

Appendix C

California Local Regulations

Appendix C

Local California Regulations

The CPUC has sole and exclusive jurisdiction over the siting and design of the components of the Proposed Project located in the State of California. Pursuant to CPUC G.O. 131-D, Section XIV.B, “Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the CPUC’s jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters.” Consequently, public utilities are directed to consider local regulations and consult with local agencies, but the county and cities’ regulations are not applicable as the county and cities do not have jurisdiction over the proposed project. For informational purposes, local regulations in California jurisdictions are provided below. In some instances, local regulations are considered in evaluating impact, including air quality, greenhouse gas emissions, noise, and transportation. In Nevada, the Proposed Project is subject to local regulations.

Aesthetics

County of San Bernardino 2007 General Plan. The Conservation and Open Space Elements of the County of San Bernardino 2007 General Plan contain goals and policies for the protection of visual resources in the desert region. The following goals and policies from the County of San Bernardino 2007 General Plan are relevant to the proposed project:

- **Goal D/CO 1:** Preserve the unique environmental features and natural resources of the Desert Region, including native wildlife, vegetation, water and scenic vistas.
- **Policy D/CO 1.2:** Require future land development practices to be compatible with the existing topography and scenic vistas, and protect the natural vegetation.
- **Goal D/CO 3:** Preserve the dark night sky as a natural resource in the Desert Region communities.
- **Policy D/CO 3.2:** All outdoor lighting, including street lighting, shall be provided in accordance with the Night Sky Protection Ordinance and shall only be provided as necessary to meet safety standards.
- **Policy CO 8.1, Program 3:** Require undergrounding of new and existing transmission lines when feasible.
- **Policy CO 8.1, Program 4:** Assist in the development and use of new designs for major transmission line towers that are aesthetically compatible with the environment from a close viewing distance.
- **Policy CO 8.1, Program 7:** The County shall consult with the major electric utilities regarding the location of under-grounding of new and existing transmission lines, and consider the under-grounding of distribution lines when feasible and as determined by California state regulatory processes.
- **Policy CO 8.1, Program 8:** The County shall consult with electric utilities during the planning construction of their major transmission lines towers to ensure that they are aesthetically compatible with the surrounding environment.
- **Goal OS 4:** The County will preserve and protect cultural resources throughout the County, including parks, areas of regional significance, and scenic, cultural and historic sites that contribute to a distinctive visual experience for visitors and quality of life for County residents.
- **Goal OS 5:** The County will maintain and enhance the visual character of scenic routes in the County.
- **Policy OS 5.2:** Define the scenic corridor on either side of the designated route, measured from the outside edge of the right-of-way, trail, or path. Development along scenic corridors will be required to

demonstrate through visual analysis that proposed improvements are compatible with the scenic qualities present.

■ **Policy OS 5.3:** The County desires to retain the scenic character of visually important roadways throughout the County. A “scenic route” is a roadway that has scenic vistas and other scenic and aesthetic qualities that over time have been found to add beauty to the County. Therefore, the County designates the following routes as scenic highways and applies all applicable policies to development on these routes (see Figures 2-4A through 2-4C of the Circulation and Infrastructure Background Report):

- Black Canyon Road
- Essex Road from Essex northwest to Mitchell Caverns
- Historic Route 66 (National Trails Highway or Main Street) from Oro Grande northeast and east to the Arizona state line, excepting those areas with incorporated cities
- I-40 from Ludlow northeast to Needles
- Kelbaker Road from I-15 southeast to I-40*
- Lanfair/Ivanpah Road
- SR-247 (Old Woman Springs Road/Barstow Road) from the Town of Yucca Valley north to Barstow
- Coxey Truck Trail from Bowen Ranch Road southeast to Rim of the World Drive
- SR-18 from Big Bear Lake northwest to Apple Valley

■ **Policy D/OS 1.6:** No development of any kind, including resource extraction, shall be approved which would destroy or seriously diminish the visual quality of existing sand dunes.

■ **Policy OS 7.6:** Require that hillside development be compatible with natural features and the ability to develop the site in a manner that preserves the integrity and character of the hillside environment, including but not limited to, consideration of terrain, landform, access needs, fire and erosion hazards, watershed and flood factors, tree preservation, and scenic amenities and quality.

