were positive. Please contact the Chemehuevi Indian Tribe and the San Manuel Band of Mission Indians on the attached list for information." The NAHC gave the contact information for these two tribes among the 11 tribal contacts described above.

The Exempted Activities in Appendix A of the Section 106 Program Comment is a comprehensive list of maintenance, repair, and upgrade activities that the ACHP has determined are likely to result in minimal to no adverse effects primarily to existing historic rail properties in rail rights-of-way. The proposed project is not a rail project and is not located in a historic rail right-of-way. The proposed project is not a rail project and is not located in a historic rail right-of-way. The ACHP recommendations do not apply.

NOISE:

The FTA noise impact analysis is a multi-step process used to evaluate potential noise impacts during project construction and operation. Construction and operational noise impacts were assessed by predicting noise levels using methods consistent with the FTA Noise and Vibration Manual (FTA 2018) and comparing these values to identified impact thresholds. Sensitive receptors surrounding the project site exceed the screening distance defined by the FTA's guidelines and are not anticipated to be adversely impacted by the project during construction or operation.

The FTA categorizes noise-sensitive land uses as shown in Table 4. The City of Hesperia designates the project and the area surrounding the project site as predominately General Industrial. The closest sensitive noise receptor to the project is Live Oak Park, which is categorized as an Institutional Land Use Type under the City of Hesperia. The park is located approximately 1,950 feet from the outer boundary of the project site. Living Springs Church and Kids & Care Preschool and Day Care Center are located approximately 2,500 feet from the outer boundary of the project site and are categorized as Industrial Land Use as outlined in Table 4. Apple Valley Christian School is also categorized as Industrial Land Use in Table 4 and is approximately 2,700 feet from the outer boundary of the project site. The National Register of Historic Places (NRHP) does not list any historic properties within the vicinity of the project site.

The project would temporarily increase noise levels for the sensitive noise receptors during construction. The project would require the installation of hydrogen fueling equipment which are similar in scale to the surrounding development. Construction for the project would not require nighttime work. Standard industry equipment for grading, paving, and staging of the equipment would be utilized during the project's construction phase. The loudest equipment utilized would be a roller to pave roadway improvements. The proposed truck access routes would primarily utilize E Avenue and Main Street to gain access to the Barstow Freeway (I-15). The project would temporarily increase noise however, a construction noise impact assessment for the project would not be required under FTA guidelines due to the scale of the project.

The FTA utilizes a screening distance for noise assessments to determine if project operations would impact locations (Table 5). This project would be categorized as a Bus Facility, specifically a Storage and Maintenance (Transit Center). Undeveloped land between the nearby sensitive noise receptors and the project site would categorize the project as unobstructed in Table 5. Live Oak Park would not be considered an impacted location since its distance to the project (1,950 feet) exceeds the screening distance of 350 feet as detailed in Table 5. Similarly, Apple Valley Christian School, Living Springs Church, and Kids & Care Preschool and Day Care Center with a distance of 2,600 feet from the project site would exceed the FTA's screening distance of 350 feet.

Table 4-Land Use Categories and Metrics for Transit Noise Impact Criteria

Land Use Category	Land Use Type	Noise Metric dBA	Description of Land Use Category
1	High Sensitivity	Outdoor Leq (1hr)*	Land where quiet is an essential element of its intended purpose. Example land uses include preserved land for serenity and quiet, outdoor amphitheaters and concert pavilions, and national historic landmarks with considerable outdoor use. Recording studios and concert halls are also included in this category.
2	Residential	Outdoor Ldn	This category is applicable all residential land use and buildings where people normally sleep, such as hotels and hospitals.
3	Institutional	Outdoor Leq (1hr)*	This category is applicable to institutional land uses with primarily daytime and evening use. Example land uses include schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material. Places for meditation or study associated with cemeteries, monuments, museums, campgrounds, and recreational facilities are also included in this category.

Leq* for the loudest hour of project-related activity during of noise sensitivity
Source: FTA (2018)

Table 5-Screening Distance for Noise Assessments

Project Systems (Bus Facilities)	Unobstructed (ft)	Intervening Buildings (ft)
Access Roads	100	50
Transit Mall	225	150
Transit Center	225	150
Storage and Maintenance	350	225
Park & Ride Lots w/Buses	225	150

Source: FTA (2018)

VIBRATION:

The FTA does not require construction vibration assessments for small projects (FTA, 2018). The project would meet this exemption due to its small scale. Construction would consist of civil activities that are approximately 1.6 acres and the installation of hydrogen fueling equipment which is similar in scale to the surrounding development.

Steel tracks are not involved in the project. Since the operations of the project would utilize rubber-tire vehicles, vibration impacts related to the project’s operation would be minimal, therefore, no further analysis is required in accordance to FTA guidelines (FTA, 2018).

ACQUISITIONS & RELOCATIONS REQUIRED:

The undeveloped parcel that the project site would be located on is under current ownership of VVTA. Neither land acquisitions or displacements of residences and/or business would be anticipated during construction or operations of the project. While the construction of the project would require the improvements of the public roadway, permanent and temporary easements would not be required of private property. The project would impart no effect related to the acquisition of land and relocation of residences or businesses.

HAZARDOUS MATERIALS:

A Phase 1 Site Assessment has not been conducted for the site; however, a desktop analysis using EnviroStor was conducted on September 15, 2021 (California Department of Toxic Substance Control EnviroStor, 2021). There are no current or ongoing remediation treatments occurring on the project site. The closest site with environmental concerns is at Crosswalk Charter School that is approximately 1.2 miles from the project site; Crosswalk Charter does not require any further action for remediation treatment. No concerns exist related to existing facilities or building materials since the project would be constructed on undeveloped land. A Phase II site assessment would not be recommended for the project site.

Additionally, a Phase I Site assessment was performed for the adjacent parcel owned and operated by VVTA. The Phase I concluded that no significant environmental concerns or impairments were encountered during the environmental site assessment (ESA) process for the subject site. No evidence of previous structures underground storage tanks, or other significant environmental impairments were observed on-site during the visual inspection of the subject site. The closest superfund site from the project is located approximately 12 miles away at the George Air Force Base in the city of Victorville.

The storage and use of hydrogen gas on-site would not be a substantial increase in hazardous risk. Hydrogen is a nontoxic and odorless substance that quickly dissipates. There are no byproducts or toxic substances produced during fueling. Fugitive hydrogen will either react in the atmosphere to form pure water or escape the earth's atmosphere entirely. Hydrogen gas is lighter than air and evaporates instantly and does not pool on the ground. Additionally, the proposed hydrogen fuel system would be equipped with modern safety features, as discussed in Item V, Impacts on Safety and Security.

COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE:

This analysis utilized socioeconomic data collected from the U.S. Census Bureau through the 2019 American Community Survey (ACS) 5-Year Estimates. Data was collected from the census block groups within a half-mile radius of the project site (study area). While the project is located within a community that is of high environmental justice concern, the project would not adversely impact the community character, disrupt community activities, or result in disproportionately adverse effects to the existing community.

A minority population is defined as the number of individuals in a block group who list their racial status as a race other than white alone and/or list their ethnicity as Hispanic or Latino. That is, all people other than non-Hispanic white-alone individuals. A low-income population is defined as a block group's

population in households where the household income is less than or equal to twice the federal "poverty level."

The demographics within the study area is comparable to San Bernardino County's but possesses higher poverty levels (Tables 6 and 7) (Appendix 1-Figure 6). Households living below the poverty level in the study area totals to approximately 43.9% of the population as opposed to 13.3% of the county's residents. The study area is comprised of 68.8% minorities (Table 7) (Appendix 1-Figure 7).

Table 6 – Socioeconomics Demographics

Location	Population	Average Age	Median Household Income	Percent Below Poverty
Study Area	4,033	33.7	\$32,128	43.9%
San Bernardino County	2,130,585	33.3	\$67,903	13.3%

Source: 2019 ACS 5-Year

While this project is located within a half-mile of a community that is of high environmental justice concern, the project would provide an overall benefit. The project would improve overall air quality and reduce greenhouse gas emission. Additionally, the project would not physically divide a community or be inconsistent with the surrounding character or land use that is designated as General Industrial. Live Oak Park is approximately 2100-feet from the project but would not be affected by the construction or operation of the project.

Table 7: Poverty Level Demographics

Location	Total Population	Population Below Poverty	Population Above Poverty	Percent Below Poverty	Percent Above Poverty
Census Tract 100.13, Block Group 3	1,487	261	1,226	17.6%	82.4%
Census Tract 100.20, Block Group 3	2,546	1,510	1,036	59.3%	40.7%
Study Area	4,033	1,771	2,262	43.9%	56.1%
San Bernardino County	2,130,585	283,370	1,847,217	13.3%	86.7%

Source: 2019 ACS 5-Year

SECTION 4(f) USE:

Section 4(f) properties include significant publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the NRHP.

The project would not require right-of-way, parks, recreation areas, and is not in the vicinity of any historic building or 4(f) resources. Live Oak Park is the closest park and is located approximately 1,950 feet from the project (Appendix 1- Figure 8).

As discussed in the Historic and Cultural Resources Section of this CE, map research indicates that no historic buildings or structures were located within or adjacent to the project. As a result of the field

survey, one resource that is historic in age was identified. The resource is not eligible for inclusion in the NRHP under any criteria.

The project does not share any roadways with Live Oak Park and therefore would not require any temporary closures or detours that would affect the park during project construction. The project site would be located in an undeveloped parcel, providing adequate space for construction staging areas that would not affect Live Oak Park. Additionally, no temporary construction easements are anticipated for the project that would be located on Live Oak Park.

Consultation with jurisdictions and agencies was not required for this project since construction and operations would not affect Live Oak Park or any other Section 4(f) resource. The project would not use common concrete and steel bridges and culverts built after 1945 since infrastructure of that type does not exist on the project site. The project does not concern the improvement of railroads or transit lines that were historically used for the transportation of goods or passengers.

SECTION 6(f):

The project is not located in or adjacent to a park or recreation area funded by the Land and Water Conservation Act fund and would therefore, have no effect on Section 6(f).

SEISMIC AND SOILS.

Based on the State of California Seismic Hazard Zones, the project is not mapped within the areas subject to liquefaction, earthquake-induced landslides, or a fault zone (Appendix 1- Figure 9). Ord Mountain is the closest fault zone and is located approximately 5.2 miles away in the southeast direction. Pinyon Ridge is located approximately 27 miles from the project site in the San Gabriel mountains and represents the closest mapped area subject to landslides and liquefaction due to seismic activity. Due to the distance between Pinyon Ridge and the project site, landslides and liquefaction due to seismic activity would not occur during project construction or operations.

