



City of Palmdale 2045 General Plan Update Final Environmental Impact Report

Findings of Fact and Statement of Overriding Considerations

prepared by

City of Palmdale

Department of Economic and Community Development

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1 Introduction

A Draft Environmental Impact Report (DEIR) was prepared for the 2045 General Plan (project), was made available for public review on July 14, 2022, and was distributed to local and State agencies. Copies of the Notice of Availability of the Draft EIR were mailed to a list of interested parties, groups and public agencies. The Draft EIR and an announcement of its availability were posted electronically on the project website at (<https://www.palmdale2045.org/>) and at the following locations:

- City of Palmdale Planning Division, 38250 Sierra Highway, Palmdale, CA 93550
- City Hall Counter, 38300 Sierra Highway, Palmdale, CA 93550
- Palmdale City Library, 700 East Palmdale Boulevard, Palmdale, CA 93550
- City of Palmdale Department of Parks and Recreation, 827 East Avenue Q-9 Palmdale, CA 93550

The public review period for the Draft EIR ran from Thursday July 14, 2022, to Monday August 29, 2022. The public was encouraged to submit written comments to Megan Taggart, Planning Manager, City of Palmdale Planning Division, 38250 Sierra Highway, Palmdale, CA 93550 no later than 5:00 p.m. on August 29, 2022.

After close of the Draft EIR public review and comment period, a Final EIR consisting of responses to comments and changes to the Draft EIR was prepared for the City of Palmdale Planning Commission's September 8, 2022, public hearing at which the Planning Commission is expected to prepare a recommendation to the Palmdale City Council regarding certification of the Final EIR and action on the project. On September 21, 2022, the City Council, at a public hearing, is expected to decide on the certification of the Final EIR and to approval of the requested project entitlements. Both public hearings will be simultaneously held virtually and in person.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflect the Council's determinations about feasible mitigation measures, and the adequacy of the Final EIR. These Findings have been made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources code Section 21081 and 21081.6, as well as the CEQA Guidelines (14 CCR 15000 et seq.) Sections 15091 and 15093.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the City of Palmdale (City), as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under CEQA Guidelines Section 15091(a) are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Further, in accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the City as the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable,” in which case the lead agency must adopt a formal statement of overriding considerations.

The Final EIR identified potentially significant environmental effects that could result from the project but could be reduced to a less-than-significant level through implementation of mitigation measures. Those effects were related to biological resources (impacts related to special status species, particularly nesting birds and their habitat), cultural resources (impacts on historical resources and archaeological resources), geology and soils (paleontological impacts), and noise (impacts related to project construction vibration). Significant and unavoidable (unmitigable) cumulative impacts associated with air quality (impacts related to construction and operational emissions) and utilities and service systems (potential for impacts on water supply and wastewater) were identified due to lack of feasible mitigation measures, and thus a statement of overriding considerations is required.

2 Project Description

The project is an update of the City of Palmdale General Plan entitled Palmdale 2045– A Complete Community (Palmdale 2045, the Plan, or proposed Plan). The actions that make up the proposed Plan are described below.

The proposed Plan is a comprehensive update of the City’s General Plan, the guiding document for the future of Palmdale over 23 years (2022-2045). The General Plan serves as the City’s primary guide for land use and development decisions and is a key tool for influencing and improving the quality of life for residents and businesses. As such, it serves as the “blueprint” for future development and conservation of the community. The Plan will help the City plan for important community issues such as new growth, housing and infrastructure needs, and environmental protection. It also sets the stage for future social, physical, and economic development of the City. It addresses issues that impact the entire community, such as how land is used, where buildings are constructed, and the location of infrastructure. The Planning Area for the proposed project includes the land within Palmdale’s City Limits, Sphere of Influence (SOI), and several unincorporated Los Angeles County ‘islands,’ as further described in Section 2.2, Project Location of the EIR.

3 Project Objectives

Palmdale 2045 is intended to function as a policy document to guide land use decisions in the City’s Planning Area over 23 years (2022-2045). According to State law, General Plans are required to cover nine topics: land use, circulation, housing, conservation, open space, noise, air quality, safety, and environmental justice. Jurisdictions may address these topics across different chapters, or elements, of their general plan, and include any other topic that is relevant to planning its future. Palmdale 2045 includes the State required topics and also addresses the following additional topics either as stand-alone elements or incorporated in other elements: community design, economic development, military compatibility, parks, natural and cultural resources, infrastructure and community facilities, sustainability and climate action.

Palmdale 2045's vision for the City was developed with extensive community input and in recognition of the State's planning priorities. Palmdale 2045 focuses on enhancing community identity, building on planned infrastructure investments, improving multi-modal active transportation and connectivity, integrating health and equity, and capitalizing on the City's unique location in the region. Palmdale 2045's vision for the future includes the following vision themes.

- **Unified and welcoming community.** The Palmdale community values opportunity, diversity, and unity, and seeks to promote Palmdale's positive reputation while boosting community beautification
- **Active and vibrant downtown.** Palmdale residents desire a future downtown that fosters a sense of place, promotes local businesses, provides gathering spaces, and events, and improves the overall appearance of Palmdale
- **Diverse and high-quality job options.** Palmdale seeks to retain and expand its employment base through training for key industries, connecting residents to local jobs, and promoting telecommuting within the City
- **Diverse and resilient local economy.** Palmdale values its existing aerospace presence and aims to leverage and diversify new economic opportunities from expanded transportation connections
- **Safe, healthy place to live and work.** Palmdale residents want to address crime and safety, increase access to parks and open space, and support marginalized communities like foster youth and those experiencing homelessness
- **High quality medical and mental healthcare.** As a medical provider shortage area, Palmdale seeks to improve access to quality medical and mental healthcare services and facilities by attracting physicians, maintaining the Palmdale Regional Medical Center, and expanding services
- **Housing options for residents at different stages of life and ability.** The residents of Palmdale desire to preserve and expand affordable housing and diversify housing types across the City that support residents of all abilities through different stages of life
- **High quality and accessible educational opportunities.** Citizens of Palmdale seek to promote and expand educational opportunities in the City including higher education, trade school, and formal and informal training programs
- **Beautiful natural setting.** The Palmdale community values its natural setting and seeks to improve connectivity to trails and open space, maintain mountain views, healthy air quality, and dark night sky
- **Forefront of transportation innovations.** On the cusp of major regional transportation improvements, Palmdale seeks to leverage planned investments and improve local transit opportunities
- **General Plan implementation.** Residents of Palmdale value the long-term vision of the General Plan Update and desire regular review and update of the Plan including metrics for tracking implementation

Palmdale 2045 identifies major strategies and physical improvements for the City over the next 23 years. These strategies include creating a vibrant downtown near the future multimodal transit station, establishing three health and wellness districts and two education districts, transforming Palmdale Boulevard into a mixed-use corridor, promoting a diversity of housing types in the City, forming village centers that offer a mix of residential choices and daily goods and services near existing neighborhoods, and building off existing industrial and aerospace business opportunities. These strategies will support existing and future employees, businesses, and residents by improving quality of life in Palmdale.

The following actions will also be taken by the City in connection with the General Plan Update, are considered part of the proposed project, and were analyzed in the EIR:

- Adoption and implementation of the General Plan Update (Palmdale 2045 Plan)
- Adoption and implementation of the Climate Action Plan
- Adoption and implementation of the Comprehensive Zoning Ordinance Amendment
- A slight expansion of the boundary of the Palmdale Transit Area Specific Plan. Currently, many of the parcels along the external boundary of this Specific Plan area have split zoning because they are partly inside and partly outside the Specific Plan area. This proposed expansion would fully include these parcels within the Specific Plan area. Because the Specific Plan area is in the core of the City, this action would not affect the Planning Area of the proposed General Plan Update or require annexations.

Palmdale 2045 also includes an update of the City’s Housing Element, in compliance with the requirements of State Housing Element law, which required the City to adopt an updated Housing Element by October 2021. A description of City actions taken to date in connection with the Housing Element Update is included in Section 2.3.2 of the EIR. While an Addendum was prepared for the Housing Element Update, the Housing Element Update is also analyzed in this EIR, as necessary, in the context of the overall Plan. The Housing Element Update will be readopted as part of the Plan after certification by the California Department of Housing and Community Development (HCD).