City of Hesperia General Plan 2010. The Open Space Element of the City of Hesperia General Plan 2010 identifies natural open space areas that should be preserved, including the Mojave River to the east; the Oro Grande Wash and the San Bernardino and San Gabriel Mountains to the south; and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment. The following policy from the Open Space Element is relevant to the proposed project:

■ **Implementation Policy OS-4.2:** Preserve the aesthetic integrity and usefulness of open space washes by implementing restrictive development standards on projects occurring in or around the wash areas, and ensuring development proposals are compatible.

Agriculture and Forestry

County of San Bernardino 2007 General Plan. The Conservation Element of the County of San Bernardino 2007 General Plan contains the following agriculture policies:

■ **Policy CO 6.1:** Protect prime agricultural lands from the adverse effects of urban encroachment, particularly increased erosion and sedimentation, trespass, and nonagricultural land development

■ **Policy CO 6.4:** Provide and maintain a viable and diverse agricultural industry in San Bernardino County

County of San Bernardino Development Code. Section 82.03.040 of the County of San Bernardino Development Code regulates development within the agricultural zoning districts. Transmission lines are permitted with an alternative review procedure (as defined in Section 85.02.050), which includes review and approval by the CPUC.

City of Hesperia. The proposed project crosses no agriculture, forest, or grazing lands in the City of Hesperia. Therefore, city regulations for these resources have not been included.

Nevada. The proposed project crosses no agriculture, forest, or grazing lands in Nevada. Therefore, Nevada regulations for these resources have not been included.

Air Quality

Mojave Desert Air Quality Management District regulations are applicable to the Proposed Project and are included in Section 5.3.2 Regulatory Background.

Biological Resources

County of San Bernardino General Plan. The County of San Bernardino 2007 General Plan Conservation Element, Open Space Element, and Land Use Element contain the following goals and policies that are relevant to biological resources for the Proposed Project:

- Goal CO 2: The County will maintain and enhance biological diversity and healthy ecosystems throughout the County.
- Goal CO 5: The County will protect and preserve water resources for the maintenance, enhancement, and restoration of environmental resources.
- Policy CO 2.1: The County will coordinate with state and federal agencies and departments to ensure that their programs to preserve rare and endangered species and protect areas of special habitat value, as well as conserve populations and habitats of commonly occurring species, are reflected in reviews and approvals of development programs.
- Policy CO 2.2: Provide a balanced approach to resource protection and recreational use of the natural environment.
- Policy CO 5.4: Drainage courses will be kept in their natural condition to the greatest extent feasible to retain habitat and allow some recharge of groundwater basins and resultant savings.
- Goal OS 6: Improve and preserve open space corridors throughout the County.
- Policy OS 4.2: The County will preserve and encourage the management of suitable land for greenbelts, forests, recreation facilities, and flood control to provide adequate water supply, achieve air quality improvement, and provide habitat for fish, wildlife, and wild vegetation.
- Policy LU 7.2: Enact and enforce regulations that will limit development in environmentally sensitive areas, such as those adjacent to river or streamside areas, and hazardous areas, such as flood plains.

Development Code Section 88.01.060, Native Desert Plant Protection. Regulates the removal of specified native desert plants including smoke trees, mesquite, all species of the family *Agavaceae*, creosote rings, Joshua trees, desert ironwood, and palo verde.

Development Code Section 88.01.080, Riparian Plants. Protects riparian vegetation within 200 feet of the bank of a stream.

City of Hesperia General Plan. The Conservation Element of the plan contains the following goals and policies that are relevant to biological resources for the Proposed Project:

- Goal CN-3: Minimize development and set aside necessary open space near and along the surface waters as well as those washes and other water passageways located in the City of Hesperia to preserve

and protect plant and animal species and their natural habitat dependent on such surface waters and water ways.

- Implementation Policy CN-1.4: Limit the disturbance of natural water hydrology by minimizing the creation of impervious surface area.
- Implementation Policy CN-2.1: Minimize impacts to washes that convey drainage by prohibiting development within drainage corridors.
- Implementation Policy CN-2.3: Protect open space areas used for recharging groundwater basins.
- Implementation Policy CN 3-2: Preserve areas within the Oro Grand wash and un-named wash #1 that exhibit ideal native habitat in a natural state.
- Implementation Policy CN-4.1: Preserve pristine open space areas and known wildlife corridors for conservation to protect species and their habitats.
- Implementation Policy CN-4.2: Encourage the protection, preservation and long-term viability of environmentally sensitive habitats and species in the City of Hesperia.
- Implementation Policy CN-4.4: In those areas known as possible habitat for endangered and sensitive species, require proper assessments before authorizing development.
- Implementation Policy CN-4.5: Where such assessments indicate the presence of endangered or sensitive species, require appropriate actions to preserve the habitat and protect the identified species.

