



LAND USE SERVICES DEPARTMENT ZONING ADMINISTRATOR STAFF REPORT

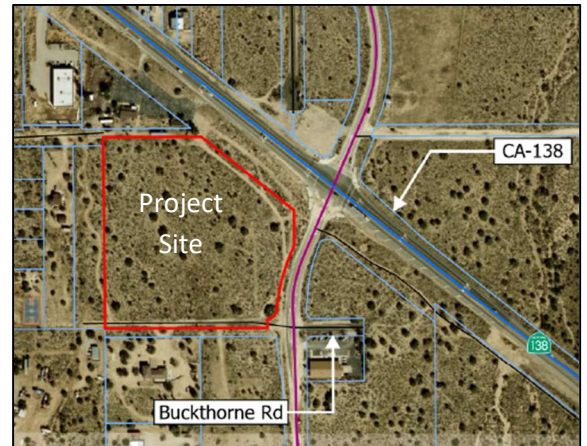
HEARING DATE: DECEMBER 11, 2025

AGENDA ITEM # 8

Project Description

APN: 3067-051-29
Applicant: Maverik, Inc.
Community: Phelan/Pinon Hills / 1st District
Location: Southwest corner of Oasis Road and CA-138
Project No: PROJ-2024-00030
Staff: Delanie Garlick, Contract Planner
Rep: Kennan Young, Core States
Proposal: A Minor Use Permit (MUP) to establish a new convenience store with 5,637 square feet of retail space and 18 fuel dispensing islands on 8.78 acres.

Vicinity Map



21 Hearing Notices Sent On: December 11, 2025

Report Prepared By: Delanie Garlick

SITE INFORMATION

Parcel Size: 8.78 acres
Terrain: Moderately sloped
Vegetation: A moderate growth of native plants, trees, and shrubs. The site is dominated by Western Joshua Trees.

TABLE 1 – SITE AND SURROUNDING LAND USE DESCRIPTION

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
Site	Vacant	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
North	Commercial (Retail Store)/ Highway 138	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
South	Single Family Residential/Post Office	Very Low Residential (VLDR) / Commercial (C)	Phelan-Pinon Hills/Single Residential- 1-acre minimum lot size (PH/RS-1) / Phelan-Pinon Hills/General Commercial (PH/CG)
East	Undeveloped and Vacant	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
West	Undeveloped and Vacant; Single Family Residential; Public Facilities (Fire Station and Park)	Commercial (C)	Phelan-Pinon Hills/Neighborhood Commercial (PH/CN)

AGENCY

City Sphere of Influence: N/A
Water Service: Phelan/Pinon Hills CSD
Sewer Service: Septic