IMPACTS ON WETLANDS:

Wetlands are a subset of special aquatic sites that support water-dependent vegetation, have wet soils, and possess wetland hydrology (frequent or prolonged flooding). In order to be considered a jurisdictional wetland under Section 404, an area must possess those three wetland characteristics. The Mojave River is the closest feature of this type and is located approximately 3 miles from the project (Appendix 1-Figure 10). A riverine system that derives from the Mojave River exists approximately 0.7 miles from the project site and would not be impacted by construction or operations due to distance. The project would not require alteration of water features, wetlands, navigable waterways, or waters of the U.S. or require permits related to the Clean Water Act Section 404.

The Project is not within a coastal zone subject to the Coastal Zone Management Act, within the vicinity of any navigable waterway, and is not located in an area designated as a sole-source aquifer.

FLOODPLAIN IMPACTS

The project would not change floodplain elevation or floodways. The project is located in a Zone X area (Appendix 1- Figure 11) and determined by FEMA to be outside the 100-year and 500-year flood. The project would have a less than significant

IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES:

The project is within the Upper Mojave River Valley Groundwater Basin (Appendix 1-Figure 12) and is not located in the vicinity of any Clean Water Act 303d Listed Impaired Water Bodies. The project would not create a new direct connection to a surface water body. During construction grading activities, the project would comply to the National Pollutant Discharge Elimination System (NPDES) General Permit regulated by the California State Water Resources Control Board (SWRCB). The project would introduce impervious surfaces and would implement measures for site design, source control, runoff reduction to comply with the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans adopted by the SWRCB.

The Upper Mojave River Valley Groundwater Basin underlies an elongated north-south valley, with the Mojave River flowing (occasionally) through the valley from the San Bernardino Mountains on the south, northward into the Middle Mojave River Valley Groundwater Basin. The Mojave River is the closest surface water feature to the project and is located approximately three miles away. A riverine system that derives from the Mojave River exists approximately 0.7 miles from the project site. The project is 74 miles from the Pacific Ocean and not located within a designated coastal zone. There are no EPA-designated sole source aquifers in the vicinity of the project site; Campo /Cottonwood Creek Aquifer in San Diego is the closest EPA-designated sole source aquifer. The project would not discharge any water to these sources and no affects would occur to Clean Water Act 303d listed impaired water bodies.

In accordance with the Clean Water Act (CWA) Section 402(p), which regulates municipal and industrial stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program, the SWRCB adopted an Industrial General Permit and Construction General Permit. The Project's operations would not create a point source for wastewater discharge and would not necessitate a NPDES Industrial General Permit. The SWRCB administers the Construction General Permit, which is applicable to all stormwater discharges associated with construction activity. The NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (the Construction General Permit) was adopted on September 2, 2009. Grading activities during the project's construction would amount to approximately 1.6 acres and would exceed the NPDES threshold of one acre for a General Construction Permit. The contractor shall implement a Stormwater Pollution Prevention Plan (SWPPP) and identify BMPs for storm water runoff, such as bioswales at catch basins.

An increase of 1.6 acres (69,700 square feet) of impervious surfaces would occur as a result of the project. In 2016 the County of San Bernardino prepared the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans ("TGD") (Water Quality Order No. 2013-0001-DWQ)(San Bernardino County, 2016). The TGD establishes requirements for project proponents to meet the minimum Phase 2 Municipal Separate Storm Sewer System (MS4) Permit stormwater management requirements applicable to developments that create and/or replace 5,000 square feet or more of

impervious surface (“Regulated Projects”). Under the 5,000 square feet threshold, the project would be categorized as a Regulated Project.

The 2013 Phase 2 Small Municipal Separate Storm Sewer System Permit (Phase 2 MS4 Permit), adopted by the SWRCB, and issued statewide, requires all new development projects covered by the Order to incorporate Low Impact Development (LID) Best Management Practices to the maximum extent practicable (MEP). In San Bernardino County, the Phase 2 MS4 Permit is applicable within the Mojave River Watershed, which the project site underlies.

The Water Quality Order requires development of a standard design and post-development best management practice (BMP) guidance for incorporation of site design/LID, source control, and treatment control BMP (where feasible and applicable) and Hydromodification mitigation measures to the MEP to reduce the discharge of pollutants to receiving waters. The purpose of the Technical Guidance Document (TGD) for Water Quality Management Plan(s) (WQMP) is to provide direction to project proponents on the regulatory requirements applicable to a private or public development activity, from project conception to completion.

The project would be required to use the TGD to obtain the necessary approvals for implementation since it would fall under the planning and permitting authority of the City of Hesperia, which is designated as a permittee for the MS4 Permit. The City of Hesperia shall regulate all Regulated Projects within the boundaries of its limits. The project shall implement measures for site design, source control, runoff reduction. The project shall incorporate infiltration LID BMP to the MEP; and use biotreatment and harvest and use BMP for the remainder of the design capture volume.

IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES:

The evaluation of potential impacts to ecologically-sensitive areas and endangered species presented below is based on the results of database searches and a field survey summarized in a Biological Resources Technical Memo (Bio Memo), appended to this CE as Appendix 4. A total of 13 species listed under the Federal Endangered Species Act (FESA) were identified during the database searches as occurring or having the potential to occur in the region of the project site. However, no known occurrences of federally-listed species in the vicinity of the project were identified during the database searches and no federally-listed species were observed during the field survey. Joshua tree, a candidate for listing under the California Endangered Species Act (CESA) exist onsite. It is anticipated that impacts to Joshua trees, and any other state-listed or tracked species, would be evaluated separately during the CEQA review process and that removal of Joshua trees under the project would require an ITP from California Department of Fish and Wildlife (CDFW).

Under Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into jurisdictional “Waters of the U.S.,” the definition of which was recently revised and published in April 2020 under the Navigable Waters Protection Rule (NWPR). No Waters of the United States (WoUS) as defined in the NWPR coincide with the project site. As a result, a permit from USACE pursuant to the CWA is not anticipated.

The FESA provides for the conservation of threatened and endangered species and their ecosystems (United States Code [U.S.C.] Title 16, Chapter 35, Sections 1531–1544). The FESA prohibits the “take” of threatened and endangered species except under certain circumstances and only with authorization

from USFWS through a permit under Section 4(d), 7 or 10(a) of the FESA. “Take” under the FESA is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Formal consultation with U.S. Fish and Wildlife Service (USFWS) pursuant to the FESA would be required if the project had the potential to affect a species listed under FESA that has been detected within or adjacent to the project site. Under FESA regulations, USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act. No federally-listed plant and wildlife species were detected during the field survey and suitable habitats for such species do not occur in the project site, or the species’ known distribution does not coincide with the project site. As a result, formal consultation with USFWS regarding “take” of a species listed under the FESA is not anticipated.

Similar to USFWS, the National Marine Fisheries Service (NMFS) is responsible for the protection, conservation, and recovery of endangered and threatened species listed under FESA, with NMFS’ jurisdiction extending over marine and anadromous species. The project site occurs within the high desert in Southern California in the northern portion of San Bernardino County and would not impact any marine or anadromous species. As a result a permit from NMFS is not anticipated.

Federally-designated biological or environmentally sensitive areas (BSA, ESA) are places that have special environmental attributes worthy of preservation or special care and include, but are not limited to national parks, national forests, wildlife refuges, and wilderness areas. No BSA/ESA coincides with the project site and impacts to such areas are not anticipated.

Designated critical habitat is a term defined and used in the FESA and refers to specific geographic areas designated by USFWS that contain vegetative habitats and features essential to the conservation of a federally-listed endangered or threatened species. These areas may require special management and protection to support the survival and recovery of species listed under the FESA. Critical habitat may also include areas that are not currently occupied by the species but may be needed for its recovery. No USFWS-designated critical habitat coincides with the project site and impacts to such areas are not anticipated.

Wildlife corridors are linear landscape feature of sufficient width and buffer to allow animal movement between two comparatively undisturbed habitat fragments, or between a habitat fragment and some vital resource that encourages population growth and diversity. Habitat fragments are isolated patches of habitat separated by otherwise foreign or inhospitable areas, such as urban tracts or highways. Two types of wildlife migration corridors are regional corridors, defined as those linking two or more large areas of natural open space, and local corridors, defined as those allowing resident wildlife to access critical resources (food, cover, and water) in a smaller area that might otherwise be isolated by urban development. The project site occurs within an area that has primarily been developed and is further surrounded by completely urbanized areas of the City of Hesperia. The project site does not occur within or intersect a recognized/established regional wildlife corridor. Vegetation within and adjacent to the project site may provide some cover, resting, foraging, or nesting opportunities for local wildlife; however, they do not provide functions as a significant wildlife corridor.

Essential Fish Habitat (EFH) includes coral reefs, kelp forests, bays, estuaries, wetlands, rivers, and areas of the deep ocean managed by NMFS that are necessary to marine or anadromous fish for spawning, breeding, feeding, shelter, or growthy. EFH substrates include sediment, hard bottom, structures

underlying the waters, and associated biological communities required to support a sustainable fishery. The site would occur within the high desert in Southern California in the northern portion of San Bernardino County and does not coincide with any EFH.

The project would require removal of four Joshua trees (*Yucca brevifolia*). In September 2020, the California Fish and Game Commission provided notice and accepted a petition to list Joshua tree as a Candidate threatened species under the CESA. Unlike the FESA, which only covers species once they are listed, CESA protects Candidate species being considered for listing as threatened or endangered. As a result, CESA prohibits "take" of the species without authorization from California Department of Fish and Wildlife via an Incidental Take Permit (ITP) pursuant to Section 2081 of California Fish and Game Code. Joshua trees are not protected under the FESA; however, it is anticipated that impacts to Joshua trees would be evaluated separately during the California Environmental Quality Act (CEQA) review process and an ITP would be required from CDFW to compensate for the removal of Joshua trees for the project site. No other mature trees exist within the project site.