City of Hesperia Code of Ordinances, Chapter 16.24. Article II, Desert Native Plant Protection, requires removal permits for smoke trees, Joshua trees, and creosote rings. Article III, Riparian Plant Conservation, requires a tree removal permit for any vegetation removal within 200 feet of a stream bank.

Cultural Resources

San Bernardino County General Plan (2007)

The San Bernardino County General Plan (2007) directly addresses cultural resources in the Conservation and Open Space Elements.

Goal CO 3. The County will preserve and promote its historic and prehistoric cultural heritage.

Policy CO 3.1 Identify and protect important archaeological and historic cultural resources in areas of the County that have been determined to have known cultural resource sensitivity.

Program 1. Require a cultural resources field survey and evaluation prepared by a qualified professional for projects located within the mapped Cultural Resource Overlay area.

Policy CO 3.2 Identify and protect important archaeological and historic cultural resources in all lands that involves disturbance of previously undisturbed ground.

Program 1. Require the Archaeological Information Center at the San Bernardino County Museum to conduct a preliminary cultural resource review prior to the County's application acceptance for all land use applications in planning regions lacking Cultural Resource Overlays and in lands located outside of planning regions.

Program 2. Should the County's preliminary review indicate the presence of known cultural resources or moderate to high sensitivity for the potential presence of cultural resources, a field survey and evaluation prepared by a qualified professional will be required with project submittal. The format of

the report and standards for evaluation will follow the “Guidelines for Cultural Resource Management Reports” on file with the San Bernardino County Land Use Services Department.

Policy CO 3.3 Establish programs to preserve the information and heritage value of cultural and historical resources.

Policy CO 3.4 The County will comply with Government Code Section 65352.2 (SB 18) by consulting with tribes as identified by the California Native American Heritage Commission on all General Plan and specific plan actions.

Program 1. Site record forms and reports of surveys, test excavations, and data recovery programs will be filed with the Archaeological Information Center at the San Bernardino County Museum, and will be reviewed and approved in consultation with that office. a. Preliminary reports verifying that all necessary archaeological or historical fieldwork has been completed will be required prior to project grading and/or building permits. b. Final reports will be submitted and approved prior to project occupancy permits.

Program 2. Any artifacts collected or recovered as a result of cultural resource investigations will be catalogued per County Museum guidelines and adequately curated in an institution with appropriate staff and facilities for their scientific information potential to be preserved. This shall not preclude the local tribes from seeking the return of certain artifacts as agreed to in a consultation process with the developer/project archaeologist.

Program 3. When avoidance or preservation of an archaeological site or historic structure is proposed as a form of mitigation, a program detailing how such long-term avoidance or preservation is assured will be developed and approved prior to conditional approval.

Policy CO 3.5 Ensure that important cultural resources are avoided or minimized to protect Native American beliefs and traditions.

Program 1. Consistent with SB 18, as well as possible mitigation measures identified through the CEQA process, the County will work and consult with local tribes to identify, protect and preserve “traditional cultural properties” (TCPs). TCPs include both manmade sites and resources as well as natural landscapes that contribute to the cultural significance of areas.

Program 2. The County will protect confidential information concerning Native American cultural resources with internal procedures, per the requirements of SB 922, an addendum to SB 18. The purpose of SB 922 is to exempt cultural site information from public review as provided for in the Public Records Act. Information provided by tribes to the County shall be considered confidential or sacred.

Program 3. The County will work in good faith with the local tribes, developers/applicants and other parties if the local affected tribes request the return of certain Native American artifacts from private development projects. The developer is expected to act in good faith when considering the local tribe’s request for artifacts. Artifacts not desired by the local tribe will be placed in a qualified repository as established by the California State Historical Resources Commission. If no facility is available, then all artifacts will be donated to the local tribe.