COMMENT

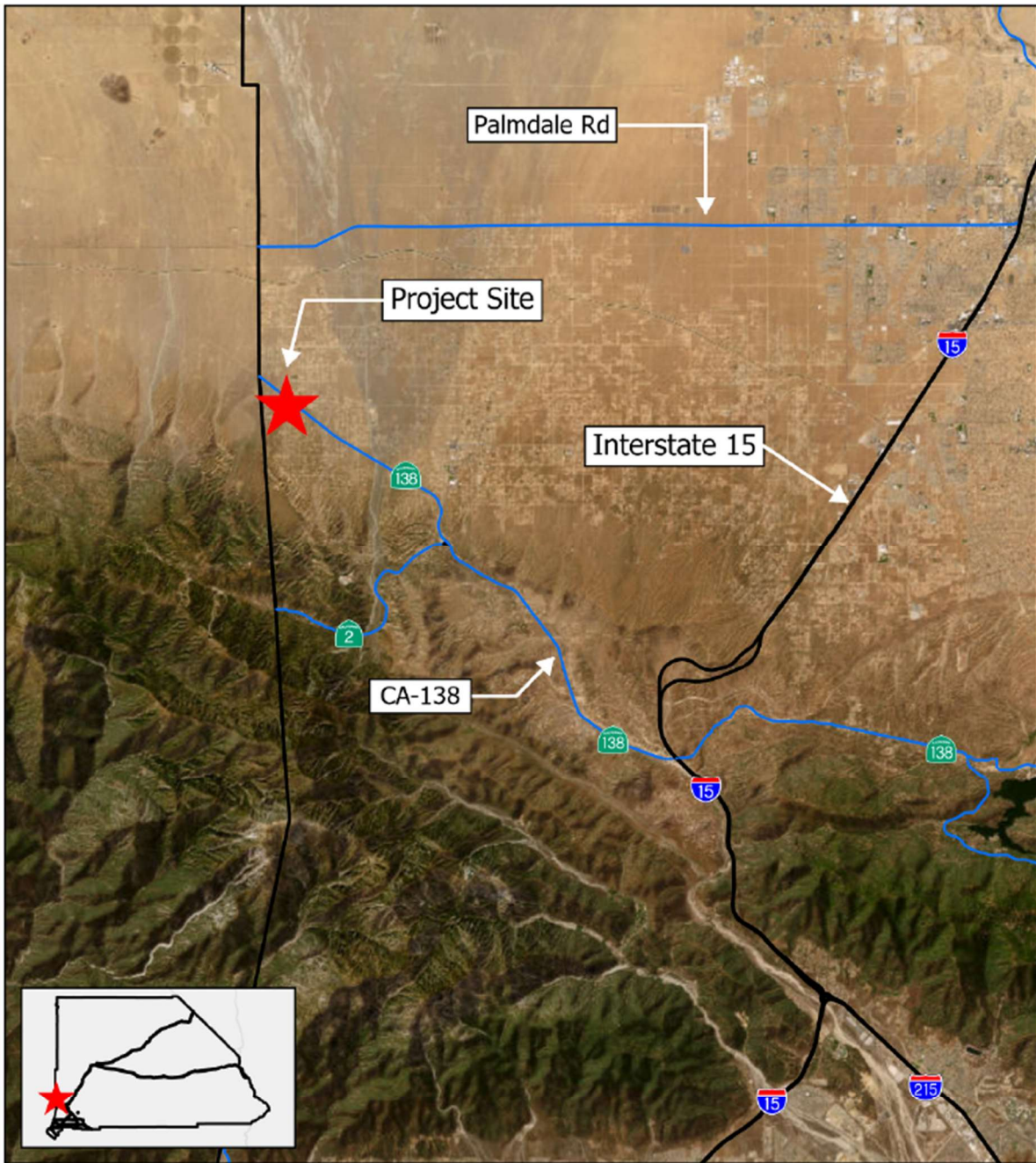
N/A
Adequate Service Certification Provided
EHS Conditions of Approval Provided

STAFF RECOMMENDATION: That the Zoning Administrator **ADOPT** the Findings for approval of the Minor Use Permit; **APPROVE** the Minor Use Permit subject to the attached Conditions of Approval; and **DIRECT** Land Use Services Department staff to file a Notice of Determination.

Appeal: In accordance with Section 86.08.010 of the Development Code, the action taken by the Zoning Administrator may be appealed to the Planning Commission before its effective date.