4 Findings of Fact

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the City of Palmdale makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment with respect to aesthetics, agricultural and forestry resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation, and wildfire. No further findings are required for these subject areas.

4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the City of Palmdale Council for the significant but mitigable environmental effects identified in the EIR related to biological resources (impacts related to special status species, particularly nesting birds and their habitat), cultural resources (impacts on historical resources and archaeological resources), geology and soils (paleontological impacts), and noise (impacts related to project construction vibration).

Biological Resources

Impact BIO-1: Development carried out under the Plan would have the potential to adversely affect special-status species, including nesting birds, or their habitat. Impacts would be less than significant with mitigation.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of Mitigation Measure BIO-1 would reduce potential impacts to nesting birds and associated habitat to a less than significant level by requiring pre-construction surveys and avoidance measures.

Explanation:

Implementation of the Plans' goals and policies would ensure that projects carried out under the Plan would be completed in accordance with protecting and preserving Significant Ecological Areas. While these goals and policies generally aim at protecting special-status species, if vegetation and trees are to be trimmed or removed during project construction or if construction would occur near trees and vegetation, nesting birds could be impacted. Mitigation Measure BIO-1 would be required for projects where mature trees and other habitat are present and construction activities are scheduled from early spring to late summer. With implementation of Plan goals and policies and Mitigation Measure BIO-1, potential impacts to special-status species and sensitive habitat would be reduced to a less than significant level.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

BIO-1 **Pre-Construction Nesting Bird Surveys.** To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to construction projects carried out under the Plan, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season, February 15 through September 15 (as early as January 1 for some raptors). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the area of proposed development, including a 300-foot buffer (500-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California desert communities.

If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

Impact BIO-3: Development carried out under the Plan would avoid impacts to wildlife movement corridors by conserving natural areas in the Planning Area, as directed by policies in the Plan. Impacts would be less than significant.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). With implementation of Mitigation Measure BIO-1, impacts to wildlife corridors and species would be less than significant.

Explanation:

Development carried out under the Plan would not impact any established wildlife corridors, and with implementation of Mitigation Measure BIO-1 to prevent impacts to migrating and nesting birds, the Plan would not interfere substantially with the movement of wildlife species. Impacts would be less than significant with mitigation.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

BIO-1 See Mitigation Measure BIO-1 above.

Cultural Resources

Impact CUL-1: The Plan may cause a significant impact to historical resources because site preparation, demolition, and construction associated with development carried out under the plan may cause substantial adverse changes in the significance of a historical resource. However, implementation of Plan policies and implementation actions included in the Conservation Element and Mitigation Measure CUL-1 would reduce this impact less than significant.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of Mitigation Measure CUL-1 would reduce impacts to historical resources by identifying and evaluating significant historical resources and managing relocation, rehabilitation, or alteration in compliance with the Standards as applicable. HABS documentation would also reduce these impacts to the greatest extent feasible in cases where compliance with the Standards or avoidance is not possible. Therefore, impacts would be less than significant with implementation of Plan policies and Mitigation Measure CUL-1.

Explanation:

Implementation of Mitigation Measure CUL-1 would reduce impacts to historical resources by identifying and evaluating significant historical resources and managing relocation, rehabilitation, or alteration in compliance with the Standards as applicable. HABS documentation would also reduce these impacts to the greatest extent feasible in cases where compliance with the Standards or avoidance is not possible. Therefore, impacts would be less than significant with implementation of Plan policies and Mitigation Measure CUL-1.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

CUL-1 **Historical Resources.** A historical resources evaluation shall be prepared for all discretionary projects carried out under the Plan involving a property which includes buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older. The evaluation shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualifications Standards (PQS) in architectural history or history. The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation to identify any potential historical resources within the proposed development site. All structures 45 years of age or older shall be evaluated within their historic context and documented in a report meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and concurrence. If the property is already listed in the NRHP, CRHR, or as a Landmark in Palmdale, the historical resources evaluation described above shall not be required.

If historical resources are identified within the project area of a proposed development, efforts shall be made to the extent feasible to ensure that impacts are mitigated. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any development application that may affect the historical resource, the historical resources evaluation report shall also identify and specify the treatment of character-defining features and construction activities.

Efforts shall be made to the greatest extent possible to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior’s Standards for the Treatments of Historic Properties (Standards). In accordance with CEQA, a project that has been determined to conform with the Standards generally would not cause a significant adverse direct or indirect impact to historical resources (14 CCR § 15126.4(b)(1)). Application of the Standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. In conjunction with any development application that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City for review and concurrence. As applicable, the report shall demonstrate how the project complies with the Standards and be submitted to the City for review and approval prior to the issuance of any permits.

If significant historical resources are identified on a development site and compliance with the Standards and or avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. Mitigation measures may include documentation of the historical resource in the form of a Historic American Building Survey (HABS)-Like report. The report shall comply with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and be submitted to the City prior to issuance of any permits for demolition or alteration of the historical resource.

Impact CUL-2: The Plan may cause a significant impact if ground disturbance associated with development carried out under the Plan would cause a substantial adverse change in

the significance of an archaeological resource, including those that qualify as historical resources. This impact would be significant but mitigable.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of mitigation measures CUL-2 through CUL-8 would reduce impacts to archaeological resources to less than significant levels by ensuring the avoidance of archeological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery of archaeological resources that may be impacted by future projects in a timely manner.

Explanation:

Implementation of Mitigation Measures CUL-2 through CUL-8 would reduce impacts to archaeological resources to less than significant levels by ensuring the avoidance of archeological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery archaeological resources that may be impacted by future projects in a timely manner.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

CUL-2 Phase I Archaeological Resources Study. For any project carried out under the General Plan Update, the City and/or project applicant shall investigate the potential to disturb archaeological resources. If the project will involve any ground disturbance (unless the project site is within soils that can be reliably demonstrated as being non-native or artificial fill) a Phase I cultural resources study shall be performed by a qualified professional meeting the Secretary of the Interior's (SOI's) Professional Qualification Standards (PQS) for archaeology (National Park Service 1983). If a project would solely involve the refurbishment of an existing building and no ground disturbance would occur, this measure would not be required. The Phase I cultural resources study shall include a pedestrian survey of the project site and sufficient background research and field sampling to determine whether archaeological resources may be present. Archival research shall include a records search of the South Central Coastal Information Center no more than two years old and a Sacred Lands File search with the NAHC. The Phase I technical report documenting the study shall include recommendations that must be implemented prior to and/or during construction to avoid or reduce impacts on archaeological resources. The report shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations in the Phase I technical report shall be made Conditions of Approval and shall be implemented throughout all ground disturbance activities.

CUL-3 Extended Phase 1 Testing. For any projects proposed within 100 feet of a known archaeological site and/or in areas identified as sensitive by a Phase I study [Mitigation Measure CUL-2], the project applicant shall retain a qualified archaeologist to conduct an Extended Phase I (XPI) study to determine the presence/absence and extent of archaeological resources on the project site. XPI testing should comprise a series of shovel test pits and/or hand augured units and/or mechanical trenching to establish the boundaries of archaeological site(s) on the project site. If the boundaries of the archaeological site are already well understood from previous archaeological work, an XPI

will not be required. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s).

All archaeological excavation shall be conducted by a qualified archaeologist(s) under the direction of a principal investigator meeting the SOI's PQS for archaeology (National Park Service 1983). If an XPI report is prepared, it shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations contained therein shall be implemented for all ground disturbance activities.

CUL-4 Archaeological Site Avoidance. Any identified archaeological sites (determined after implementing mitigation measures CUL-2 and/or CUL-3) shall be avoided by project-related construction activities, where feasible. A barrier (temporary fencing) and flagging shall be placed between the work location and any resources within 60 feet of a work location to minimize the potential for inadvertent impacts.