A total of 13 species listed under the FESA were identified during the database searches as occurring or having the potential to occur in the region of the project site, including: Parish's daisy (*Erigeron parishii*; threatened), Crotch bumble bee (*Bombus crotchii*, candidate for listing as endangered), Monarch butterfly (*Danaus plexippus*; candidate for listing), quino checkerspot butterfly (*Euphydryas editha quino*; endangered), Mohave tui chub (*Siphateles biocolor mohavensis*; endangered), arroyo toad (*Anaxyrus californicus*; endangered), California red-legged frog (*Rana draytonii*; threatened), southern mountain yellow-legged frog (*R. muscosa*; endangered), desert tortoise (*Gopherus agassizii*; threatened), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*; threatened), southwestern willow flycatcher (*Empidonax traillii extimus*; endangered), California condor (*Gymnogyps californianus*; endangered), and least Bell's vireo (*Vireo bellii pusillus*; endangered). No known occurrences of federally-listed species in the vicinity of the project were identified during the database searches and no federally-listed species were observed during the field survey. The project site is composed of bare ground and a cover of non-native grasses, with occasional individual native desert shrub species. Federally-listed species are not expected to occur on the Project site due to a lack of suitable habitats for these species, or their current distribution does not coincide within the project site. As described above, Joshua tree, a candidate for listing under CESA exist onsite. It is anticipated that impacts to Joshua trees, and any other state-listed or tracked species, would be evaluated separately during the CEQA review process and that removal of Joshua trees under the project would require an ITP from CDFW.

Sensitive habitats include natural vegetation communities that are recognized, designated and/or managed as rare in the region; support or are occupied by federally-listed plant or wildlife species; or receive regulatory protection (i.e., Section 404 of the CWA). As described in sections above, no such habitats occur in the project site.

Nesting and foraging areas include the ground surface and existing vegetation and structures that could support wildlife feeding, breeding, and/or nesting. Although vegetation suitable for nesting is sparse, the site provides marginally suitable nesting habitat for bird species protected under the federal Migratory Bird Species Act. The site also provides marginal foraging opportunities for wildlife, which is limited by a lack of native habitats in the project site. Vegetation removal and ground disturbance would

occur during project implementation, potentially impacting any birds that may be nesting on-site. By implementing standard construction measures related to fugitive dust and noise control, and by conducting pre-construction nesting bird surveys and providing qualified biological monitors during construction as necessary, impacts to nesting birds under the MBTA would be reduced.

IMPACTS ON SAFETY AND SECURITY:

The National Fire Protection Association (NFPA) has set forth national hydrogen specific codes that the project shall comply to. Provisions include items related to annual inspections, general storage requirements, gaseous hydrogen storage, dispensing systems, piping and tubing for all systems, valving and fittings, venting and other equipment, and fire safety (National Renewable Energy Laboratory, 2015). Hydrogen specific codes are listed under:

- NFPA1 Fire Code
- NFPA 2 Hydrogen Technologies Code
- NFPA 30A Motor Fuel-Dispensing Facilities and Repair Garages
- NFPA 55 Compressed Gases and Cryogenic

The purpose of NFPA 2 is to provide fundamental safeguards for the generation, installation, storage, piping, use, and handling of hydrogen in compressed gas (GH₂) form or cryogenic liquid (LH₂) form (NFPA, 2020). One of the requirements of NFPA 2 is that radiant impacts greater than 1,500 British thermal units per hour per square foot (Btu/hr·²) are not allowed off site. It is this requirement that necessitates the installation of solid barrier walls designed to prevent flame or explosion hazards around the hydrogen equipment enclosure area, if they were to occur, from extending off site. The NFPA 2 also provides setback standards to prevent hydrogen hazards from affecting adjacent uses or groups. The proposed project shall achieve these standards, and fire hazard exposure would not extend beyond on-site setback areas. The design, installation and testing of the hydrogen fueling station in accordance with NFPA 2, applicable safety regulations, and professional engineering standards of care means that the risk of fire or explosion from hydrogen equipment would be low.

Roadway improvements would include pedestrian enhancements including the construction of sidewalks and ADA-compliant access ramps and driveways. Design and details for roadway and sidewalk improvements would follow the standards and permitting requirements set forth by the City of Hesperia (City of Hesperia, 2013). The project would be equipped with safety lighting and cameras to enhance security. A security control room would exist in the adjacent bus facility transfer point for security guards to monitor activities on site during the project's operations.

IMPACTS CAUSED BY CONSTRUCTION:

Project construction would require standard construction equipment for civil activities and buildings. The project site would be located in a low-density semi-rural setting on an undeveloped parcel, providing adequate access to the property and parking locations on site. Some traffic management plans would be implemented during civil roadway improvement activities on Live Oak Street and E Avenue. Flaggers or redirection of traffic through detour routes would occur but only be temporary in nature, lasting less than a week. Utility disruption would occur for the tie-ins related to water, electrical, and communications lines. Service disruptions related to the tie-ins would be temporary with a typical

industry duration lasting a day. Debris and spoils would result from the project during civil grading and utility excavation. The project would require an NPDES General Construction permit since its grading needs exceed the one-acre threshold. Additionally, the City of Hesperia would require the project to abide by the codified provisions established in the city's grading permit. Stockpiles and excavation spoils would therefore follow regulatory and local compliances that would lessen any impacts related to debris and spoil disposal.

As discussed in the Noise Section of this CE, the project would only temporarily increase construction noise for sensitive receptors. The project would require the installation of equipment which are similar in scale to the surrounding development. The duration of the construction of the project would not require nighttime work. Standard industry equipment for grading, paving, and staging of the equipment would be utilized during the project's construction phase. The loudest equipment utilized would be a roller to pave the bus access road and roadway improvements. The expected truck access routes that would primarily utilize E Avenue and Main Street to gain access to the Barstow Freeway (I-15). A construction noise assessment would not be required for the project given its scale of 1.6 acres.

SUPPORTING TECHNICAL STUDIES OR MEMORANDA:

Technical summaries prepared for the project include Historic and Cultural Resources (Appendix 3) and Biological Resources (Appendix 4).

PUBLIC OUTREACH AND AGENCY COORDINATION:

No public outreach efforts or agency coordination has been made for this project.

MODAL CATEGORICAL EXCLUSIONS AND RELATED NEPA DOCUMENTS.

No other CE or NEPA document has been prepared for the project by another federal lead agency.

The action described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.118 (c(9)).

c (9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: Buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.

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Victor Valley Transit Authority Bus Point Transfer Center CATEGORICAL EXCLUSION

DETAILED PROJECT DESCRIPTION:

The Victor Valley Transit Authority (VVTA) is the project sponsor and proposing to construct a bus transfer point center (hereafter referred to as “the project”) in the City of Hesperia. The project would include ten (10) sawtooth cut bus stops, an opening between the sawtooth cut areas to accommodate awaiting passengers, shelter covering to shade the passengers, passenger benches, two (2) public gendered restrooms, 2 private gender-neutral restrooms, an office for Security, and a shaded area for vending machines.

The project will also include a parking lot which will be placed directly adjacent to the transfer hub and provide sufficient spaces to accommodate approximately 75 - 100 vehicles. (Appendix 1-Figure 1). The lot is approximately 10 acres.

The project would serve as passenger loading areas for VVTA’s existing and future bus fleet and would tentatively commence construction during the 2nd quarter of 2024 and complete construction by the second quarter of 2025.

Anticipated cost for the bus transfer point center’s construction would be \$5.1 million dollars in 2020 dollars. Funding sources for this project include Federal Section 5307 funds, California Department of Transportation’s (Caltrans) Local Transportation Funds (LTF), Caltrans’ State of Good Repair, CARB’s Proposition 1B: Goods Movement Emission Reduction Program, and other local funding related to CARB’s Low Carbon Fuel Standard (LCFS) Program.

LOCATION:

The project lies within the high desert in Southern California in the northern portion of San Bernardino County, California. The area surrounding the project site has low-density developments related to manufacturing and industry and has some vacant parcels neighboring the project site to the north as well as two parcels that will be developed by VVTA. The project site’s land use is designated as General Industrial by the City of Hesperia (Appendix 1-Figure 2). The assessor’s parcel number for the project is APN 0410-121-05.

METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY:

The purpose of the project is to build supporting facilities for VVTA’s bus fleet that is transitioning to hydrogen fuel technology by 2040.

On September 23, 2020 SCAG adopted Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). As a plan with the goal of accelerating the region’s progress towards transportation and GHG reduction targets, programs within the RTP/SCS focus on shifting travel to active transportation modes, expanding the transit network, and efficient movement of goods (SCAG, 2020). The conformity determination for the RTP/SCS and the 2019 FTIP Amendment #21-05, received federal approval on June 2, 2020.

Connect SoCal proposes programs that encourage the deployment of selected technologies to improve mobility and reduce greenhouse gases (GHGs). The Accelerated Electrification strategy is listed within Connect SoCal’s Key Connections which serve to augment the Core Vision of the plan to address trends and emerging challenges while meeting GHG reduction goals. The Accelerated Electrification strategy offers a holistic and coordinated approach to de-carbonizing or electrifying passenger vehicles, transit, and goods movement vehicles. Through greater coordination, this strategy aims to go beyond benefits

electric buses. SCAG can facilitate that process by working with transit agencies to ensure adequate charging stations.

The project is a direct result from the ICT regulation that ultimately aligns with the goals from the SCAG RTP/SCS. In December 2018, the CARB adopted their ICT regulation, which requires all public transit agencies in the state to gradually transition to a 100-percent zero-emission bus fleet by 2040. This regulation aims to improve air quality and climate protection goals across the state by addressing the public transportation sector, which is responsible for approximately 40% of GHG emissions, 80% of Nitrogen Oxides (NOx), and 90% of diesel particulate matter emissions in California. This regulation aligns with other State policies, such as the Sustainable Communities and Climate Protection Program (SB 375), and SB 350, which provides an opportunity for transportation electrification including wide use of zero-emission buses. Through the deployment of zero-emission technologies, the ICT regulation will provide significant benefits across the state, including:

- Reduce NOx and GHG emissions for all Californians, especially transit-dependent and disadvantage communities. The majority of these benefits will be in the State's most populated and impacted areas where transit buses are most prevalent
- Increase penetration of the first wave of zero-emission heavy-duty technologies into applications that are well suited to their use to further achieve emission reduction benefits
- Save energy and reduce dependency on petroleum and other fossil fuels
- Expand zero-emission vehicle industry to bring high quality green jobs to local communities and trained workforce to California
- Provide other societal benefits by encouraging improved mobility and connectivity with zero-emission transportation modes and reduced growth in light-duty vehicle miles traveled.