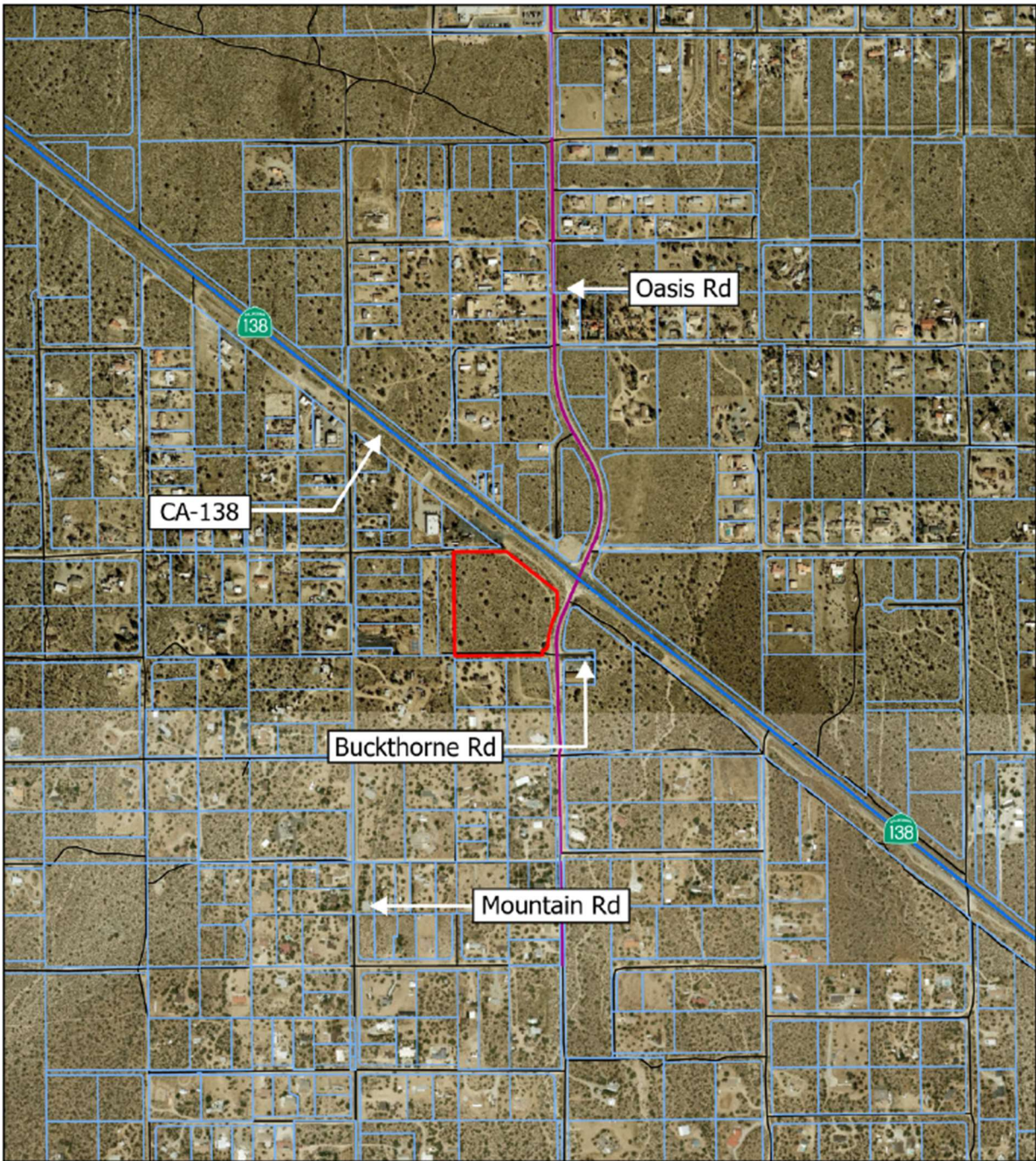
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REGIONAL LOCATION MAP