CUL-5 Phase II Site Evaluation. If the results of any Phase I and/or XPI (mitigation measures CUL-2 and/or CUL-3) indicate the presence of archaeological resources that cannot be avoided by the project (Mitigation Measure CUL-4) and that have not been adequately evaluated for the NRHP or CRHR listing at the project site, the qualified archaeologist shall conduct a Phase II investigation to determine if intact deposits remain and if they may be eligible for the CRHR or qualify as unique archaeological resources. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s).

A Phase II evaluation shall include any necessary archival research to identify significant historical associations and mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit. The sample excavation will characterize the nature of the sites, define the artifact and feature contents, determine horizontal and vertical boundaries, and retrieve representative samples of artifacts and other remains.

If the archeologist and, if applicable, a Native American monitor (see Mitigation Measure TCR-2) or other interested tribal representative determine it is appropriate, cultural materials collected from the site shall be processed and analyzed in a laboratory according to standard archaeological procedures. The age of the materials shall be determined using radiocarbon dating and/or other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)." The report shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations in the Phase II report shall be implemented for all ground disturbance activities

CUL-6 Phase III Data Recovery. Should the results of the Phase II site evaluation (Mitigation Measure CUL-5) yield resources that meet CRHR significance standards and if the resource cannot be avoided by project construction in accordance with CUL-4, the project applicant shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and approved by the City of Palmdale prior to construction. Any necessary Phase III data recovery excavation, conducted to exhaust the

data potential of significant archaeological sites, shall be carried out by a qualified archaeologist meeting the SOI PQS for archaeology according to a research design reviewed and approved by the City of Palmdale prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s). If applicable, a Native American monitor shall be present.

As applicable, the final Phase III Data Recovery reports shall be submitted to the City of Palmdale prior to issuance of any grading or construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.

CUL-7 Cultural Resources Monitoring. If recommended by Phase I, XPI, Phase II, or Phase III studies [mitigation measures CUL-2, CUL-3, CUL-5, and/or CUL-6], the project applicant shall retain a qualified archaeologist to monitor project-related, ground-disturbing activities. If archaeological resources are encountered during ground-disturbing activities, mitigation measures CUL-4 through CUL-6 shall be implemented, as appropriate.

CUL-8 Unanticipated Discovery of Archaeological Resources. If archaeological resources are encountered during ground-disturbing activities, work within 60 feet shall be halted and the project archaeologist meeting the SOI's Professional Qualification Standards for archaeology (National Park Service 1983) shall immediately evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to historical resources. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Palmdale for review and approval. Recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities

Geology and Soils

Impact GEO-6: Impacts to unique paleontological resources or unique geological features would be less than significant with mitigation.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to less than significant levels by ensuring the avoidance of paleontological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery paleontological resources that may be impacted by future projects in a timely manner.

Explanation:

Implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to less than significant levels by ensuring the avoidance of paleontological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery paleontological resources that may be impacted by future projects in a timely manner.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measure has been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

GEO-1 Unanticipated Discovery of Paleontological Resources. If paleontological resources are encountered during ground-disturbing activities, work within 60 feet shall be halted and the project paleontologist shall immediately evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and paleontological testing. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to historical resources. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Palmdale for review and approval. Recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities.

Noise

Impact N-2: Construction of individual projects carried out under the Plan could temporarily generate groundborne vibration, potentially affecting adjacent sensitive land uses. This impact would be less than significant with mitigation.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Avoiding the use of vibratory rollers within 50 feet of fragile buildings would prevent potential structural damage from vibration. In addition, appropriate scheduling of construction activities and notification of neighbors would minimize disturbance of people from use of vibration-generating equipment. Compliance with the vibration control and notification measures in Mitigation Measure N-1 would reduce impacts to a less than significant level.

Explanation:

Avoiding the use of vibratory rollers within 50 feet of fragile buildings would prevent potential structural damage from vibration. In addition, appropriate scheduling of construction activities and notification of neighbors would minimize disturbance of people from use of vibration-generating equipment. Compliance with the vibration control and notification measures in Mitigation Measure N-1 would reduce impacts to a less than significant level.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

NOI-1 Construction Vibration Control Measures. The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval, as applicable, for construction projects carried out under the Plan within 50 feet of fragile buildings as defined in this mitigation measure:

1. Avoid the use of vibratory rollers within 50 feet of fragile buildings, which are buildings that are susceptible to damage from vibration as determined by the Palmdale Planning Department.

2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.

Tribal Cultural Resources

Impact TCR-1: Development carried out under the Plan may impact unidentified tribal cultural resources, but these impacts would be reduced to a less than significant level with incorporation of mitigation measures MM-TCR-1 and MM- TCR-2.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (*Section 15091(a)(1)*). Implementation of mitigation measures CUL-2 through CUL-8 in Section 4.5 Cultural Resources, and TCR-1 and TCR-2 would reduce impacts to archaeological and tribal cultural resources to less than significant levels by ensuring the avoidance of archeological and tribal cultural resources to the extent feasible, or by identifying, evaluating, and conducting data recovery of archaeological and tribal cultural resources that may be impacted by future projects in a timely manner.

Explanation:

Implementation of mitigation measures CUL-2 through CUL-8 in Section 4.5 *Cultural Resources*, and TCR-1 and TCR-2 would reduce impacts to archaeological resources to less than significant levels by ensuring the avoidance of archeological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery archaeological resources that may be impacted by future projects in a timely manner.

Mitigation Measures:

Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

TCR-1 Native American Monitoring. Prior to the issuance of a grading permit for a project under the Plan, the City of Palmdale (City) shall ensure that the project applicant seeks the services of a tribal monitor(s) approved by the relevant tribes to provide Native American monitoring during ground-disturbing activities. This provision shall be included on the proposed project contractor's plans and specifications. Ground-disturbing activities are defined by the relevant tribes as activities that may include but are not limited to pavement removal, pot-holing or using an auger, grubbing, tree removals, borings, grading, excavation, drilling, and/or trenching within the project area. The project site shall be made accessible to the monitor(s), provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance.

If evidence of tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource in consultation with a qualified archaeologist. The recovery process shall not unreasonably

delay the construction process and must be carried out consistent with CEQA and local regulations.

Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day's activities and general observations and whether the Native American monitor believes they observed a TCR and what action they took. The on-site monitoring shall end when the project site grading and excavation activities are completed or prior to the completion if the monitor has indicated that the site has a low potential for tribal cultural resources.

TCR-2

Unanticipated Discovery of Tribal Cultural Resources. Upon discovery of any tribal cultural resources, the Native American monitor has the ability to halt construction activities in the immediate vicinity (within 50 feet) of the find until the find can be assessed. All tribal cultural resources unearthed during project construction activities shall be evaluated by the Native American monitor approved by the relevant tribes and a qualified archaeologist. Construction work shall be permitted to continue on other parts of the project site while evaluation and, if necessary, additional investigations and/or preservation measures take place (CEQA Guidelines Section 15064.5(f)). If the resources are Native American in origin, the relevant tribes shall coordinate with the landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures shall be made available through coordination between the relevant tribes and the project applicant. The treatment plan established for the resources shall be in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.

4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081 and 21081.5, and CEQA Guidelines Section 15093, require that the City of Palmdale balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. And if specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). Significant and unavoidable impacts associated with air quality (impacts related to construction and operational emissions) and utilities and service systems (potential for impacts on water supply and wastewater) were identified for the project. The following findings and statement of overriding considerations outlines the specific reasons to support the City of Palmdale Planning Division recommendation for approval.

Air Quality

Significant and Unavoidable Cumulative Impact AQ-1: Individual development projects carried out under the Plan would generate construction and operational-related emissions. Such emissions may conflict with or obstruct the implementation of the AVAQMD's Ozone Attainment Plan. Implementation of Plan policies, compliance with existing regulations, and implementation of mitigation would reduce construction and operational emissions, but not below applicable emissions thresholds. Impacts would be significant and unavoidable.

Mitigation Measures:

There are no feasible mitigation measures that can be implemented to reduce growth under the Plan and maintain the nature of the Plan. However, the Plan itself would not obstruct the implementation of air quality plans.