Program 4. The County will work with the developer of any “gated community” to ensure that the Native Americans are allowed future access, under reasonable conditions, to view and/or visit known sites within the “gated community.” If a site is identified within a gated community project, and

preferably preserved as open space, the development will be conditioned by the County allow future access to Native Americans to view and/or visit that site.

Program 5. Because contemporary Native Americans have expressed concern over the handling of the remains of their ancestors, particularly with respect to archaeological sites containing human burials or cremations, artifacts of ceremonial or spiritual significance, and rock art, the following actions will be taken when decisions are made regarding the disposition of archaeological sites that are the result of prehistoric or historic Native American cultural activity:

- a. The Native American Heritage Commission and local reservation, museum, and other concerned Native American leaders will be notified in writing of any proposed evaluation or mitigation activities that involve excavation of Native American archaeological sites, and their comments and concerns solicited.
- b. The concerns of the Native American community will be fully considered in the planning process.
- c. If human remains are encountered during grading and other construction excavation, work in the immediate vicinity will cease and the County Coroner will be contacted pursuant to the state Health and Safety Code.
- d. In the event that Native American cultural resources are discovered during project development and/or construction, all work in the immediate vicinity of the find will cease and a qualified archaeologist meeting U.S. Secretary of Interior standards will be hired to assess the find. Work on the overall project may continue during this assessment period.
- e. If Native American cultural resources are discovered, the County will contact the local tribe. If requested by the tribe, the County will, in good faith, consult on the discovery and its disposition with the tribe.

Goal M/CO 4. Protect cultural and paleontological resources within the Mountain Region.

Policy M/CO 4.1. Identify and protect significant cultural resources from damage or destruction.

Policy M/CO 4.2. Inventory Cultural Resources, encouraging inputs from the local historical society and committees.

Policy M/CO 4.3. Prepare a Historical/Archeological Overlay for community plan areas in developing land use designations and the formulation and evaluation of plan amendments and development proposals to provide a more systematic and streamlined method of protecting important cultural resources.

Goal D/CO 6. Protect cultural and paleontological resources within the Desert Region.

Policy D/CO 6.1. Identify and protect significant cultural resources from damage or destruction.

Policy D/CO 6.2. Inventory Cultural Resources, encouraging inputs from the local historical society and committees.

Policy D/CO 6.3. Prepare a Historical/Archeological Overlay for community plan areas in developing land use designations and the formulation and evaluation of plan amendments and development proposals to provide a more systematic and streamlined method of protecting important cultural resources.

GOAL OS 4. The County will preserve and protect cultural resources throughout the County, including parks, areas of regional significance, and scenic, cultural and historic sites that contribute to a distinctive visual experience for visitors and quality of life for County residents.

City of Hesperia General Plan (2010)

The City of Hesperia provides policies and goals for the protection of cultural and paleontological resources within the Conservation Element of the City's General Plan (2010).

Goal CN-5. The City shall establish policies and procedures in compliance with state and Federal laws and regulations to identify and properly protect found historical, cultural and paleontological artifacts and resources.

Implementation Policy: CN-5.1. Encourage the preservation of historical, paleontological and cultural resources.

Implementation Policy: CN-5.2. In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and records searches shall be undertaken to determine the presence of such resources, if any.

Implementation Policy: CN-5.3. All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.

Energy

No local Energy regulations applicable to the Proposed Project were identified

Geology and Soils

County of San Bernardino. The Safety Element section of the San Bernardino County General Plan provides for mitigation of geologic hazards through a combination of engineering, construction, land use and development standards. The Plan addresses the geologic hazards present within the county, including fault rupture, ground shaking, liquefaction, seismically generated subsidence, seiche and dam inundation, landslides/mudslides, non-seismic subsidence, erosion and volcanic activity. The county has prepared Hazard Overlay Maps to address fault rupture, liquefaction hazards and landslide hazards. Special consideration, including possible engineering/geologic evaluation, is required for development of sites within designated hazard areas on the maps. Additionally, the County Building and Safety Department enforces Building Standards adopted by the State of California and the County of San Bernardino including the California Building Code contained in Title 24 of the California Code of Regulations.