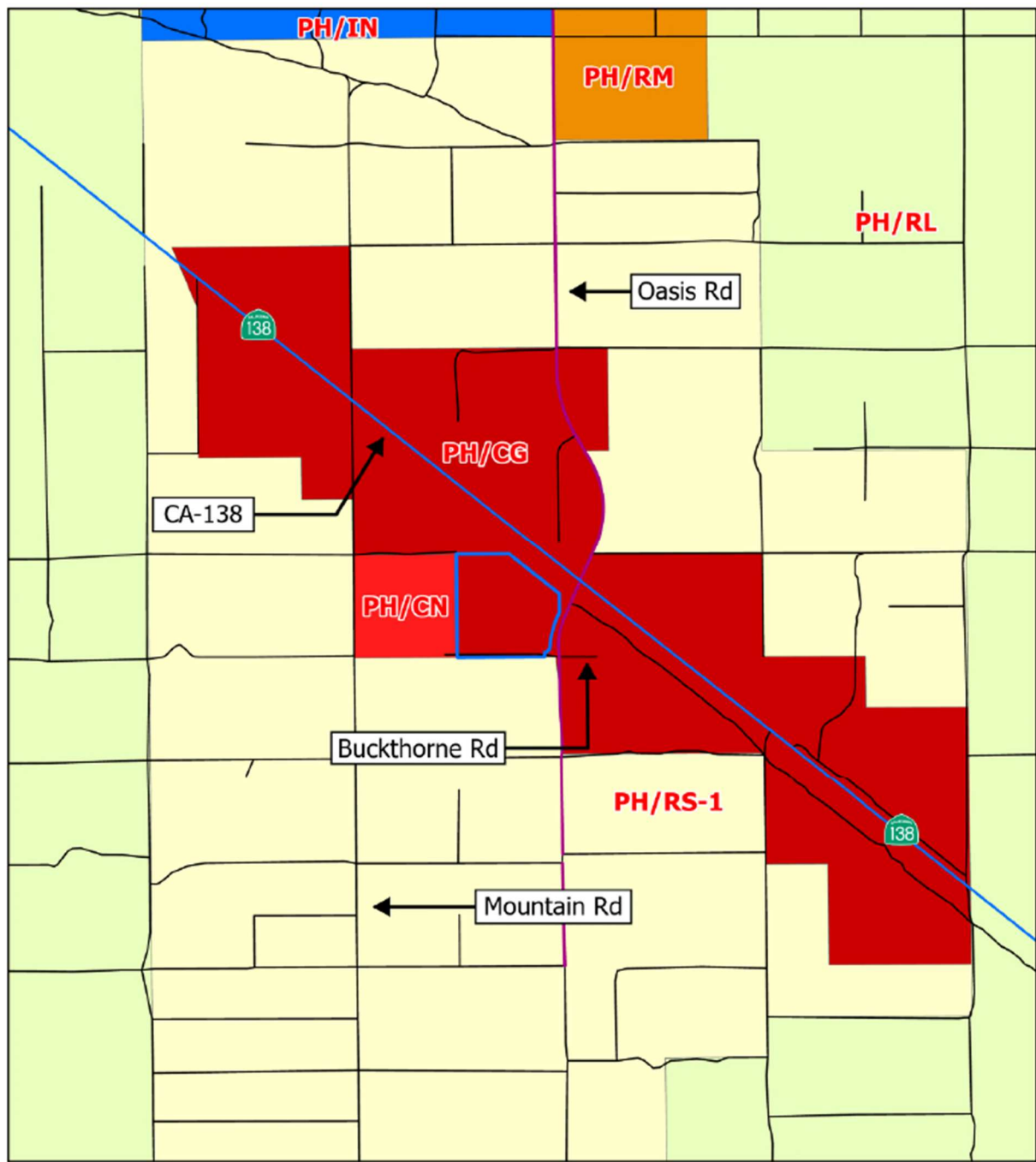
- PROJ-2024-00030
- Freeway
- Highway
- San Bernardino County Boundary