Finding:

Individual development projects carried out under the Plan would generate construction and operational-related emissions. Such emissions may conflict with or obstruct the implementation of the AVAQMD's Ozone Attainment Plan because population growth associated with the Plan would exceed SCAG population growth forecasts, and the project would therefore be inconsistent with the underlying assumptions of the emissions forecasts contained in the Ozone Attainment Plan. Implementation of Plan policies, compliance with existing regulations, and implementation of mitigation would reduce construction and operational emissions, but not below applicable emissions thresholds because growth associated with the Plan would still exceed SCAG population growth forecasts. There are no feasible mitigation measures that can be implemented to reduce growth under the Plan and maintain the nature of the Plan, even though the Plan itself would not obstruct the implementation of the air quality plan.

Facts in Support of Finding

Population growth associated with the Plan would exceed SCAG population growth forecasts, and the project would therefore be inconsistent with the underlying assumptions of the emissions forecasts contained in the Ozone Attainment Plan. There are no feasible mitigation measures that can be implemented to reduce growth under the Plan and maintain the nature of the Plan.

Significance after Mitigation

There are no feasible mitigation measures that can be implemented to reduce growth under the Plan and maintain the nature of the Plan, even though the Plan itself would not obstruct the implementation of the air quality plan. Therefore, impacts remain significant and unavoidable.

Significant and Unavoidable Cumulative Impact AQ-2: Individual development projects facilitated by the Plan would generate construction and operational emissions. Such emissions may result in adverse impacts to local air quality. Implementation of Plan policies and compliance with existing regulations would reduce emissions, but not below applicable levels of significance. Impacts would be significant and unavoidable.

Mitigation Measures:

AQ-1 Architectural Coating. The City shall require that the following measures be implemented for all projects where unmitigated ROG impacts exceed regulatory thresholds. Implementation of these measures shall ensure that ROG emissions are reduced to below 137 lbs/day during construction activities.

- Project contractors shall use architectural coating materials that are zero-emission or has a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available or feasible, the coating with the lowest ROG rating available shall be used. These measures shall be noted on all construction plans, and the City shall perform periodic site inspections during construction to verify compliance; and/or,
- All architectural coating phases shall be extended such that ROG emissions are reduced to below 137 lbs/day.

AQ-2

Operational Emissions Reductions. The City shall require that some or all of the following measures be implemented for individual projects under the Plan where unmitigated criteria pollutant impacts exceed regulatory thresholds. Applicable measures shall be incorporated such that emissions are fully reduced to below regulatory thresholds or the greatest extent feasible. The reduction measures include, but are not limited to, the following:

- Architectural coating materials that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available, the coating with the lowest ROG rating available shall be used
- Require new development to exceed the applicable Title 24 energy-efficiency requirements
- Projects shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered
- All dock doors shall be equipped with electric plugs for electric TRUs
- Installation of electric vehicle charging stations at three percent beyond those required by State and local codes
- Provide infrastructure to allow for future electric vehicle charging stations for a minimum of 10 percent of the parking spaces beyond those already required to accommodate electric vehicle charging stations
- Require new development to implement circulation design elements in parking lots for non-residential uses to reduce vehicle queuing and improve the pedestrian environment
- Utilization of electric vehicles and/or alternatively fueled vehicles in company fleet
- Provision of dedicated parking for carpools, vanpool, and clean air vehicles
- Provision of vanpool and/or shuttle service for employees
- Implementation of reduced parking minimum requirements
- Implementation of maximum parking limits
- Provision of bicycle parking facilities beyond those required by State and local codes
- Provision of a bicycle-share program
- Expansion of bicycle routes/lanes along the project site frontage
- Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting) if the project site is located along an existing transit route
- Expansion of sidewalk infrastructure along the project site frontage

- Provision of safe, pedestrian-friendly, and interconnected sidewalks and streetscapes
- Provision of employee lockers and showers
- Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services)
- Provision of alternative work schedule options, such as telework or reduced working days per week (e.g., 9/80 or 10/40 schedules), for employees
- Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options
- As applicable all industrial uses shall be required to enroll in U.S. EPA's SmartWay program and shall use carriers that are SmartWay carriers

Finding:

Mitigation measures identified in EIR would reduce operational and construction emissions, but not below applicable levels of significance.

Facts in Support of Finding

With incorporation of Mitigation Measure AQ-1, emissions from construction activities could be reduced to less than significant levels for the sample multi-family and industrial projects implemented under the Plan. As part of Mitigation Measure AQ-1, individual project architectural coating phases were extended as follows: Multi-family Residential from 35 days to 88 days; and industrial from 20 to 30 days. Adherence to applicable Plan policies, AVAQMD rules, and Mitigation Measure AQ-1 would reduce potential construction-related impacts to the greatest extent possible.

Incorporation of Mitigation Measure AQ-2 would reduce operational emissions. However, given the unknown nature of future development under the Plan and the extent to which the measures identified in Mitigation Measure AQ-2 would be incorporated by each project is unknown, therefore reductions from these measures cannot be quantified. Due to the level of exceedance and the uncertainty of implementation under future Plan development, even with this mitigation it is anticipated the emissions would continue to exceed regulatory thresholds. Therefore, operational impacts would remain significant and unavoidable.

Significance after Mitigation

Given the unknown specifics of each individual project, there is the potential that even with these mitigation measures, impacts from emissions from operational and construction activities would remain significant. Therefore, impacts would be significant and unavoidable.

Utilities and Service Systems

Significant and Unavoidable Cumulative Impact U-1: Development facilitated by the Plan would create additional demand for water supply and wastewater facilities, which would require the construction or relocation of new or expanded water and wastewater facilities. Sufficient water supplied by Palmdale Water District and Los Angeles County Waterworks District 40 would not be available to serve the Plan and reasonably foreseeable future development. The Plan would also exceed capacity of local wastewater treatment facilities. Impacts would be significant and unavoidable.

Mitigation Measures:

At this time, it cannot be determined with certainty whether sufficient water supply sources may be available and sufficient to accommodate the demands of anticipated growth. There are no known mitigation measures that would reduce this impact to less than significant.

Finding:

Sufficient water supplied by PWD and LACWD 40 would not be available to serve the Plan and reasonably foreseeable future development. The Plan would also exceed capacity of local wastewater treatment facilities.

Facts in Support of Finding

While development within the Planning Area would adhere to the Plan policies and water reduction requirements described above, the substantial increase in the Planning Area’s population associated with this development would result in water demand that exceeds projected supply. Adherence to Plan policies would address the potential need for additional wastewater treatment facilities, but the substantial increase in the Planning Area’s population would result in wastewater generation that could exceed capacity of existing treatment facilities.

5 Project Alternatives

Section 15126.6 of the CEQA Guidelines states the following:

“An EIR shall describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

Specific economic, legal, social, technological, mobility, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Where the City of Palmdale has determined that, even after the adoption of all feasible mitigation measures the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance, the City of Palmdale must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be “infeasible” if it fails to achieve the most basic project objectives identified within the EIR. Further, “feasibility” under CEQA encompasses the desirability of the project “based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417; see also *Sequoyah Hills, supra*, 23 Cal.Ap.4th at p. 715).

The Final EIR determined that the project would have significant and unavoidable impacts associated with air quality (impacts related to construction and operational emissions) and utilities and service systems

(potential for impacts on water supply and wastewater). The alternatives analyzed in the Final EIR and described below are therefore discussed below in terms of their potential ability to avoid or reduce these impacts.