The Safety Element of the County of San Bernardino 2007 General Plan contains the following goals to address geologic and seismic hazards:

- **Goal S 1:** *The County will minimize the potential risks resulting from exposure of County residents to natural and man-made hazards in the following priority: loss of life or injury, damage to property, litigation, excessive maintenance and other social and economic costs*
- **Goal S 6:** *The County will protect residents from natural and manmade hazards*
- **Goal S 7:** *The County will minimize exposure to hazards and structural damage from geologic and seismic conditions*

The San Bernardino County General Plan (2007) directly addresses the preservation of its more than 3,000 fossil localities, catalogued in the Regional Paleontologic Locality Inventory maintained by the San Bernardino County Museum, in Chapter 5-Conservation Element. The following goals and policies address paleontological resources:

- **Goal CO 3.** *The County will preserve and promote its historic and prehistoric cultural heritage.*
- **Policy CO 3.4, Program 4.** *In areas of potential but unknown sensitivity, field surveys prior to grading will be required to establish the need for paleontologic monitoring.*
- **Policy CO 3.4, Program 5.** *Projects requiring grading plans that are located in areas of known fossil occurrences, or demonstrated in a field survey to have fossils present, will have all rough grading (cuts greater than 3 feet) monitored by trained paleontologic crews working under the direction of a qualified professional, so that fossils exposed during grading can be recovered and preserved. Fossils include large and small vertebrate fossils, the latter recovered by screen washing of bulk samples.*
- **Policy CO 3.4, Program 6.** *A report of findings with an itemized accession inventory will be prepared as evidence that monitoring has been successfully completed. A preliminary report will be submitted and approved prior to granting of building permits, and a final report will be submitted and approved prior to granting of occupying permits. The adequacy of paleontologic reports will be determined in consultation with the Curator of Earth Science, San Bernardino County Museum.*
- **Goal M/CO 4.** *Protect cultural and paleontological resources within the Mountain Region.*
- **Goal D/CO 6.** *Protect cultural and paleontological resources within the Desert Region.*

City of Hesperia General Plan 2010. The Safety Element of the City of Hesperia General Plan 2010 contains the following goals to address geologic and seismic hazards:

- **Goal SF-1:** *Minimize injury, loss of life, property damage and economic and social disruption caused by seismic shaking and other earthquake-induced hazards, and by geologic hazards such as slope instability, compressible and collapsible soils, and subsidence*
- **Goal SF-5:** *Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster*

The City of Hesperia provides policies and goals for the protection of paleontological resources within the Conservation Element of the City's General Plan (2010):

- **Goal CN-5.** *The City shall establish policies and procedures in compliance with state and Federal laws and regulations to identify and properly protect found historical, cultural and paleontological artifacts and resources.*
- **Implementation Policy: CN-5.1.** *Encourage the preservation of historical, paleontological and cultural resources.*
- **Implementation Policy: CN-5.2.** *In those areas where surveys and records indicate historical, cultural or paleontological resources may be found, appropriate surveys and records searches shall be undertaken to determine the presence of such resources, if any.*
- **Implementation Policy: CN-5.3.** *All historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation.*

City of Hesperia Building Code. The City of Hesperia has adopted Title 24 of the most current California Code of Regulations (CCR), which is based substantially on the IBC. Local governments are permitted to make local amendments to the CCR that address unique local climatic, geologic, and/or topographical conditions in their respective communities. The City of Hesperia Building Code does not contain any specific regulations that are relevant to the proposed project.

Greenhouse Gas Emissions

The San Bernardino County Regional Greenhouse Gas Reduction Plan (2013) was considered in evaluating GHG impacts. It is discussed in Section 5.8.2 Regulatory Background, for Greenhouse Gas Emissions.

Hazards and Hazardous Materials

County of San Bernardino, California. The Safety Element of the County San Bernardino 2007 General Plan contains the following goals to address hazards and hazardous materials:

- **Goal S 2:** The County will minimize the generation of hazardous waste in the County and reduce the risk posed by storage, handling, transportation, and disposal of hazardous wastes
- **Goal S 3:** The County will protect its residents and visitors from injury and loss of life and protect property from fires
- **Goal S 7:** The County will minimize exposure and potential of damage posed by aviation activity
- **Goal S 9:** The County's emergency evacuation routes will quickly and efficiently evacuate all residents in the event of wildland fires and other natural disasters, and will ensure adequate access of emergency vehicles to all communities

City of Hesperia, California. The Safety Element of the City of Hesperia General Plan 2010 contains the following goal to address hazards and hazardous materials:

- **Goal SF-4:** Reduce the potential for hazardous materials contamination in Hesperia

Hydrology and Water Quality

No local Hydrology and Water Quality regulations applicable to the Proposed Project were identified

Land Use and Planning

County of San Bernardino 2007 General Plan. The Land Use Element of the County of San Bernardino 2007 General Plan functions as a guide as to the ultimate pattern of development for the County of San Bernardino. The Proposed Project is located within the Desert Planning Region of San Bernardino County. The Land Use Plan Designations are listed in Table 5.11-1.