VICINITY MAP

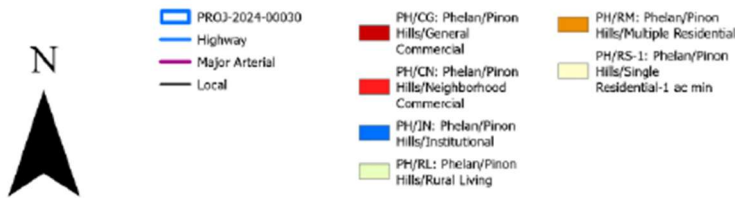


- PROJ-2024-00030
- Parcels
- Highway
- Major Arterial
- Local

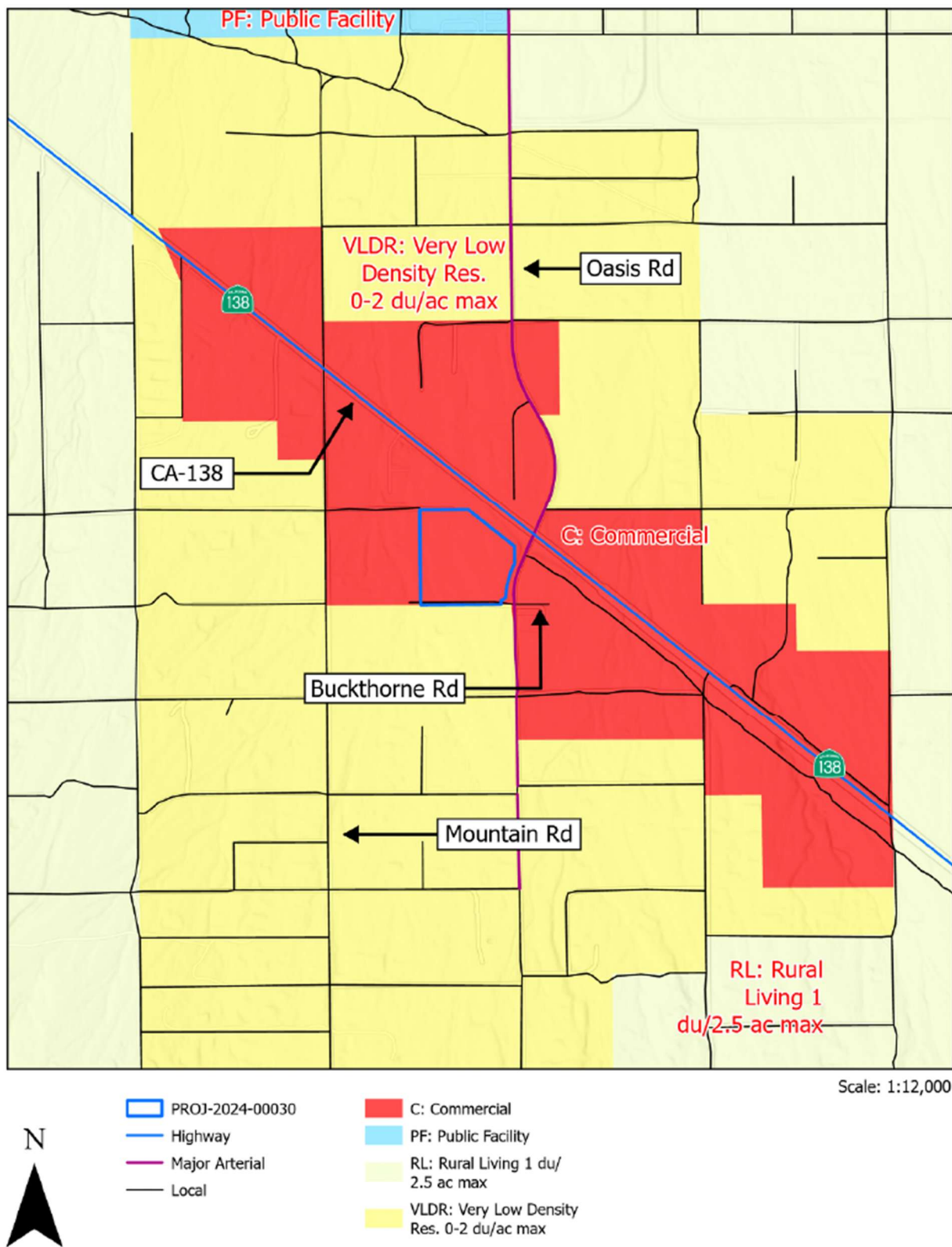
ZONING MAP



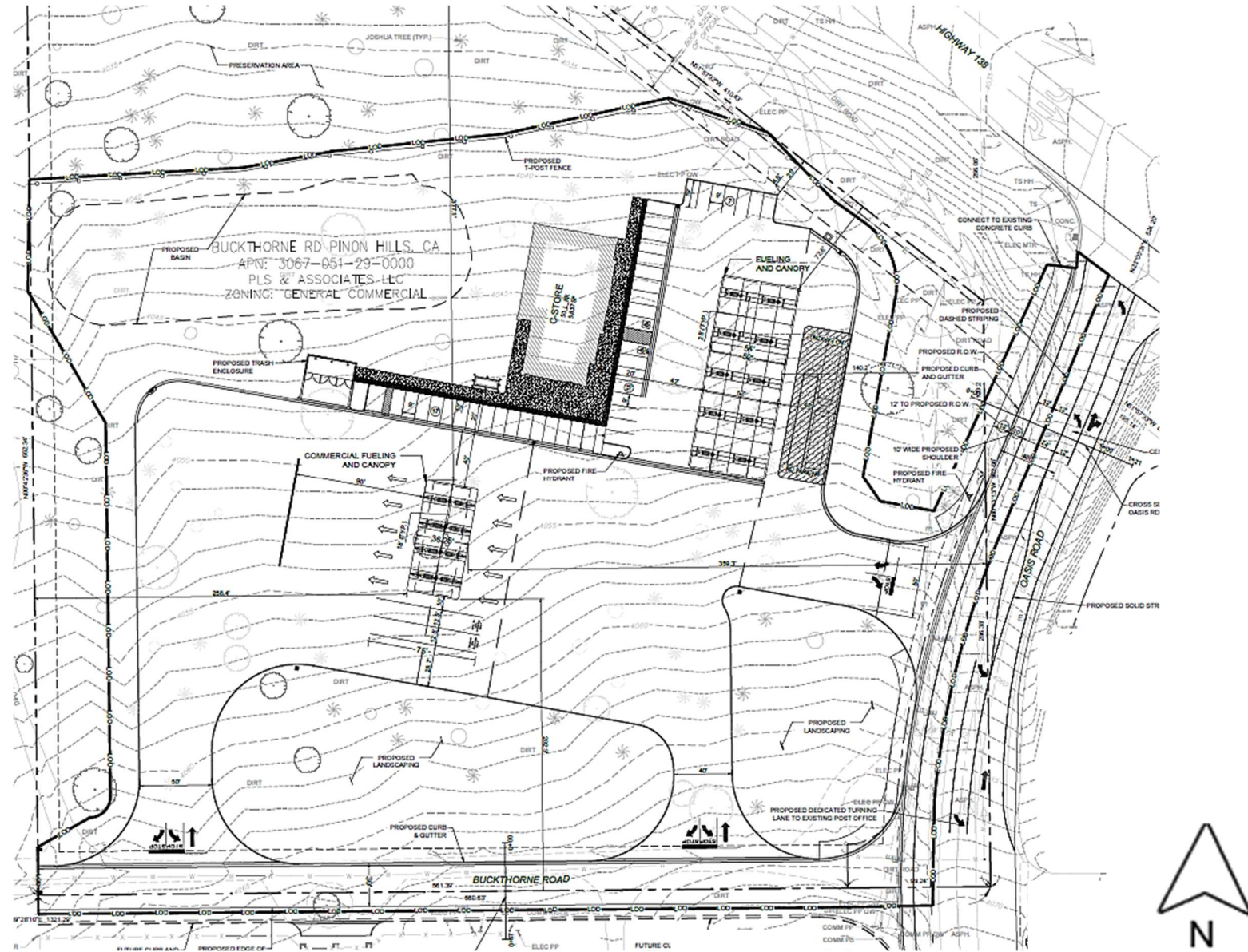