Alternative 1: No Project

The “No Project” Alternative involves continued implementation of the City’s current General Plan, the last comprehensive update of which was adopted in 1993. The No Project Alternative assumes that the proposed Plan would not be adopted and therefore future development would be carried out under the City’s existing General Plan policies and land use designations. The overall amount of growth anticipated to occur under the City’s current General Plan is less than anticipated to occur under the proposed Plan. The proposed Plan includes additional land use designations for mixed housing densities focused around the future downtown area and across Palmdale Boulevard with education and medical districts strategically distributed within the City. Therefore, it also increases the City’s total potential population and amount of commercial development compared to the current General Plan. The Plan identifies major strategies and physical improvements for the City over the next 23 years. These strategies include creating a vibrant downtown near the future multimodal transit station, establishing three health and wellness districts and two education districts, transforming Palmdale Boulevard into a mixed-use corridor, promoting a diversity of housing types in the City, forming village centers that offer a mix of residential choices and daily goods and services near existing neighborhoods, and building off existing industrial and aerospace business opportunities. In contrast, the No Project Alternative would continue to facilitate development in the same pattern as currently seen in the Planning Area which is predominately sprawled suburban development. Implementation of the No Project Alternative would result in less new, market-driven development that would likely be spread more widely across the Planning Area and would involve less overall development and associated growth than would occur under Plan. Because development would be more dispersed under this alternative and not concentrated in identified focus areas, it would result in greater per capita VMT than the Plan.

As with the Plan, impacts to Air Quality under the No Project alternative would be significant and unavoidable. As discussed in Impact AQ-1, AQ-2, and AQ-3 in Chapter 4.3, Air Quality of the Final EIR, individual development projects carried out under the Plan would generate construction and operational-related emissions. Even with implementation of Plan policies, compliance with existing regulations, and implementation of mitigation measures, construction and operational emissions would exceed applicable emissions thresholds. The Plan would result in a cumulatively considerable net increase of criteria pollutants; however, impacts related to exposing sensitive receptors to substantial pollutant concentrations and other emissions such as odors would be less than significant. The same would be true with the No Project Alternative. Under this alternative, individual projects would be constructed and operated under the City’s current General Plan, and as such would be subject to existing General Plan policies intended to mitigate air quality impacts; however, buildout would result in significant impacts as emissions would exceed applicable thresholds. Further, buildout under the existing General Plan would result in a cumulative net increase of criteria pollutants. As with development under the Plan, development under the No Project Alternative would be subject to applicable Antelope Valley Air Quality Management District (AVAQMD) policies, and the reduced amount of construction under the No Project Alternative would result in reduced construction emissions and slightly reduced impacts to air quality under this alternative. However, impacts would remain significant and unavoidable.

The No Project Alternative would result in less development and less population increase than the Plan, which would tend to decrease demand on existing utilities and service systems, but it would not include policies from the Plan that address water supply, wastewater, and solid waste. Still, development under the No Project Alternative would tend to be more consistent with the existing demand projections of utility

service providers, and could therefore potentially reduce utilities impacts under this alternative to a level that was not significant and unavoidable.

Alternative 2: Reduced Growth

The Reduced Growth Alternative (Alternative 2) is included in the EIR to address potential growth-related impacts associated with the Plan. Although this alternative would result in less overall development than the Plan, development is assumed to occur in the same general locations as under the Plan, and be subject to the same goals, policies, and development standards as under the Plan. Implementation of the Reduced Growth Alternative would result in development within the Planning Area that would generally meet the project objectives established for the Plan, although in some cases to a lesser degree than the Plan. Further, this alternative would result in lower housing density than the Plan and thus would, overall, result in less housing and population growth.

While the Reduced Growth Alternative would result in less development overall, it would still include the same goals and policies as the Plan and could therefore still focus growth in the identified infill focus areas. Per capita Vehicle Miles Traveled (VMT) could therefore be similarly reduced compared to the Plan, at least for new development. Overall, because of its reduced total amount of development and potentially similar per capita VMT, this alternative's air quality impacts would be less than those of the Plan, but still significant and unavoidable.

The Reduced Growth Alternative would result in reduced development potential and reduced population increase and thus a decrease in demand on existing utilities and service systems. This alternative would also include Plan goals and policies related to water, wastewater, storm water drainage, electricity, and natural gas. Because of its reduced overall amount of development and continued applicability of Plan policies, this alternative would result in less demand on utilities and service systems than the Plan, although impacts on water supply and wastewater capacity may still remain significant and unavoidable because development under this alternative may still exceed the existing demand projections of utility service providers.

Environmentally Superior Alternative

When the two alternatives (No Project and Reduced Growth) are compared to each other and the Plan, the Reduced Growth Alternative would be environmentally superior because apart from greater impacts to Land Use and Planning and Transportation, it would have reduced or similar environmental impacts to the Plan, while the No Project Alternative would result in greater impacts to Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Transportation and Traffic, Tribal Cultural Resources and Wildfire, with reduced impacts in Air Quality, Hydrology and Water Quality, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

Ability to Meet Objectives/Guiding Principles of the Plan

Even though the Reduced Growth Alternative was found to be the environmentally superior alternative, it would not fully meet the objectives/guiding principles of the 2045 General Plan. Implementation of the Reduced Growth Alternative would result in development within the Planning Area that would generally meet the project objectives established for the Plan, although in some cases to a lesser degree than the Plan. This alternative would result in lower housing density than the Plan and thus would, overall, result in less housing and population growth. However, this alternative would result in more growth in the aerospace industrial sector, similar moderate growth in other industrial sectors, and a marginally greater amount of growth in employment flex sectors (mixed use development of lighter industrial uses and more intensive service, retail, and wholesale commercial uses including R&D, small warehouses, office, and medical uses in a walkable and/or auto-accessible environment). Under this alternative, village centers would also have exclusively commercial uses as opposed to the higher density mixed use retail and residential uses

envisioned under the Plan. According to a Future Conditions report prepared by Parsons, overall employment under this alternative would be similar to the Plan while population and household growth would decrease by 2 and 4 percent respectively (Parsons 2021). As discussed in Chapter 4.14, Population and Housing of the EIR, the Plan would help the City meet its Regional Housing Needs Assessment (RHNA) allocation. The Reduced Growth Alternative would do this to a lesser degree than the Plan. The decrease in population would also result in producing fewer work-related trips within the Palmdale city limits. This would contribute to Palmdale being a net importer of commuters, thereby increasing longer commutes. Longer commutes would result in increased VMT, which would be contrary to the proposed Plan's goal of "striving to become a self-contained community."

Conclusion

For these reasons, none of the alternatives are more desirable than the 2045 General Plan in terms of meeting the City's guiding principles and objectives for the project, as outlined above under the Chapter 2, *Project Description*, of the Draft EIR. For this reason and because none of the proposed alternatives would completely avoid the project's significant impacts, none of the proposed alternatives are considered feasible.

6 Statement of Overriding Considerations

Where there are significant and unavoidable impacts from a project, pursuant to Section 15093 of the California Code of Regulations, the City of Palmdale must "balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks, when determining whether to approve the project." The record of those considerations shall include a written statement of overriding considerations that is supported by substantial evidence within the administrative record. A finding consistent with Section 15091(a)(3), that specific economic, legal, social, technological, or other consideration, make infeasible any other mitigation measures or project alternatives that would avoid or lessen this impact to below a level of significance.

The City finds and determines that, as proposed, the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of mitigation measures recommended in these findings. However, the City further finds that cumulative impacts to air quality (impacts related to construction and operational emissions) and utilities and service systems (potential for impacts on water supply and wastewater) from the project are significant and unavoidable even with the implementation of mitigation (Section 4.3, *Air Quality*, and Section 4.19, *Utilities and Service Systems*, of the Final EIR). Collectively, reasonably foreseeable future development and growth in the City of Palmdale would increase ozone and criteria air pollutant emissions beyond local and state thresholds and there would be insufficient water supplies and wastewater capacity available to serve the Planning Area and reasonably foreseeable future development under the Plan. The City further finds that there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level these environmental effects.

After due consideration, and in light of the environmental, social, economic, and other considerations identified in the findings, the 2045 General Plan Update, and the record as a whole related to this project, the City chooses to approve the project because, in its independent judgement, the benefits to the project as outlined below substantially outweigh the project's significant and unavoidable adverse environmental impacts.