Thus, although the project is not included in the current adopted MPO plan, the purpose of the project and project would align with the goals of the RTP/SCS. In addition, as explained in more detail in Section H, Air Quality, below, the project's construction emissions would not result in emissions that exceed the General Conformity de minimis levels. Under the federal Clean Air Act, the General Conformity Rule ensures that federal actions comply with the national ambient air quality standards (NAAQS). The General Conformity Rule applies to all federal actions that are taken in designated nonattainment or maintenance areas. Federal agencies that engage in, support in any way or provide financial assistance for, or approve any activity must demonstrate that such actions do not interfere with state and local plans, such as the State Implementation Plan (SIP), to bring an area into attainment with the NAAQS. Therefore, the federal agency must determine that the action is either exempt from determining conformity or subject to a formal conformity determination. Unless otherwise determined to be exempt, a conformity determination is required when the total of direct and indirect emissions of the criteria air pollutant or precursor in a federal nonattainment or maintenance area would equal or exceed the specified annual emissions rates, referred to as "de minimis levels." The conformity determination process is intended to demonstrate that the proposed federal action would not cause or contribute to new violations of federal air quality standards, increase the frequency or severity of existing violations of federal air quality standards, or delay the timely attainment of federal air quality

standards. Therefore, the project would be exempt from a formal conformity analysis as an action for which associated emissions are below the specified de minimis levels.

LAND USE AND ZONING:

The project would be consistent with the existing land use that the City of Hesperia designates as General Industrial (Appendix 1 – Figure 3). There are no proposed land use zoning changes at the project site.

PRIME AND UNIQUE FARMLANDS:

Prime and unique farmland do not exist within the vicinity of the project site (California Department of Conservation, 2021). The project would be developed on what the California Department of Conservation categorizes as Other Land (Appendix 1 – Figure 4). The closest Prime Farmland site exists approximately 2.9 miles southeast of the project site.

TRAFFIC AND PARKING IMPACTS:

The project site would be located in a low-density semi-rural setting on an undeveloped parcel, providing adequate capacity for parking and increased traffic during construction and operations. The project site would be located immediately north of an existing bus maintenance yard owned and operated by VVTA. VVTA also has another maintenance facility in the City of Barstow with no plans to change the scale of service at either facility.

Currently, there are five local bus and one commuter bus which provide public transit services in Hesperia, including:

- 25 Oak Hills to Hesperia Super Target – every two hours
- 50 Victorville – Hesperia Post Office – every hour
- 64 Super Target - Hesperia Post Office – every hour
- 66 Hesperia East Deviation – every hour
- 68 Hesperia - Victor Valley Mall – every hour
- NTC Commuter 104A/107A/102B/103B/107B to/from Fort Irwin – two morning runs with one hour headways and four evening runs with headways between 30-minutes and 1+ hour headways

The Hesperia Transfer point is currently located at Olive and G Avenue would be relocated to the project site. However, the 66 bus route and the NTC commuter services already serve this location; as a result, the new bus transfer point represents an addition of no more than three buses per hour which would not trigger any significant traffic impacts.

The City’s General Plan (City of Hesperia, 2010) identifies access to transportation corridors as an “issue” in this Industrial Core planning zone. It states “Access to Interstate 15 and Highway 395 from Planning Area 5 exists only from Main Street and Bear Valley Road. Limited truck traffic access to the Interstate 15 freeway contributes to congestion on Main Street. The future Interstate 15 freeway interchanges at Ranchero Road and Eucalyptus Street would help alleviate traffic between the Industrial Core and the major transportation corridors within the City.”

The Hesperia General Plan (City of Hesperia, 2010), Circulation Technical Report indicated that in 2007, the closest intersections to this project site that were assessed were at Main Street and Avenue C, Main Street and E Avenue, and Lemon Street and I Avenue, and functioned at a LOS D/F. However, these intersections are a half-mile or more from the project site, and VVTA has not yet determined the exact routing the buses will use to access the new transfer center. The possible addition of three buses per hour to these intersection is not likely to have a significant impact on delay for all travelers using these intersections. All other intersections in the area were either not measured or function at an acceptable LOS in the General Plan.

No on-street or off-street parking is currently provided at or adjacent to the project site. The project also does include provisions for parking.

The intersection of Smoke Tree Street and E Avenue was recently upgraded from a two-way stop to a four-way stop to provide for safe bus and automobile crossing here. The intersection to the north between Live Oak Street and E Avenue is a two-way stop and Live Oak Street is a dirt roadway. The project includes new paving but does not propose lane reconfigurations.

The project site would be located in a low-density semi-rural setting on an undeveloped parcel, providing adequate access to the property and parking locations on site during construction. Some traffic management plans would be implemented during civil roadway improvement activities on Live Oak Street and E Avenue. Flaggers or redirection of traffic through detour routes would occur but only be temporary in nature.

AESTHETICS AND VISUAL QUALITY:

The project site is located within the Mojave Desert and is primarily characterized by a flat terrain. Visually, the area surrounding the project site is semi-rural with low density industrial and manufacturing developments. There are no sensitive viewers in the area surrounding the project site and therefore the project would not substantially alter scenic vistas, visual character, or generate new sources of light and glare.

The foothills of the San Bernardino Mountains are located four miles south of the project site. During construction, contractors would use standard industry equipment such as excavators, cranes, and concrete trucks to support construction activities. The project would install bus shelters. However, the shelters would not affect or block any scenic vistas from the San Bernardino Mountains during its construction or operation since there are no sensitive viewers in the area surrounding the project site. Similarly, due to the lack of sensitive viewers, the project would not substantially alter the visual character or quality of the site and its surroundings.

Light sensitive receptors or land uses may include, but are not limited to, all types of residences; commercial or institutional uses that require minimal nighttime illumination for proper function, physical comfort, or commerce; and natural areas. The project would include installation of new standard exterior security lighting around and within the bus transfer point, which would operate continuously. There are no sensitive viewers to light and glare, therefore the project does not anticipate any impacts related to light, glare, and shade and shadow during construction or operations.

AIR QUALITY:

The project site is located within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) in the Mojave Desert Air Basin (MDAB)(Appendix 1-Figure 5). The MDAQMD is classified as a non-attainment area. While the project would generate short-term emissions of criteria pollutants during construction due to equipment exhaust, the project is not anticipated to adversely impact air quality in the project region. Additionally, project operational activities are not anticipated to adversely impact air quality in the project region.

The MDAQMD is classified as a non-attainment area under the NAAQS for ozone (severe) and particulate matter less than 10 micrometers in diameter (PM10; moderate). The MDAQMD is designated as an attainment or unclassified area under the NAAQS for all other pollutants (carbon monoxide [CO], particulate matter less than 2.5 micrometers in diameter [PM2.5], nitrogen dioxide [NO2], sulfur dioxide [SO2], and lead).

As described above in Section F, Traffic and Parking Impacts the new bus transfer point may result in an addition of no more than three buses per hour and the addition of three buses is not likely to have a significant impact on delay or substantially contribute to LOS deficiencies, an indicator of congestion, at any study intersections or roadway segments. In addition, the project site is located in an area that is designated as an unclassified/attainment area for CO. Therefore, the project would not result in a CO hotspot.

Construction activities would generate short-term emissions of criteria pollutants associated with construction equipment exhaust; construction-related trips by workers; delivery and hauling truck trips; fugitive dust from site preparation activities; and off-gassing from traffic coating and paving activities. As shown in Table 1, the short-term construction-related emissions are not anticipated to exceed the de minimis levels. The U.S. Environmental Protection Agency (EPA) has established de minimis levels or specified annual emissions rates for each criteria air pollutant or precursor below which a federal action would not be considered to interfere with a state's plans to attain and maintain federal air quality standards. Thus, project construction would not cause or contribute to new violations of federal air quality standards, increase the frequency or severity of existing violations of federal air quality standards, or delay the timely attainment of federal air quality standards.

Table 1: Project-Related Emissions

DESCRIPTION	ROG (TONS)	NOX (TONS)	CO (TONS)	SOX (TONS)	PM10 (TONS)	PM2.5 (TONS)
Maximum-year Construction Emissions	0.21	1.24	1.32	<0.01	0.09	0.06
De minimis levels (tons/year) ¹	25	25	100	100	100	100
Exceeds de minimis levels?	No	No	No	No	No	No

Source: VVTA (2021), EPA (2021)

Notes: ROG = reactive organic gases; NO_x = oxides of nitrogen; SO_x = sulfur oxides; CO = carbon monoxide; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less, PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

¹ The MDAB is designated as a severe nonattainment area for ozone, which is not directly emitted into the air, but is formed through a series of reactions involving ROG and NO_x in the presence of sunlight. Because ozone is not directly emitted, the applicable de minimis levels are applied to ROG and NO_x. The MDAB is designated as a moderate nonattainment area for PM₁₀. The MDAB is classified as an attainment or unclassified area for all other pollutants. Although the General Conformity thresholds are not applicable to pollutants that are in attainment or unclassified, the de minimis levels for maintenance areas for these pollutants are used to provide an analysis under NEPA.

Project operational activities would also result in criteria air pollutant emissions associated with bus vehicle trips. As described in Section F, the project site is located immediately to the north of the Hesperia bus maintenance yard and VVTA also has a larger maintenance facility in Barstow with no plans to change the scale of service at either facility. Although the new bus transfer point may result in minor changes in bus routes to access the new transfer center, and VVTA has not yet determined the exact routing the buses will use to access the new transfer center, the change in vehicle bus routes, and resulting emissions from any changes in vehicle miles traveled, is anticipated to be minor and similar to existing conditions. Furthermore, as described in Section C, the project is a direct result from the ICT regulation, which requires a gradual transition to a 100 percent zero-emission bus fleet by 2040. Therefore, over time as the bus fleet is retrofitted and is transitioned to hydrogen fuel technology, emissions associated with bus operations will decrease. Thus, the project is not anticipated to adversely impact air quality in the project region.

HISTORIC AND CULTURAL RESOURCES:

The identification effort of cultural, historic, or archeological resources included a records search conducted at the South Central California Information Center (SCCIC) of the California Historical Resources Information System (CHRIS), located at California State University, Fullerton; a review of historic maps; and a field survey summarized in a Cultural Resources Technical Memo (Appendix 3).