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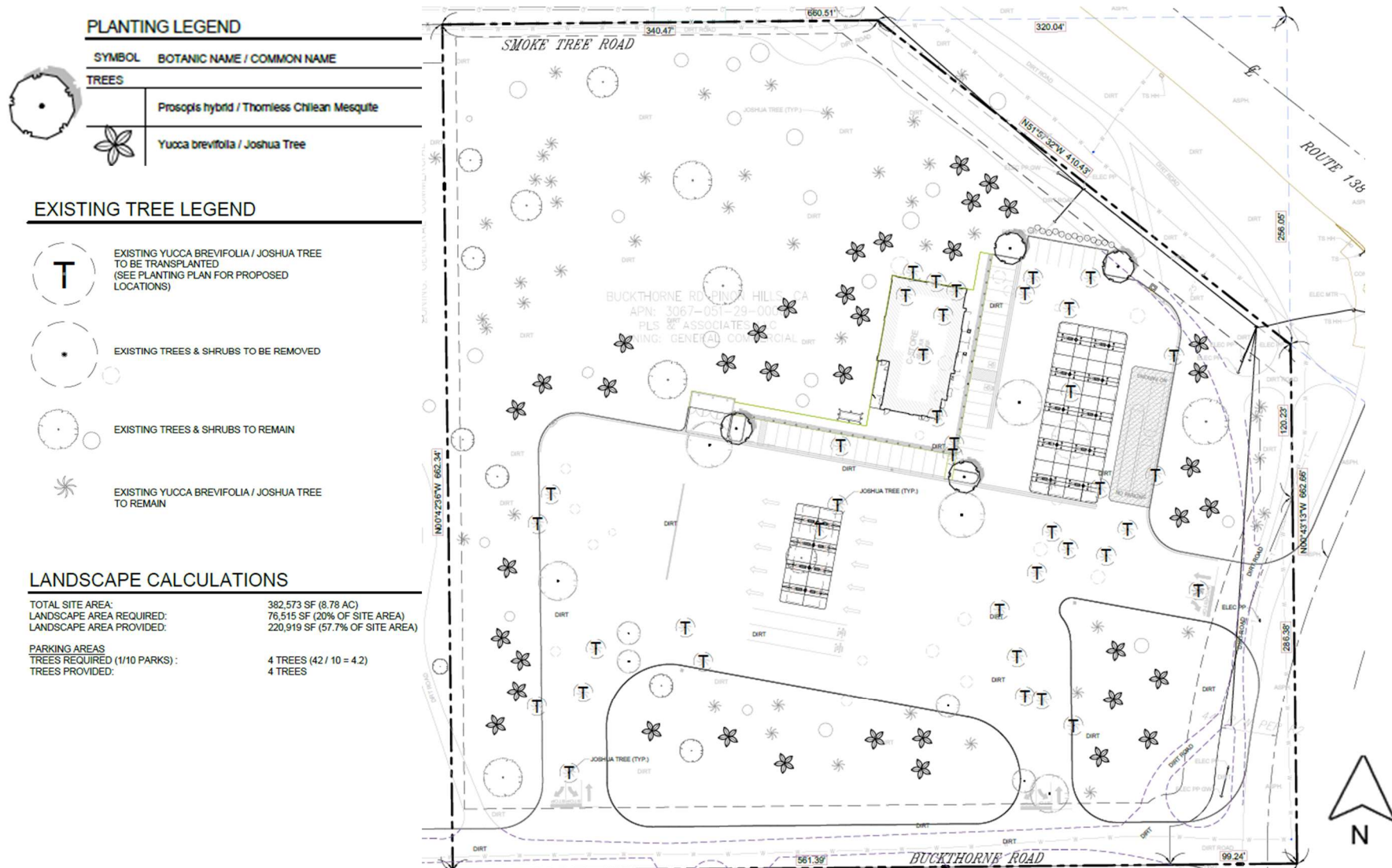
LAND USE CATEGORIES MAP