Benefits of the Project: The City finds that the project, as approved, will have the following economic, social, technological and environmental benefits:

- The project updates outdated policies in a manner that meets current legal requirements for General Plans.
- The project provides a more user-friendly document that will make use of the General Plan easier for decision makers, staff, and the public.
- The project reflects current community goals and preferences as identified during the public outreach process.
- The project would emphasize infill and reuse development within the City limits with a focus on increasing opportunities for housing development in key areas of the City through increased density and mixed-use projects where appropriate.
- The project would provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.
- The project would protect the natural resources and scenic assets that define Palmdale including connectivity to trails and open space, maintain mountain views, healthy air quality, and dark night sky.
- The project would manage, conserve, and preserve Palmdale’s natural environment for present and future generations and promotes sustainable uses of its resources.
- The project would recognize the importance of and promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Palmdale.
- The project would invigorate downtown Palmdale as a future downtown that fosters a sense of place, promotes local businesses, provides gathering spaces, and events, and improves the overall appearance of Palmdale
- The project would address crime and safety, increase access to parks and open space, and support marginalized communities like foster youth and those experiencing homelessness.
- The project meets the objectives of the State of California in promoting affordable housing.
- The project sets forth Palmdale community values of opportunity, diversity, and unity, and seeks to promote Palmdale’s positive reputation while boosting community beautification.

In order to achieve these objectives, the 2045 General Plan Update focuses on improving how residents get around, meeting community needs with available services, providing a greater sense of identity, adding housing options by promoting higher-density development and infill, and preserving the existing supply of affordable housing. For most of the City, the 2045 General Plan Update preserves the pattern of arterial highways and established communities. Generally, new development in accordance with the 2045 General Plan Update would result in re-use of properties, conversion of properties to different uses in response to market demand, and more intense use of land in defined areas. The Plan’s vision specifically includes goals that facilitate the development of complete neighborhoods, promote high quality mixed use development that includes office employment, affordable housing and improved transit and pedestrian linkages near existing transit. New development would occur primarily where existing roads, water, and sewer are in place and in a manner that minimizes the impact of development on existing infrastructure and services.

Findings:

For each and all of these reasons, the City of Palmdale finds that the benefits of the project outweigh the significant and unavoidable environmental effect related to air quality and utilities and service systems.

Therefore, the adverse significant and unavoidable effect is considered to be acceptable by the City of Palmdale City Council, which is the decision-making body for the project, given the importance of this project to the City of Palmdale.

7 Statement of Location and Custodian of Documents

Public Resources Code Section 21081.6(a)(2) and Section 15091(e) of the California Code of Regulation requires that the City of Palmdale, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed:

City of Palmdale
Department of Economic and Community Development- Planning Division
38250 Sierra Highway
Palmdale, California 93550

The City of Palmdale has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.

8 Mitigation Monitoring and Reporting Program

As referenced above in the Findings, a MMRP has been prepared for the project and is to be adopted concurrently with these findings and statement of overriding considerations pursuant to Public Resources Code Section 21081(a)(1). The MMRP is provided as Appendix F to the Final EIR that will be used by the City of Palmdale to track compliance with the project mitigation measures, and is also shown below. The MMRP will remain available for public review during the compliance period, which includes pre-construction coordination, construction, and post-construction documentation.

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Air Quality							
MM-AQ-1- Architectural Coating							
<p>If a development project facilitated by the Plan would generate construction and operational emissions and such emissions may result in adverse impacts to local air quality, then these recommendations shall be implemented and incorporated in the project.</p> <p>The City shall require that the following measures be implemented for all projects where unmitigated ROG impacts exceed regulatory thresholds. Implementation of these measures shall ensure that ROG emissions are reduced to below 137 lbs/day during construction activities.</p> <ul style="list-style-type: none"> ▪ Project contractors shall use architectural coating materials that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available or feasible, the coating with the lowest ROG rating available shall be used. These measures shall be noted on all construction plans, and the City shall perform periodic site inspections during construction to verify compliance; and/or, ▪ All architectural coating phases shall be extended such that ROG emissions are reduced to below 137 lbs/day. 	<p>Confirm that the actions required under this mitigation measure are implemented for individual projects under the Plan where unmitigated ROG impacts exceed regulatory thresholds.</p>	<p>During construction</p>	<p>Periodically</p>	<p>City of Palmdale Planning Department</p>			
MM-AQ-2: Operational Emissions Reductions							
<p>If a development project facilitated by the Plan would generate construction and operational emissions and such emissions may result in adverse impacts to local air quality, then these recommendations shall be implemented and incorporated in the project.</p> <p>The City shall require that some or all of the following measures be implemented for individual projects under the Plan where unmitigated criteria pollutant impacts exceed regulatory thresholds. Applicable measures shall be incorporated such that emissions are fully reduced to below regulatory thresholds or the greatest extent feasible. The reduction</p>	<ol style="list-style-type: none"> 1. Confirm that some or all of the actions required under this mitigation measures are included in the design of, and made conditions approval of, individual projects under the Plan where unmitigated criteria pollutant impacts exceed regulatory thresholds. 2. Confirm that the actions required as conditions of approval for individual projects under the Plan are carried out during construction and incorporated into the design and operation of those projects where unmitigated criteria 	<ol style="list-style-type: none"> 1. Prior to project approval. 2. During construction and at least once before operation (for post-construction actions) 	<ol style="list-style-type: none"> 1. Once 2. Periodically 	<p>City of Palmdale Planning Department</p>			

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
measures include, but are not limited to, the following: <ul style="list-style-type: none"> ▪ Architectural coating materials that are zero-emission or have a low-ROG content (below 10 grams per liter). Where such ROG coatings are not available, the coating with the lowest ROG rating available shall be used ▪ Require new development to exceed the applicable Title 24 energy-efficiency requirements ▪ Projects shall incorporate outdoor electrical outlets such that 10 percent of outdoor landscaping equipment can be electrically powered ▪ All dock doors shall be equipped with electric plugs for electric TRUs ▪ Installation of electric vehicle charging stations at three percent beyond those required by State and local codes ▪ Provide infrastructure to allow for future electric vehicle charging stations for a minimum of 10 percent of the parking spaces beyond those already required to accommodate electric vehicle charging stations ▪ Require new development to implement circulation design elements in parking lots for non-residential uses to reduce vehicle queuing and improve the pedestrian environment ▪ Utilization of electric vehicles and/or alternatively fueled vehicles in company fleet ▪ Provision of dedicated parking for carpools, vanpool, and clean air vehicles ▪ Provision of vanpool and/or shuttle service for employees ▪ Implementation of reduced parking minimum requirements ▪ Implementation of maximum parking limits ▪ Provision of bicycle parking facilities beyond those required by State and local codes 	pollutant impacts exceed regulatory thresholds.						

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> ▪ Provision of a bicycle-share program ▪ Expansion of bicycle routes/lanes along the project site frontage ▪ Provision of new or improved transit amenities (e.g., covered turnouts, bicycle racks, covered benches, signage, lighting) if the project site is located along an existing transit route ▪ Expansion of sidewalk infrastructure along the project site frontage ▪ Provision of safe, pedestrian-friendly, and interconnected sidewalks and streetscapes ▪ Provision of employee lockers and showers ▪ Provision of on-site services that reduce the need for off-site travel (e.g., childcare facilities, automatic teller machines, postal machines, food services) ▪ Provision of alternative work schedule options, such as telework or reduced working days per week (e.g., 9/80 or 10/40 schedules), for employees ▪ Implementation of transportation demand management programs to educate and incentivize residents and/or employees to use transit, smart commute, and alternative transportation options ▪ As applicable all industrial uses shall be required to enroll in U.S. EPA’s SmartWay program and shall use carriers that are SmartWay carriers 							

Biological Resources

MM-BIO-1 Pre-Construction Nesting Bird Surveys

<p>If a development project carried out under the Plan would have the potential to adversely affect special-status species, including nesting birds, or their habitat, then these recommendations shall be implemented and incorporated in the project.</p> <p>To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to construction projects carried out</p>	<p>Confirm that the actions required under this mitigation measures are implemented for individual projects under the Plan where special-status species have the potential to be adversely affected.</p>	<p>Prior to construction activities</p>	<p>Periodically</p>	<p>City of Palmdale Planning Department</p>			
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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>under the Plan, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season, February 15 through September 15 (as early as January 1 for some raptors). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the area of proposed development, including a 300-foot buffer (500-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California desert communities.</p> <p>If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist</p>							
Cultural Resources							
MM-CUL-1 Historical Resources							
A historical resources evaluation shall be prepared for all discretionary projects carried out under the Plan involving a property which includes buildings, structures, objects, sites, landscape/site plans, or other features that are	1. Confirm that a historic resources evaluation has been prepared by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualifications	1. Prior to construction and grading activities	1. Once	City of Palmdale Planning Department			