A records search was requested for the project Area of Potential Effect (APE) and a half-mile buffer (the project study area) from the SCCIC on August 11, 2021. The SCCIC responded on October 5, 2021. The complete results of the records search are included as Attachment B of Appendix 3 to this CE. The records search revealed:

- A total of five studies have been conducted within a half-mile of the project APE. Approximately ten percent of the project study area has been previously investigated. None of these studies overlaps the project APE.
- There are no recorded historic districts within half-mile of the project APE.
- There are no recorded historical resources within half-mile of the project APE.
- There are no recorded archaeological resources within half-mile of the project APE.

Map research indicates that no historic buildings or structures were located within or adjacent to the project's APE. The project APE is undeveloped in the 1902 and 1942 Hesperia, CA 1:62500 USGS maps. In the 1956 Hesperia, CA 1:24000 USGS Smoke Tree Street and E Avenue are both shown as developed roads, but no buildings or structures are mapped in the APE or its vicinity.

As a result of the field survey, one resource that is historic in age was identified. The resource consists of an early twentieth century refuse deposit. The majority of the resource is located outside the APE, but a portion of the artifact scatter surrounding the main deposit extends into the APE. Observed artifacts include glass (including sun colored amethyst glass and aqua glass with bubbles), cans (including hole-in-cap cans), and ceramics, and appeared to be the result of domestic refuse dumping. The resource was documented on appropriate California Department of Recreation 523 series forms and evaluated for inclusion in the National Register of Historic Places (NRHP) (Attachment C of Appendix 3 to this CE). The resource is not eligible for inclusion in the NRHP under any criteria. SHPO concurrence with the finding of no effect will be obtained for the project.

The California Native American Heritage Commission (NAHC) was contacted on July 30, 2021, and their assistance requested in identifying Native American tribes with ancestral ties to the project APE. The NAHC responded via email on August 26, 2021, with a list of eleven tribal contacts representing seven Native American tribes, including Chemehuevi Indian Tribe; Morongo Band of Mission Indians; Quechan Tribe of the Fort Yuma Reservation; San Fernando Band of Mission Indians; San Manuel Band of Mission Indians; Serrano Nation of Mission Indians; Twenty-Nine Palms Band of Mission Indians. Of these tribes, all except the San Fernando Band of Mission Indians and the Serrano Nation of Mission Indians are federally recognized.

A search of the Sacred Lands File was requested on July 30, 2021. The NAHC responded in a letter sent via email dated August 26, 2021, "The results were positive. Please contact the Chemehuevi Indian Tribe and the San Manuel Band of Mission Indians on the attached list for information." The NAHC gave the contact information for these two tribes among the eleven tribal contacts described above.

The Exempted Activities in Appendix A of the Section 106 Program Comment is a comprehensive list of maintenance, repair, and upgrade activities that the ACHP has determined are likely to result in minimal to no adverse effects primarily to existing historic rail properties in rail rights-of-way. The proposed

project is not a rail project and is not located in a historic rail right-of-way. The ACHP recommendations do not apply.

NOISE:

The FTA noise impact analysis is a multi-step process used to evaluate potential noise impacts during project construction and operation. Construction and operational noise impacts were assessed by predicting noise levels using methods consistent with the FTA Noise and Vibration Manual (FTA 2018) and comparing these values to identified impact thresholds. Sensitive receptors surrounding the project site exceed the screening distance defined by the FTA’s guidelines and are not anticipated to be adversely impacted by the project during its construction or operation.

The FTA categorizes noise-sensitive land uses as shown in Table 2. The City of Hesperia designates the project and the area surrounding the project site as predominately General Industrial. The closest sensitive noise receptor to the project is Live Oak Park, which is categorized as an Institutional Land Use Type under the City of Hesperia. The park is located approximately 1,950 feet from the outer boundary of the project site. Living Springs Church and Kids & Care Preschool and Day Care Center are located approximately 2,500 feet from the outer boundary of the project site and are categorized as Industrial Land Use as outlined in Table 2. Apple Valley Christian School is also categorized as Industrial Land Use in Table 2 and is approximately 2,600 feet from the outer boundary of the project site. The NRHP does not list any historic properties within the vicinity of the project site.

Table 1: Land Use Categories and Metrics for Transit Noise Impact Criteria

Land Use Category	Land Use Type	Noise Metric dBA	Description of Land Use Category
1	High Sensitivity	Outdoor L_{eq} (1hr)*	Land where quiet is an essential element of its intended purpose. Example land uses include preserved land for serenity and quiet, outdoor amphitheaters and concert pavilions, and national historic landmarks with considerable outdoor use. Recording studios and concert halls are also included in this category.
2	Residential	Outdoor L_{dn}	This category is applicable all residential land use and buildings where people normally sleep, such as hotels and hospitals.
3	Institutional	Outdoor L_{eq} (1hr)*	This category is applicable to institutional land uses with primarily daytime and evening use. Example land uses include schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material. Places for meditation or study associated with cemeteries, monuments, museums, campgrounds, and recreational facilities are also included in this category.

Notes: L_{eq} = equivalent continuous sound level; L_{dn} = Day-Night Average Sound Level

*- for the loudest hour of project-related activity during of noise sensitivity

Source: FTA (2018)

The project would temporarily increase noise levels for the sensitive noise receptors during construction. The project would require the installation of a bus shelter and a 2,500 square foot building which are similar in scale to the surrounding development. The duration of the project would not require nighttime work. Standard industry equipment for grading, paving, and staging of the equipment would be utilized during the project’s construction phase. The loudest equipment utilized would be a roller to pave roadway improvements. The proposed truck access routes would primarily utilize E Avenue and Main Street to gain access to the Barstow Freeway (I-15). The project would temporarily increase noise however, a construction noise impact assessment would not be required for the project given the scale of the project.

The FTA utilizes a screening distance for noise assessments to determine if project operations would impact locations (Table 3). This project would be categorized as a Bus Facility, specifically a Storage and Maintenance (Transit Center). Undeveloped land between the nearby sensitive noise receptors and the project site would categorize the project as unobstructed in Table 3. Live Oak Park would not be considered an impacted location since its distance to the project (1,950 feet) exceeds the screening distance of 350 feet as detailed in Table 3. Similarly, Living Springs Church and Kids & Care Preschool and Day Care Center with a distance of 2,600 feet from the project site would exceed the FTA’s screening distance of 350 feet.

Table 3: Screening Distance for Noise Assessments

Project Systems (Bus Facilities)	Unobstructed (ft)	Intervening Buildings (ft)
Access Roads	100	50
Transit Mall	225	150
Transit Center	225	150
Storage and Maintenance	350	225
Park and Ride Lots w/Buses	225	150

Source: FTA (2018)

VIBRATION:

The FTA does not require construction vibration assessments for small projects (FTA, 2018). The project would meet this exemption due to its small scale. Construction would consist of civil activities that are approximately 10 acres and the installation of a bus shelter and a 2,500 square-foot building which are similar in scale to the surrounding developments. Since the operations of the project would utilize rubber-tire vehicles and not use steel tracks, vibration impacts related to the project’s operation would be minimal, therefore, no further analysis is required in accordance to FTA guidelines (FTA, 2018).

ACQUISITIONS & RELOCATIONS REQUIRED:

The project site would be located on an undeveloped parcel that is adjacent to VVTA. The assessor’s parcel number for the project is APN 0410-121-05. Neither land acquisitions or displacements of residences and/or business would be anticipated during construction or operations of the project. While the construction of the project would require the improvements of the public roadway, permanent and temporary easements would not be required. The project would not occur in an existing operational

right-of-way. The project would impart no effect related to the acquisition of land and relocation of residences or businesses.

HAZARDOUS MATERIALS:

A Phase 1 Site Assessment has not been conducted for the site; however, a desktop analysis using EnviroStor was conducted on September 14, 2022 (California Department of Toxic Substance Control EnviroStor, 2022). There are no current or ongoing remediation treatments occurring on the project site. The closest site with environmental concerns is at Crosswalk Charter School that is approximately 1.2 miles from the project site; Crosswalk Charter does not require any further action for remediation treatment. No concerns exist related to existing facilities or building materials since the project would be constructed on undeveloped land.

Additionally, a Phase I Site Assessment was performed for the adjacent parcel owned and operated by VVTA. The Phase I assessment concluded that no significant environmental concerns or impairments were encountered during the environmental site assessment (ESA) process for the subject site. No evidence of previous structures underground storage tanks, or other significant environmental impairments were observed on-site during the visual inspection of the subject site. The closest superfund site from the project is located approximately 12 miles away at the George Air Force Base in the city of Victorville. The project would have no effect concerning hazardous materials. A Phase II Site Assessment would not be recommended for the project site.

COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE:

This analysis utilized socioeconomic data collected from the U.S. Census Bureau through the 2019 American Community Survey (ACS) 5-Year Estimates. Data was collected from census block groups within a half-mile radius of the project site (study area). While the project is located within a community that is of high environmental justice concern, the project would not adversely impact the community character, disrupt community activities, or result in disproportionately adverse effects to the existing community.

A minority population is defined as the number of individuals in a block group who list their racial status as a race other than white alone and/or list their ethnicity as Hispanic or Latino. That is, all people other than non-Hispanic white-alone individuals. A low-income population is defined as a block group's population in households where the household income is less than or equal to twice the federal "poverty level".

The demographics within the study area is comparable to San Bernardino County's but possesses higher poverty levels (Table 4 and 5) (Appendix 1-Figure 6). Households living below the poverty level in the study area totals to approximately 43.9% of the population as opposed to 13.3% of the county's residents. The study area is comprised of 68.8% minorities (Table 6) (Appendix 1-Figure 7).

Table 4: Socioeconomics Demographics

Location	Population	Average Age	Median Household Income	Percent Below Poverty
Study Area	4,033	33.7	\$32,128	43.9%
San Bernardino County	2,130,585	33.3	\$67,903	13.3%

Source: 2019 ACS 5-Year

While this project is located within a community that is of high environmental justice concern, the project would provide an overall benefit to community and region. The purpose of the project is to enhance access to transit services while improving overall air quality and reduce GHG emissions. Additionally, the project would not physically divide a community or be inconsistent with the community that is industrial in land use and character. Live Oak Park is approximately 1,950 feet from the project but would not be affected by the construction or operation of the project.