The General Plan includes an Energy Section with policies that include:

- maximizing the beneficial effects and minimizing the adverse effects associated with siting major energy facilities (Policy 8.1)
- requiring undergrounding of new and existing transmission lines when feasible (Policy 8.1)
- assisting in development and use of new designs for major transmission line towers that are aesthetically compatible with the environment from a close viewing distance (Policy 8.1)
- electric infrastructure is essential to serve growth and development in the County. Effective planning for electrical infrastructure requires collaboration between the major utilities and the County (Policy 10.1)
- The location of electric facilities should be consistent with the County's General Plan, and the General Plan should recognize and reflect the need for new and upgraded electric facilities (Policy 10.2)
- Plan transportation facilities (i.e. roads, freeways, rail, rapid transit) and utility systems to cross active fault traces a minimum number of times and to be designed to accommodate fault displacement without

major damage that would cause long-term and unacceptable disruption of service. Utility lines will be equipped with such mechanisms as flexible units, valving, redundant lines, or auto valves to shut off flows in the event of fault rupture. (Policy S 7.4 Program 5)

County of San Bernardino Development Code Section 85.02.050. Alternate Review Procedures. This Code states that unless preempted by State or Federal Law, the specific land uses [electric transmission lines] listed in the land use tables in Chapters 82.03 through 82.22 shall be allowed without a Conditional Use Permit when the following alternate review procedures have been completed to the satisfaction of the Director. Projects approved by the State Public Utilities Commission qualify as the alternate review authority and are acceptable alternate procedures.

City of Hesperia General Plan 2010 and the City of Hesperia Municipal Code. The Land Use Element of the City of Hesperia General Plan establishes the foundation for future development in the City of Hesperia. The Title 16: Development Code of the City of Hesperia's Municipal Code implements the city's General Plan. The Proposed Project is in a Utility Corridor designation within the City of Hesperia.

Mineral Resources

County of San Bernardino 2007 General Plan. The Land Use Element of the County of San Bernardino 2007 General Plan contains the following policy that is relevant to the proposed project:

- **Policy LU 7.1:** *Ensure that land use developments within the state-delineated Mineral Resource Zones (MRZs) are in accordance with the adopted mineral resources management policies of the County.*

The Conservation Element of the County of San Bernardino 2007 General Plan contains the following policy that is relevant to the proposed project:

- **Policy CO 7.2:** *Implement the state Mineral Resource Zone (MRZ) designations to establish a system that identifies mineral potential and economically viable reserves.*

County of San Bernardino Development Code. The development code states that mine development is encouraged in compatible areas before encroachment of conflicting uses. Mineral resource areas that have been classified by the DOC's Division of Mines and Geology or designated by the SMGB shall be protected from intrusion by incompatible land uses that may impede or preclude mineral extraction or processing, to the extent possible for consistency with the County of San Bernardino 2007 General Plan. This also applies to existing surface mining operations that remain in compliance with the provisions of Section 19.68.020 of the development code.

Noise

In determining Noise impacts, local regulations were considered. In general, the CPUC considers local noise regulations when determining if a project will have noise-related impacts. This regulations are presented in Section 5.13 Noise, Section 5.13.2 Regulatory Background.

Population and Housing

County of San Bernardino General Plan. The Housing Element of the County of San Bernardino General Plan sets forth planning strategies to support the production of housing consistent with the vision specified for the County. In addition, the Housing Element establishes goals, policies, and programs related to housing needs. The following Housing Element policy is relevant to the proposed project (County of San Bernardino, 2014):

- **Policy H-3.1.** Support the provision of adequate public services, infrastructure, open space, nonmotorized transportation routes, and public safety for neighborhoods in the unincorporated area that are consistent with community plans.