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<p>45 years of age or older. The evaluation shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualifications Standards (PQS) in architectural history or history. The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation to identify any potential historical resources within the proposed development site. All structures 45 years of age or older shall be evaluated within their historic context and documented in a report meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and concurrence. If the property is already listed in the NRHP, CRHR, or as a Landmark in Palmdale, the historical resources evaluation described above shall not be required.</p> <p>If historical resources are identified within the project area of a proposed development, efforts shall be made to the extent feasible to ensure that impacts are mitigated. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any development application that may affect the historical resource, the historical resources evaluation report shall also identify and specify the treatment of character-defining features and construction activities.</p> <p>Efforts shall be made to the greatest extent possible to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior’s Standards for the Treatments of Historic Properties (Standards). In accordance with CEQA, a project that has been determined to conform with the Standards generally would</p>	<p>Standards (PQS) in architectural history or history, consistent with the requirements of this mitigation measure.</p> <p>2. If historical resources are identified within the project area of a proposed development, confirm that efforts are made, to the extent feasible, to ensure that impacts are mitigated, consistent with the requirements of this mitigation measure.</p> <p>3. If historical resources are identified within the project area of a proposed development, confirm that efforts have been made to the greatest extent possible to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior’s Standards for the Treatments of Historic Properties (Standards) and the requirements of this mitigation measure.</p> <p>4. If significant historical resources are identified on a development site and compliance with the Standards and or avoidance is not possible, confirm that appropriate site-specific mitigation measures are established and undertaken, consistent with the requirements of this mitigation measure.</p>	<p>2. Prior to construction and grading activities</p> <p>3. Prior to construction and grading activities</p> <p>4. Prior to construction and grading activities</p>	<p>2. Once</p> <p>3. Once</p> <p>4. Once</p>				

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<p>not cause a significant adverse direct or indirect impact to historical resources (14 CCR § 15126.4(b)(1)). Application of the Standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. In conjunction with any development application that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City for review and concurrence. As applicable, the report shall demonstrate how the project complies with the Standards and be submitted to the City for review and approval prior to the issuance of any permits.</p> <p>If significant historical resources are identified on a development site and compliance with the Standards and or avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. Mitigation measures may include documentation of the historical resource in the form of a Historic American Building Survey (HABS)-Like report. The report shall comply with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and be submitted to the City prior to issuance of any permits for demolition or alteration of the historical resource.</p>							
MM-CUL-2 Phase 1 Archaeological Resources Study							
For any project carried out under the General Plan Update, the City and/or project applicant shall investigate the potential to disturb archaeological resources. If the project will involve any ground disturbance (unless the project site is within soils that can be reliably demonstrated as being non-native or artificial	1. If any project carried out under the General Plan Update will involve any ground disturbance (unless the project site is within soils that can be reliably demonstrated as being non-native or artificial fill) confirm that a Phase I cultural resources study consistent with	1. Prior to issuance of construction and grading permits	1. Once	City of Palmdale Planning Department			

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<p>fill) a Phase I cultural resources study shall be performed by a qualified professional meeting the Secretary of the Interior's (SOI's) Professional Qualification Standards (PQS) for archaeology (National Park Service 1983). If a project would solely involve the refurbishment of an existing building and no ground disturbance would occur, this measure would not be required. The Phase I cultural resources study shall include a pedestrian survey of the project site and sufficient background research and field sampling to determine whether archaeological resources may be present. Archival research shall include a records search of the South Central Coastal Information Center no more than two years old and a Sacred Lands File search with the NAHC. The Phase I technical report documenting the study shall include recommendations that must be implemented prior to and/or during construction to avoid or reduce impacts on archaeological resources. The report shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations in the Phase I technical report shall be made Conditions of Approval and shall be implemented throughout all ground disturbance activities.</p>	<p>the requirements of this mitigation measure has been performed by a qualified professional meeting the Secretary of the Interior's (SOI's) Professional Qualification Standards (PQS) for archaeology (National Park Service 1983), and review and approve this study.</p> <ol style="list-style-type: none"> 2. Make all recommendations of the Phase I technical report Conditions of Approval of the project. 3. Confirm that all Conditions of Approval are carried out throughout all ground disturbance activities. 	<ol style="list-style-type: none"> 2. Prior to issuance of construction and grading permits 3. During ground disturbance activities 	<ol style="list-style-type: none"> 2. Once 3. Periodically 				
MM-CUL-3 Extended Phase 1 Testing							
<p>For any projects proposed within 100 feet of a known archaeological site and/or in areas identified as sensitive by a Phase I study [Mitigation Measure CUL-2], the project applicant shall retain a qualified archaeologist to conduct an Extended Phase I (XPI) study to determine the presence/absence and extent of archaeological resources on the project site. XPI testing should comprise a series of shovel test pits and/or hand augured units and/or mechanical trenching to establish the boundaries of archaeological site(s) on the project site. If the boundaries of the archaeological site are already well understood from previous archaeological work, an XPI will</p>	<ol style="list-style-type: none"> 1. Confirm that an XPI study has been done by a qualified archaeologist retained by the project applicant if required under this mitigation measure, and review and approve the XPI. 2. Confirm that all recommendations of the XPI are carried out throughout all ground disturbance activities. 	<ol style="list-style-type: none"> 1. Prior to issuance of construction and grading permits 2. During ground disturbance activities 	<ol style="list-style-type: none"> 1. Once 2. Periodically 	City of Palmdale Planning Department			

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<p>not be required. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s). All archaeological excavation shall be conducted by a qualified archaeologist(s) under the direction of a principal investigator meeting the SOI's PQS for archaeology (National Park Service 1983). If an XPI report is prepared, it shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations contained therein shall be implemented for all ground disturbance activities.</p>							
MM-CUL-4 Archaeological Site Avoidance							
Any identified archaeological sites (determined after implementing mitigation measures CUL-2 and/or CUL-3) shall be avoided by project-related construction activities, where feasible. A barrier (temporary fencing) and flagging shall be placed between the work location and any resources within 60 feet of a work location to minimize the potential for inadvertent impacts.	Confirm that the avoidance measures described in this mitigation measure are being carried out during project-related construction activities.	During construction and grading activities	Periodically	City of Palmdale Planning Department			
MM-CUL-5 Phase II Site Evaluation							
If the results of any Phase I and/or XPI (mitigation measures CUL-2 and/or CUL-3) indicate the presence of archaeological resources that cannot be avoided by the project (Mitigation Measure CUL-4) and that have not been adequately evaluated for the NRHP or CRHR listing at the project site, the qualified archaeologist shall conduct a Phase II investigation to determine if intact deposits remain and if they may be eligible for the CRHR or qualify as unique archaeological resources. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s). A Phase II evaluation shall include any necessary archival research to identify significant historical associations and mapping of surface artifacts,	1. If the results of any Phase I and/or XPI (mitigation measures CUL-2 and/or CUL-3) indicate the presence of archaeological resources that cannot be avoided by the project (Mitigation Measure CUL-4) and that have not been adequately evaluated for the NRHP or CRHR listing at the project site, confirm that a Phase II cultural resources study consistent with the requirements of this mitigation measure has been performed by a qualified professional meeting the Secretary of the Interior's (SOI's) Professional Qualification Standards (PQS) for archaeology (National Park Service 1983), and review and approve this study. 2. Make all recommendations of the Phase II technical report Conditions of Approval of the project.	1. Prior to issuance of construction and grading permits 2. Prior to issuance of construction and grading permits	1. Once 2. Once	City of Palmdale Planning Department			