Table 5: Poverty Level Demographics

Location	Total Population	Population Below Poverty	Population Above Poverty	Percent Below Poverty	Percent Above Poverty
Census Tract 100.13, Block Group 3	1,487	261	1,226	17.6%	82.4%
Census Tract 100.20, Block Group 3	2,546	1,510	1,036	59.3%	40.7%
Study Area	4,033	1,771	2,262	43.9%	56.1%
San Bernardino County	2,130,585	283,370	1,847,217	13.3%	86.7%

Source: 2019 ACS 5-Year

Table 6: Racial Demographics

Location	Total Population	Minority Population	Non-Minority Population	Percent Minorities
Census Tract 100.13, Block Group 3	1487	874	613	58.8%
Census Tract 100.20, Block Group 3	2546	1,901	645	74.7%
Study Area	4,033	2,775	1,258	68.8%
San Bernardino County	2,130,585	613,066	1,535,965	71.0%

Source: 2019 ACS 5-Year

SECTION 4(f) USE:

Section 4(f) properties include significant publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the NRHP.

The project would not require right-of-way, parks, or recreation areas, and is not in the vicinity of any historic building or Section 4(f) resources. Live Oak Park is the closest park and is located approximately 1,950 feet from the project (Appendix 1- Figure 8).

As discussed in Section I, Historic and Cultural Resources, map research indicates that no historic buildings or structures are located within the APE. As a result of the field survey, one resource that is historic in age was identified. However, the resource is not eligible for inclusion in the NRHP under any criteria.

The project does not share any roadways with Live Oak Park and therefore, would not require any temporary closures or detours that would affect access to the park during project construction. The project site would be located on an undeveloped parcel, providing adequate space for construction staging areas that would not affect Live Oak Park. Additionally, no temporary construction easements are anticipated for the project that would be located on Live Oak Park.

Consultation with jurisdictions and agencies was not required for this project since construction and operations would not affect Live Oak Park or any other Section 4(f) resource. The project would not use common concrete and steel bridges and culverts built after 1945 since infrastructure of that type does not exist on the project site. The project does not concern the improvement of railroads or transit lines that were historically used for the transportation of goods or passengers.

SECTION 6(f):

The project is not located on or adjacent to a park or recreation area funded by the Land and Water Conservation Act fund and would therefore, have no effect on Section 6(f) resources.

SEISMIC AND SOILS:

Based on the State of California Seismic Hazard Zones, the project is not mapped within the areas subject to liquefaction, earthquake-induced landslides, or a fault zone (Appendix 1- Figure 9). Ord Mountain is the closest fault zone and is located approximately 5.2 miles away southeast of the project site. Pinyon Ridge is located approximately 27 miles from the project site in the San Gabriel mountains and represents the closest mapped area subject to landslides and liquefaction due to seismic activity. Due to the distance between Pinyon Ridge and the project site, landslides and liquefaction due to seismic activity would not occur during project construction or operations.

IMPACTS ON WETLANDS:

Wetlands are a subset of special aquatic sites that support water-dependent vegetation, have wet soils, and possess wetland hydrology (frequent or prolonged flooding). In order to be considered a jurisdictional wetland under Section 404, an area must possess those three wetland characteristics. The Mojave River is the closest feature of this type and is located approximately 3 miles from the project (Appendix 1- Figure 10). A riverine system that derives from the Mojave River exists approximately 0.7 miles from the project site and would not be impacted by construction or operations due to distance.

The project would not require alteration of water features, wetlands, navigable waterways, or waters of the U.S. or require permits related to the Clean Water Act Section 404.

The project is not located within a coastal zone subject to the Coastal Zone Management Act, or within the vicinity of any navigable waterway, and is not located in an area designated as a sole-source aquifer.

FLOODPLAIN IMPACTS:

The project would not change floodplain elevations or floodways. The project is located in a Zone X area (Appendix 1- Figure 11) and determined by FEMA to be outside the 100-year and 500-year flood zones.

IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES:

The project is within the Upper Mojave River Valley Groundwater Basin (Appendix 1-Figure 12) and is not located in the vicinity of any Clean Water Act 303d Listed Impaired Water Bodies. The project would not create a new direct connection to a surface water body. During construction grading activities, the project would comply to the National Pollutant Discharge Elimination System (NPDES) General Permit regulated by the California State Water Resources Control Board (SWRCB). The project would introduce impervious surfaces and shall implement measures for site design, source control, runoff reduction to comply with the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans adopted by the SWRCB.

The Upper Mojave River Valley Groundwater Basin underlies an elongated north-south valley, with the Mojave River flowing (occasionally) through the valley from the San Bernardino Mountains on the south, northward into the Middle Mojave River Valley Groundwater Basin. The Mojave River is the closest surface water feature to the project and is located approximately three miles away. A riverine system that derives from the Mojave River exists approximately 0.7 miles from the project site. The project is 74 miles from the Pacific Ocean and is not located within a designated coastal zone. There are no EPA-designated sole source aquifers in the vicinity of the project site; Campo/ Cottonwood Creek Aquifer in San Diego is the closest EPA-designated sole source aquifer. The project would not discharge any water to these sources and no impacts would occur related to the Clean Water Act 303d listed impaired water bodies.

In accordance with the Clean Water Act (CWA) Section 402(p), which regulates municipal and industrial stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program, the SWRCB adopted an Industrial General Permit and Construction General Permit. The Project's operations would not create a point source for wastewater discharge and would not necessitate a NPDES Industrial General Permit. The SWRCB administers the Construction General Permit, which is applicable to all stormwater discharges associated with construction activity. The NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (the Construction General Permit) was adopted on September 2, 2009. Grading activities during the project's construction would amount to approximately 10 acres and would exceed the NPDES threshold of one acre for a General Construction Permit. The contractor shall implement a Stormwater Pollution Prevention Plan (SWPPP) and identify BMPs for storm water runoff, such as bioswales at catch basins.

An increase of 10 acres (435,600 square feet) of impervious surfaces would occur as a result of the project. In 2016, the County of San Bernardino prepared the Mojave River Watershed Technical

Guidance Document for Water Quality Management Plans (TGD) (Water Quality Order No. 2013-0001-DWQ) (San Bernardino County, 2016). The TGD establishes requirements for project proponents to meet the minimum Phase 2 Municipal Separate Storm Sewer System (MS4) Permit stormwater management requirements applicable to developments that create and/or replace 5,000 square feet or more of impervious surface (“Regulated Projects”). Under the 5,000 square feet threshold, the project would be categorized as a Regulated Project.

The 2013 Phase 2 Small Municipal Separate Storm Sewer System Permit (Phase 2 MS4 Permit) adopted by the SWRCB, and issued statewide, requires all new development projects covered by the Order to incorporate Low Impact Development (LID) Best Management Practices to the maximum extent practicable (MEP). In San Bernardino County, the Phase 2 MS4 Permit is applicable within the Mojave River Watershed, which the project site underlies.

The Water Quality Order requires development of a standard design and post-development best management practice (BMP) guidance for incorporation of site design/LID, source control, and treatment control BMP (where feasible and applicable) and Hydromodification mitigation measures to the MEP to reduce the discharge of pollutants to receiving waters. The purpose of the Technical Guidance Document (TGD) for Water Quality Management Plan(s) (WQMP) is to provide direction to project proponents on the regulatory requirements applicable to a private or public development activity, from project conception to completion.

The project would be required to use the TGD to obtain the necessary approvals for implementation since it would fall under the planning and permitting authority of the City of Hesperia, which is designated as a permittee for the MS4 Permit. The City of Hesperia shall regulate all Regulated Projects within the boundaries of its limits. The project shall implement measures for site design, source control, runoff reduction. The project shall incorporate infiltration LID BMP to the MEP; and use biotreatment and harvest and use BMP for the remainder of the design capture volume.

IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES:

The evaluation of potential impacts to ecologically-sensitive areas and endangered species presented below is based on the results of database searches and a field survey summarized in a Biological Resources Technical Memo, appended to this CE as Appendix 4. A total of 13 species listed under the Federal Endangered Species Act (FESA) were identified during the database searches as occurring or having the potential to occur in the region of the project site. However, no known occurrences of federally-listed species in the vicinity of the project were identified during the database searches and no federally-listed species were observed during the field survey. Joshua tree, a candidate for listing under the California Endangered Species Act (CESA) exist onsite. It is anticipated that impacts to Joshua trees, and any other state-listed or tracked species, would be evaluated separately during the CEQA review process and that removal of Joshua trees under the project would require an ITP from California Department of Fish and Wildlife (CDFW).

Under Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into jurisdictional “Waters of the U.S.,” the definition of which was recently revised and published in April 2020 under the Navigable Waters Protection Rule (NWPR).

No Waters of the United States (WoUS) as defined in the NWPR coincide with the project site. As a result, a permit from USACE pursuant to the CWA is not anticipated.

The FESA provides for the conservation of threatened and endangered species and their ecosystems (United States Code [U.S.C.] Title 16, Chapter 35, Sections 1531–1544). The FESA prohibits the “take” of threatened and endangered species except under certain circumstances and only with authorization from USFWS through a permit under Section 4(d), 7 or 10(a) of the FESA. “Take” under the FESA is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Formal consultation with U.S. Fish and Wildlife Service (USFWS) pursuant to the FESA would be required if the project had the potential to affect a species listed under FESA that has been detected within or adjacent to the project site. Under FESA regulations, USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act. No federally-listed plant and wildlife species were detected during the field survey and suitable habitats for such species do not occur in the project site, or the species’ known distribution does not coincide with the project site. As a result, formal consultation with USFWS regarding “take” of a species listed under the FESA is not anticipated.

Similar to USFWS, the National Marine Fisheries Service (NMFS) is responsible for the protection, conservation, and recovery of endangered and threatened species listed under FESA, with NMFS’ jurisdiction extending over marine and anadromous species. The project site occurs within the high desert in Southern California in the northern portion of San Bernardino County and would not impact any marine or anadromous species. As a result, a permit from NMFS is not anticipated.

Federally-designated biological or environmentally sensitive areas (BSA, ESA) are places that have special environmental attributes worthy of preservation or special care and include, but are not limited to national parks, national forests, wildlife refuges, and wilderness areas. No BSA/ESA coincides with the project site and impacts to such areas are not anticipated.

Designated critical habitat is a term defined and used in the FESA and refers to specific geographic areas designated by USFWS that contain vegetative habitats and features essential to the conservation of a federally-listed endangered or threatened species. These areas may require special management and protection to support the survival and recovery of species listed under the FESA. Critical habitat may also include areas that are not currently occupied by the species but may be needed for its recovery. No USFWS-designated critical habitat coincides with the project site and impacts to such areas are not anticipated.