City of Hesperia General Plan 2010. The Housing Element of the City of Hesperia General Plan 2010 sets forth goals and policies addressing existing and future housing needs for residents of the City of Hesperia (City of Hesperia, 2010). The Housing Element does not contain any specific goals or policies that are relevant to the proposed project.

Public Services

County of San Bernardino 2007 General Plan. The Safety Element of the County of San Bernardino 2007 General Plan contains goals and policies for fire protection and emergency response. The Safety Element contains goals to protect residents and visitors from injury and loss of life, and to protect property from fires (County of San Bernardino, 2007). The Safety Element of the County of San Bernardino 2007 General Plan does not contain any specific goals or policies that are relevant to the proposed project.

City of Hesperia General Plan 2010. The Safety Element of the City of Hesperia General Plan 2010 contains policies and goals for fire prevention and police protection. The Safety Element contains policies to minimize potential risks to residents, workers, and visitors, and identifies procedures that the city can use in emergency situations (City of Hesperia, 2010). The Safety Element of the City of Hesperia General Plan 2010 does not contain any specific goals or policies that are relevant to the proposed project.

Recreation

No local Recreation regulations applicable to the Proposed Project were identified

Transportation

County of San Bernardino 2007 General Plan. The Circulation and Infrastructure Element within the County of San Bernardino 2007 General Plan contains goals and policies to ensure the timely development of public facilities, achieve adequate facility and service standards, and distribute new public facilities and services that increase and enhance the community's quality of life (County of San Bernardino, 2018). The following Circulation and Infrastructure Element policy is relevant to the Proposed Project:

- **Policy D/CI 1.1.** *The County shall ensure that all new development proposals do not degrade Levels of Service (LOS) on Major Arterials below LOS C in the Desert Region.*

Congestion Management Program for San Bernardino County. The 2016 Update to the Congestion Management Program for San Bernardino County (CMP) was developed by San Bernardino Associated Governments (SANBAG). The CMP LOS standards apply to AM and PM weekday peak-hours, except in recreational areas such as Big Bear Lake (SANBAG, 2016). For recreational areas, average traffic peaks occurring on weekends are to be used. For the CMP roadway system, the LOS standard shall be E for all segments and intersections except those designated LOS F (SANBAG, 2016). The following CMP policies are relevant to the Proposed Project:

- **Policy 2.3.1.** *Establish LOS E or the current level, whichever is farthest from LOS A, as the LOS standard for intersections or segments on the CMP system of roadways.*

If the 1992 LOS was F, then a 10 percent or more degradation in the quantitative measure used to determine the LOS (such as delay, V/C, or travel speed) will comprise a deficiency, which must be addressed by a deficiency plan.

- **Policy 4.4.1.** *Identify the transportation impacts of significant land use changes, regardless of jurisdictional location or political boundaries.*

City of Hesperia General Plan 2010. The Circulation Element of the City of Hesperia General Plan 2010 element identifies the broader issues on which the City bases its circulation and transportation policies and outlines the City's goals and implementation policies to provide a safe and efficient transportation system strategy (City of Hesperia, 2010). The current circulation policy calls for all roadways achieve and maintain a LOS D and LOS C at all intersections. The Circulation Element contains the following policy related to transportation that is relevant to the Proposed Project:

- **Policy CI-1.10.** *Ensure that new development provides for adequate road improvements to serve internal circulation needs, as well as to mitigate impacts of increased traffic on the existing road system.*
- **Policy CI-1.14.** *Coordinate with San Bernardino County Flood Control District and Southern California Edison Company to promote utilization of easements for the trail system.*
- **Policy CI-2.1.** *Strive to achieve and maintain a LOS D or better on all roadways and intersections: LOS E during peak hours shall be considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, Highway 395).*
- **Policy CI-2.2.** *Work with regional agencies which have authority over roadways within the City to ensure a minimum Level of Service D for roadways and a minimum Level of Service E for intersections.*
- **Policy CI-4.3.** *Discourage non-local traffic from using neighborhood streets through project design and traffic control measures.*
- **Policy CI-4.5.** *Develop an efficient and effective truck route system that is compatible with land uses and street improvement standards, and provide monitoring to ensure compatibility.*

Tribal Cultural Resources

See Cultural Resources, above.

Utilities and Service Systems

No local Utilities and Service System regulations applicable to the Proposed Project were identified

Wildfire

No local Wildfire regulations applicable to the Proposed Project were identified.