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<p>collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit. The sample excavation will characterize the nature of the sites, define the artifact and feature contents, determine horizontal and vertical boundaries, and retrieve representative samples of artifacts and other remains.</p> <p>If the archeologist and, if applicable, a Native American monitor (see Mitigation Measure TCR-2) or other interested tribal representative determine it is appropriate, cultural materials collected from the site shall be processed and analyzed in a laboratory according to standard archaeological procedures. The age of the materials shall be determined using radiocarbon dating and/or other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)." The report shall be submitted to the City of Palmdale for review and approval prior to the issuance of any grading or construction permits. Recommendations in the Phase II report shall be implemented for all ground disturbance activities</p>	<p>3. Confirm that all Conditions of Approval are carried out throughout all ground disturbance activities.</p>	<p>3. During ground disturbance activities</p>	<p>3. Periodically</p>				
MM-CUL-6 Phase III Data Recovery							
<p>Should the results of the Phase II site evaluation (Mitigation Measure CUL-5) yield resources that meet CRHR significance standards and if the resource cannot be avoided by project construction in accordance with CUL-4, the project applicant shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and approved by the City of</p>	<p>1. Confirm that any reports found to be necessary under the requirements of this mitigation measure have been submitted to, and reviewed and approved by, the City of Palmdale prior to issuance of any grading or construction permit.</p>	<p>1. Prior to issuance of construction and grading permits</p>	<p>1. Once</p>	<p>City of Palmdale Planning Department</p>			
	<p>2. Confirm that all feasible recommendations of the reports required under this mitigation measure have been</p>	<p>2. Prior to issuance of construction and</p>	<p>2. Once</p>				

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<p>Palmdale prior to construction. Any necessary Phase III data recovery excavation, conducted to exhaust the data potential of significant archaeological sites, shall be carried out by a qualified archaeologist meeting the SOI PQS for archaeology according to a research design reviewed and approved by the City of Palmdale prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof. If the archaeological resource(s) of concern are Native American in origin, the qualified archaeologist shall confer with local California Native American tribe(s). If applicable, a Native American monitor shall be present.</p> <p>As applicable, the final Phase III Data Recovery reports shall be submitted to the City of Palmdale prior to issuance of any grading or construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.</p>	<p>incorporated into the final design of the project and approved by the City of Palmdale</p> <p>3. Confirm that all feasible recommendations of the reports required under this mitigation measure are carried out as described in this mitigation measure.</p>	<p>grading permits</p> <p>3. During construction</p>	<p>3. Periodically</p>				
MM-CUL-7 Cultural Resources Monitoring							
<p>If recommended by Phase I, XPI, Phase II, or Phase III studies [mitigation measures CUL-2, CUL-3, CUL-5, and/or CUL-6], the project applicant shall retain a qualified archaeologist to monitor project-related, ground-disturbing activities. If archaeological resources are encountered during ground-disturbing activities, mitigation measures CUL-4 through CUL-6 shall be implemented, as appropriate.</p>	<p>Confirm that the appropriate mitigation measures have been implemented during ground-disturbing activities.</p>	<p>During construction and grading activities</p>	<p>Periodically throughout construction activities</p>	<p>City of Palmdale Planning Department</p>			
MM-CUL-8 Unanticipated Discovery of Archaeological Resource							
<p>If archaeological resources are encountered during ground-disturbing activities, work within 60 feet shall be halted and the project archaeologist meeting the SOI's Professional Qualification Standards for archaeology (National Park Service 1983) shall immediately evaluate the find. If necessary, the evaluation may require preparation of a treatment plan</p>	<p>1. Confirm that any reports required to document and/or evaluate unanticipated discoveries have been submitted to the City of Palmdale for review and approval.</p> <p>2. Confirm that recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities.</p>	<p>1. Prior to issuance of construction and grading permits</p> <p>2. During construction and grading activities</p>	<p>1. Once</p> <p>2. Periodically</p>	<p>City of Palmdale Planning Department</p>			

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<p>and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to historical resources. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Palmdale for review and approval. Recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities.</p>							
Geology and Soils							
MM-GEO-1 Unanticipated Discovery of Paleontological Resources							
<p>If paleontological resources are encountered during ground-disturbing activities, work within 60 feet shall be halted and the project paleontologist shall immediately evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and paleontological testing. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to historical resources. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Palmdale for review and approval. Recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities.</p>	<ol style="list-style-type: none"> 1. Confirm that any reports required to document and/or evaluate unanticipated discoveries have been submitted to the City of Palmdale for review and approval. 2. Confirm that recommendations contained therein are implemented throughout the remainder of ground disturbance activities. 	<ol style="list-style-type: none"> 1. Prior to issuance of construction and grading permits 2. During construction and grading activities 	<ol style="list-style-type: none"> 1. Once 2. Periodically 	<p>City of Palmdale Planning Department</p>			
Noise							
MM-NOI-1 Construction Vibration Control Measures							
<p>The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval, as applicable, for construction projects carried out under the Plan within 50 feet of fragile buildings as defined in this mitigation measure.</p> <ol style="list-style-type: none"> 1. Avoid the use of vibratory rollers within 50 feet of fragile buildings, which are buildings that are susceptible to damage from 	<p>Confirm that the appropriate mitigation measures have been implemented.</p>	<p>Throughout construction and grading activities</p>	<p>Periodically</p>	<p>City of Palmdale Planning Department</p>			

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<p>vibration as determined by the Palmdale Planning Department.</p> <p>2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).</p> <p>3. Notify neighbors of scheduled construction activities that would generate vibration.</p>							

Tribal Cultural Resources

MM-TCR-1 Native American Monitoring

<p>Prior to the issuance of a grading permit for a project under the Plan, the City of Palmdale (City) shall ensure that the project applicant seeks the services of a tribal monitor(s) approved by the relevant tribes to provide Native American monitoring during ground-disturbing activities. This provision shall be included on the proposed project contractor's plans and specifications. Ground-disturbing activities are defined by the relevant tribes as activities that may include but are not limited to pavement removal, pot-holing or using an auger, grubbing, tree removals, borings, grading, excavation, drilling, and/or trenching within the project area. The project site shall be made accessible to the monitor(s), provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance.</p> <p>If evidence of tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource in consultation with a qualified archaeologist. The</p>	<p>Confirm that a tribal monitor has been approved by the relevant tribes to provide Native American monitoring during ground-disturbing activities, consistent with the requirements of this mitigation measure</p>	<p>Prior to issuance of a grading permit for a project under the Plan</p>	<p>Once</p>	<p>City of Palmdale Planning Department</p>			
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recovery process shall not unreasonably delay the construction process and must be carried out consistent with CEQA and local regulations. Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day's activities and general observations and whether the Native American monitor believes they observed a TCR and what action they took. The on-site monitoring shall end when the project site grading and excavation activities are completed or prior to the completion if the monitor has indicated that the site has a low potential for tribal cultural resources.							
MM-TCR-2 Unanticipated Discovery of Tribal Cultural Resources							
Upon discovery of any tribal cultural resources, the Native American monitor has the ability to halt construction activities in the immediate vicinity (within 50 feet) of the find until the find can be assessed. All tribal cultural resources unearthed during project construction activities shall be evaluated by the Native American monitor approved by the relevant tribes and a qualified archaeologist. Construction work shall be permitted to continue on other parts of the project site while evaluation and, if necessary, additional investigations and/or preservation measures take place (CEQA Guidelines Section 15064.5(f)). If the resources are Native American in origin, the relevant tribes shall coordinate with the landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures shall be made available through coordination between the relevant tribes and the project applicant. The treatment plan established for the resources shall be in accordance with	<ol style="list-style-type: none"> 1. Upon the discovery of any tribal cultural resources, confirm construction has been halted per the Native American monitor's assessment. 2. Confirm that the avoidance measures described in this mitigation measure have been implemented 	<ol style="list-style-type: none"> 1. Upon the discovery of any tribal cultural resources 2. Throughout construction and grading activities after the discovery of any tribal cultural resource 	<ol style="list-style-type: none"> 1. Once for each occurrence 2. Periodically 	City of Palmdale Planning Department			

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California Environmental Quality Act (CEQA) Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.							