Wildlife corridors are linear landscape feature of sufficient width and buffer to allow animal movement between two comparatively undisturbed habitat fragments, or between a habitat fragment and some vital resource that encourages population growth and diversity. Habitat fragments are isolated patches of habitat separated by otherwise foreign or inhospitable areas, such as urban tracts or highways. Two types of wildlife migration corridors are regional corridors, defined as those linking two or more large areas of natural open space, and local corridors, defined as those allowing resident wildlife to access critical resources (food, cover, and water) in a smaller area that might otherwise be isolated by urban development. The project site occurs within an area that has primarily been developed and is further surrounded by completely urbanized areas of the City of Hesperia. The project site does not occur within or intersect a recognized/established regional wildlife corridor. Vegetation within and adjacent to the

project site may provide some cover, resting, foraging, or nesting opportunities for local wildlife; however, they do not provide functions as a significant wildlife corridor.

Essential Fish Habitat (EFH) includes coral reefs, kelp forests, bays, estuaries, wetlands, rivers, and areas of the deep ocean managed by NMFS that are necessary to marine or anadromous fish for spawning, breeding, feeding, shelter, or growth. EFH substrates include sediment, hard bottom, structures underlying the waters, and associated biological communities required to support a sustainable fishery. The site would occur within the high desert in Southern California in the northern portion of San Bernardino County and does not coincide with any EFH.

The project would require removal of four Joshua trees (*Yucca brevifolia*). In September 2020, the California Fish and Game Commission provided notice and accepted a petition to list Joshua tree as a Candidate threatened species under the CESA. Unlike the FESA, which only covers species once they are listed, CESA protects Candidate species being considered for listing as threatened or endangered. As a result, CESA prohibits "take" of the species without authorization from California Department of Fish and Wildlife via an Incidental Take Permit (ITP) pursuant to Section 2081 of California Fish and Game Code. Joshua trees are not protected under the FESA; however, it is anticipated that impacts to Joshua trees would be evaluated separately during the California Environmental Quality Act (CEQA) review process and an ITP would be required from CDFW to compensate for the removal of Joshua trees for the project site. No other mature trees exist within the project site.

A total of 13 species listed under the FESA were identified during the database searches as occurring or having the potential to occur in the region of the project site, including: Parish's daisy (*Erigeron parishii*; threatened), Crotch bumble bee (*Bombus crotchii*, candidate for listing as endangered), Monarch butterfly (*Danaus plexippus*; candidate for listing), quino checkerspot butterfly (*Euphydryas editha quino*; endangered), Mohave tui chub (*Siphateles biocolor mohavensis*; endangered), arroyo toad (*Anaxyrus californicus*; endangered), California red-legged frog (*Rana draytonii*; threatened), southern mountain yellow-legged frog (*R. muscosa*; endangered), desert tortoise (*Gopherus agassizii*; threatened), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*; threatened), southwestern willow flycatcher (*Empidonax traillii extimus*; endangered), California condor (*Gymnogyps californianus*; endangered), and least Bell's vireo (*Vireo bellii pusillus*; endangered). No known occurrences of federally-listed species in the vicinity of the project were identified during the database searches and no federally-listed species were observed during the field survey. The project site is composed of bare ground and a cover of non-native grasses, with occasional individual native desert shrub species. Federally-listed species are not expected to occur on the Project site due to a lack of suitable habitats for these species, or their current distribution does not coincide within the project site. As described above, Joshua tree, a candidate for listing under CESA exist onsite. It is anticipated that impacts to Joshua trees, and any other state-listed or tracked species, would be evaluated separately during the CEQA review process and that removal of Joshua trees under the project would require an ITP from CDFW.

Sensitive habitats include natural vegetation communities that are recognized, designated and/or managed as rare in the region; support or are occupied by federally-listed plant or wildlife species; or receive regulatory protection (i.e., Section 404 of the CWA). As described in sections above, no such habitats occur in the project site.

Nesting and foraging areas include the ground surface and existing vegetation and structures that could support wildlife feeding, breeding, and/or nesting. Although vegetation suitable for nesting is sparse, the site provides marginally suitable nesting habitat for bird species protected under the federal Migratory Bird Species Act (MBTA). The site also provides marginal foraging opportunities for wildlife, which is limited by a lack of native habitats in the project site. Vegetation removal and ground disturbance would occur during project implementation, potentially impacting any birds that may be nesting on-site. By implementing standard construction measures related to fugitive dust and noise control, and by conducting pre-construction nesting bird surveys and providing qualified biological monitors during construction as necessary, impacts to nesting birds under the MBTA would be reduced.

IMPACTS ON SAFETY AND SECURITY:

State provisions would enforce buildings to be designed and constructed in a manner that promotes fire and life safety. The project's office building would be built to California Code of Regulations (CCR), Title 24, and Part 2, known as the 2019 California Building Code (CBC). Roadway improvements would include pedestrian enhancements including the construction of sidewalks and ADA-compliant access ramps and driveways. Design and details for roadway and sidewalk improvements would follow the standards and permitting requirements set forth by the City of Hesperia (City of Hesperia, 2013).

The project would be equipped with safety lighting and cameras to enhance security. Additionally, a security control room would be onsite for security guards to monitor activities on site during the project's operations. Codified regulations set forth by the State and regional authorities and the project's security protocol would reduce impacts related to safety and security.

IMPACTS CAUSED BY CONSTRUCTION:

Project construction would require standard construction equipment for civil activities and buildings. The project site would be located in a low-density, semi-rural setting on an undeveloped parcel, providing adequate access to the property and parking locations on site. Some traffic management plans would be implemented during civil roadway improvement activities on Live Oak Street and E Avenue. Flaggers or redirection of traffic through detour routes would occur but only be temporary in nature. Utility disruption would occur for the tie-ins related to water, electrical, and communications lines. Service disruptions related to the tie-ins would be temporary with a typical industry duration lasting a day. Debris and spoils would result from the project during civil grading and utility excavation. The project would require an NPDES General Construction permit since its grading needs exceed the one-acre threshold. Additionally, the City of Hesperia would require the project to abide by the codified provisions established in the city's grading permit. Stockpiles and excavation spoils shall comply to regulatory and local compliances that would lessen any impacts related to debris and spoil disposal.

SUPPORTING TECHNICAL STUDIES OR MEMORANDA:

Technical memorandums have been prepared for the project include Cultural Resources Technical Memorandum (Appendix 3) and Biological Resources Technical Memorandum (Appendix 4).

PUBLIC OUTREACH AND AGENCY COORDINATION:

No public outreach efforts or agency coordination has been made for this project.

MODAL CATEGORICAL EXCLUSIONS AND RELATED NEPA DOCUMENTS

No other CE or NEPA document has been prepared for the project by another federal lead agency.

The action described above meets the criteria for an FTA NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.118 [\(c\(9\)\)](#).

c (9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: Buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.

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Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: San Bernardino
222 West Hospitality Ln.
San Bernardino, CA 92415

From: (Public Agency): Victor Valley Transit Authority
17150 Smoke Tree Street
Hesperia, CA 92345
(Address)

Project Title: VVTA Hydrogen Fueling Facility Project

Project Applicant: Victor Valley Transit Authority (VVTA)

Project Location - Specific:

The project would be located in the City of Hesperia at the southeast corner of Live Oak Street and E Avenue.
The assessor's parcel number is APN 0410-121-06.

Project Location- City: Hesperia Project Location - County: San Bernardino County

Description of Nature, Purpose and Beneficiaries of Project:

The project would consist of hydrogen fueling equipment installation, civil grading, and civil-roadway improvements (Appendix 1-Figure 1). The lot is approximately 1.6 acres. The System would have the fueling capacity to serve up to 20 buses every 5 to 7 days and serve up to 20 cars daily. In December 2018, CARB adopted their Innovative Clean Transit (ICT) regulation, which requires all public transit agencies in the state to gradually transition to a 100-percent zero-emission bus fleet by 2040. The project would serve as a hydrogen fueling station for VVTA's bus fleet and one pump would be for public use.

Name of Public Agency Approving Project: Victor Valley Transit Authority (VVTA)

Name of Person or Agency Carrying Out Project: Marie Downing

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number: 21080.25(b)(6)

2023 FEB -3 PM 1:00
COUNTY OF SAN BERNARDINO
CALIFORNIA
CLERK OF THE BOARD OF SUPERVISORS

Reasons why project is exempt:

The project would construct infrastructure to charge or refuel zero-emission transit buses, it is being carried out by a public transit agency (VVTA) that is subject to, and in compliance with, the State Air Resources Board's Innovative Clean Transit regulations (Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13, of the California Code of Regulations) and the project is located on property owned by the transit agency.

Lead Agency Contact Person: Marie Downing Area Code/Telephone/Extension: (760) 995-3575

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

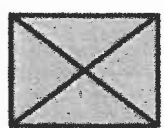
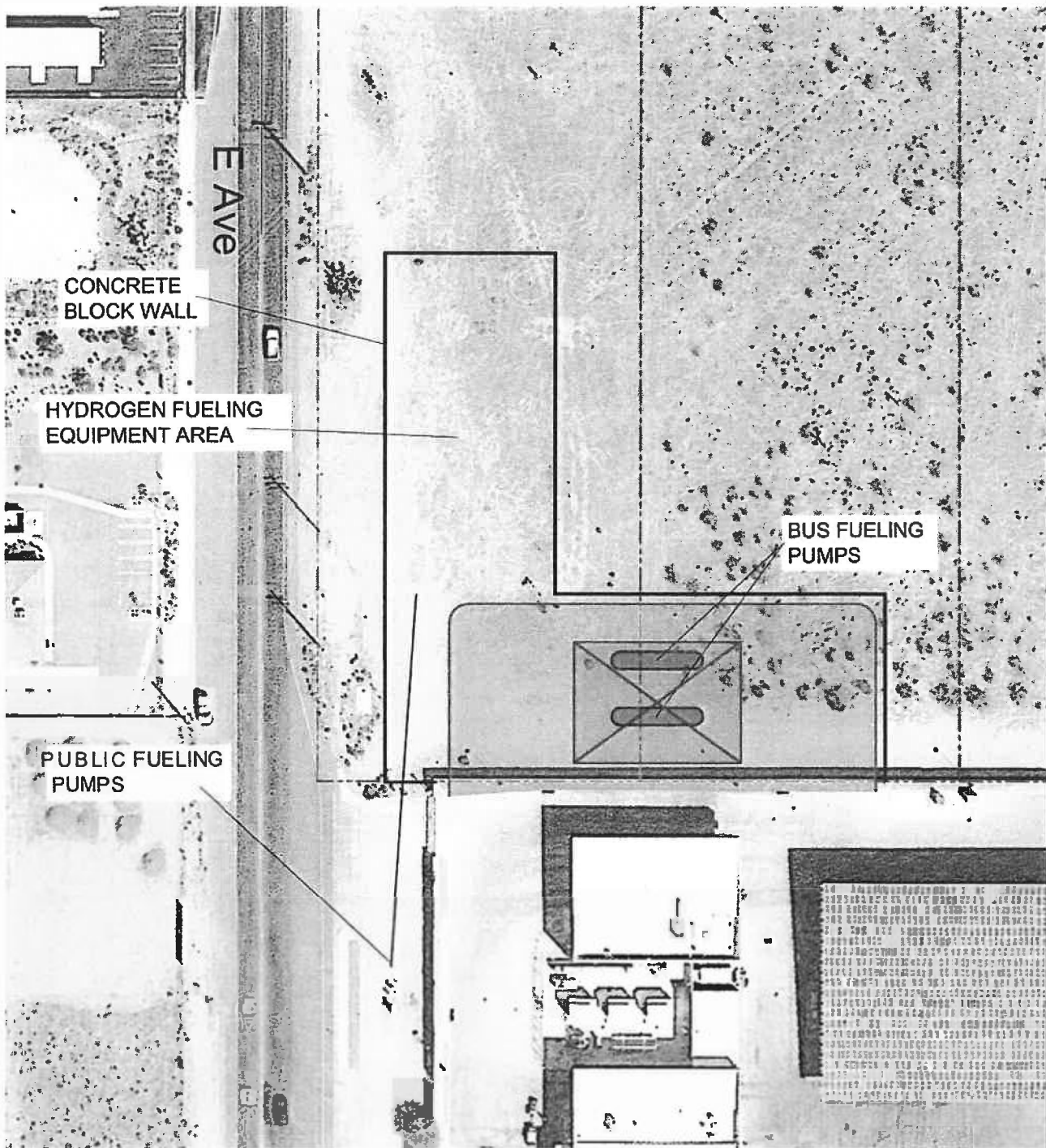
Signature: Marie Downing Date: 1/30/2023 Title: Grants Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

DATE FILED & POSTED
Posted On: 2-8-23
Remove On: 3-16-23
Receipt No: 36-02082023-081



PUMP ISLAND CANOPY



PCC ROADWAY/CURB
SIDEWALK

Hesperia Bus Fueling
Conceptual Layout
9-9-22 1" = 50'





State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER:
 36 — 02082023 — 081
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Victor Valley Transit Authority	LEAD AGENCY EMAIL	DATE 02082023
COUNTY/STATE AGENCY OF FILING San Bernardino	DOCUMENT NUMBER	

PROJECT TITLE
 VVTA Hydrogen Fueling Facility Project

PROJECT APPLICANT NAME Victor Valley Transit Authority	PROJECT APPLICANT EMAIL	PHONE NUMBER (760) 995-3575
PROJECT APPLICANT ADDRESS 17150 Smoke Tree Street	CITY Hesperia	STATE CA
		ZIP CODE 92345

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,839.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,764.00 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,305.25 | \$ | |
|
 | | | |
| <input type="checkbox"/> Exempt from fee | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |

- | | | | |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 50.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Jessica Ruiz Deputy Clerk
--	--

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): Victor Valley Transit Authority
17150 Smoke Tree Street
Hesperia, CA 92345

County Clerk
County of: San Bernardino
222 West Hospitality Ln.
San Bernardino, CA 92415

(Address)

Project Title: VVTA Bus Point Transfer Center Project

Project Applicant: Victor Valley Transit Authority (VVTA)

Project Location - Specific:

The project is located in the City of Hesperia at the southeast corner of G Avenue and Smoke Tree street. The APN is 0410-121-05.

Project Location - City: Hesperia Project Location - County: San Bernardino County

Description of Nature, Purpose and Beneficiaries of Project:

The project serves as passenger loading areas for VVTA's existing and future bus fleet and will tentatively commence construction in the Fall of 2023 and complete in Fall 2024. The project represents the second of two phases of VVTA's overall plan to provide infrastructure for their future bus fleet that will utilize hydrogen fuel cell technology. It would consist of a bus shelter for eight bus parking spaces, civil-roadway improvements, sidewalk installation, landscaping, and a 1,200 square-foot building that would house six restrooms and a security control room. The lot is approx., 10 acres.

Name of Public Agency Approving Project: Victor Valley Transit Authority (VVTA)

Name of Person or Agency Carrying Out Project: Marie Downing

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15303 New Construction or Conversion of Small Structures
Statutory Exemptions. State code number:

COUNTY OF SAN BERNARDINO
CALIFORNIA
CLERK OF THE BOARD OF SUPERVISORS
2023 FEB -8 PM 1:00

Reasons why project is exempt:

A 1,200 square-foot building would be constructed that would meet the building area threshold stated in the 2022 CEQA 15303 section of 2,500 square-feet. A parking area and bus depot would also be built.

Lead Agency Contact Person: Marie Downing Area Code/Telephone/Extension: (760) 995-3575

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Marie Downing Date: 1/30/2023 Title: Grants Manager

X Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

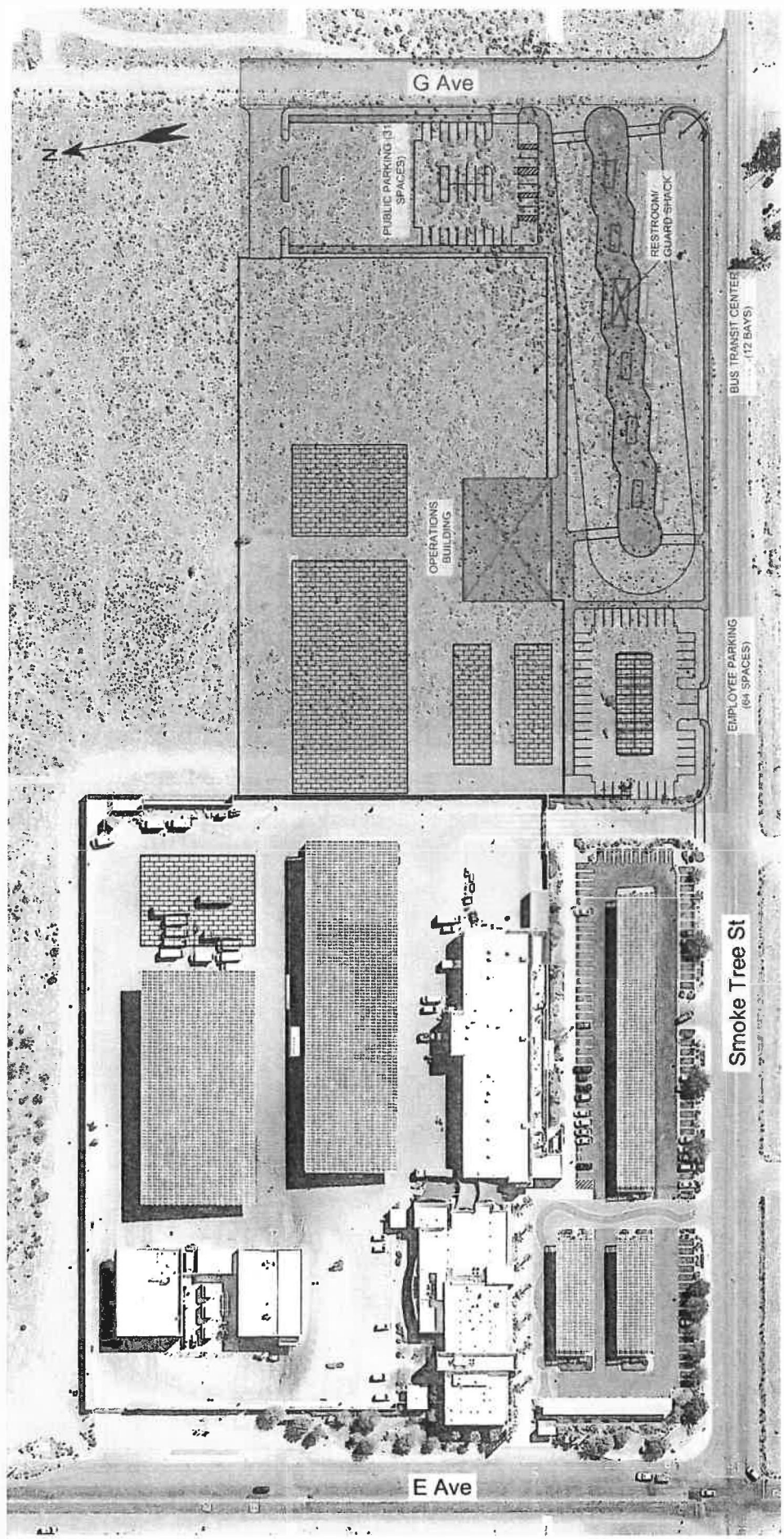
DATE FILED & POSTED




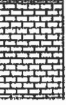




Posted On 2-8-23

Removed On 3-16-23

Receipt No: 30-02082023-080

Revised 2011



-  BUS
-  BUILDING
-  BUS SHELTER
-  SOLAR ROOF
-  PCC ROADWAY/CURB
-  AC PAVEMENT
-  SIDEWALK
-  LANDSCAPING

WTA Facility Expansion
Conceptual Layout
8-23-22 1" = 100'



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print **Save**

RECEIPT NUMBER:
 36 — 02082023 — 080
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Victor Valley Transit Authority	LEAD AGENCY EMAIL	DATE 02082023
COUNTY/STATE AGENCY OF FILING San Bernardino	DOCUMENT NUMBER	

PROJECT TITLE
 VVTA Bus Point Transfer Center Project

PROJECT APPLICANT NAME Victor Valley Transit Authority	PROJECT APPLICANT EMAIL	PHONE NUMBER (760) 995-3575
PROJECT APPLICANT ADDRESS 17150 Smoke Tree Street	CITY Hesperia	STATE CA
		ZIP CODE 92345

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,839.25 \$ _____ 0.00
- Mitigated/Negative Declaration (MND)(ND) \$2,764.00 \$ _____ 0.00
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,305.25 \$ _____
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____ 0.00
- County documentary handling fee \$ _____ 50.00
- Other \$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ _____ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Jessica Ruiz Deputy Clerk
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