SITE PLAN



LANDSCAPING PLAN



EAST BUILDING ELEVATION



2 BUILDING PERSPECTIVE - FRONT RIGHT
SCALE:

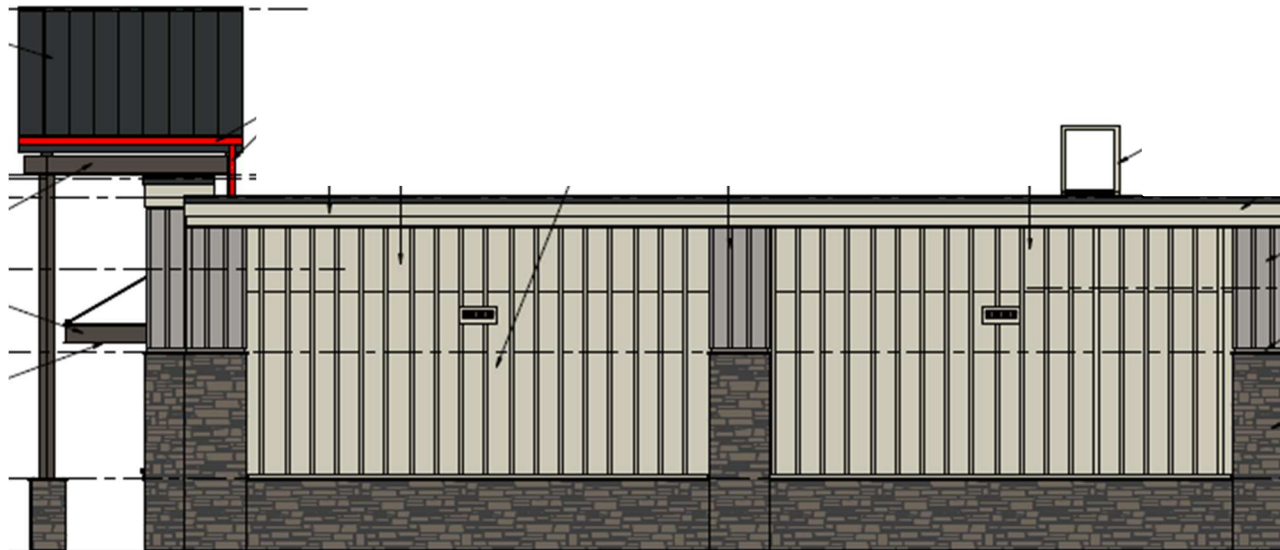


1 BUILDING PERSPECTIVE - FRONT LEFT
SCALE:

Southern Building Elevation



Northern Building Elevation



PROJECT DESCRIPTION AND BACKGROUND:

The proposed project is a Minor Use Permit (MUP) for the construction of a new gas station and 5,637-square-foot convenience store with 18 fuel dispenser islands on an 8.78-acre parcel located at the southwest corner of Oasis Road and Highway 138 in the unincorporated community of Phelan/Pinion Hills. The proposed facility will be staffed by 13-25 employees and will be operational 24 hours a day, seven days a week.

The project site is designated as Commercial land use and zoned General Commercial (CG). The proposed use is consistent with the CG zoning designation which allows for service stations and convenience stores with an MUP. The project will include:

- Approximately 220,919 square feet of drought-tolerant landscaping.
- New lighting, signage, and fencing in compliance with County requirements.
- New driveways and improvements to Oasis Road.
- 42 parking spaces, including 2 ADA compliant spaces.
- 3 underground storage tanks for gasoline and diesel.

PUBLIC COMMENTS AND NOTICES

In accordance with Section 84.27.070 of the County Development Code, Project Notices were sent to all property owners within three hundred feet of the external boundaries of the Project boundary. A total of twenty-one (21) project notices were sent to surrounding property owners and interested agencies / associations on March 4, 2025. To date, no comments in favor or opposition have been received. The Planning Division sent out hearing notices on September 12, 2025, advertising the Zoning Administrator Hearing to be held on September 25, 2025.

PROJECT ANALYSIS:

Site Planning:

The proposed Project would be constructed on a parcel zoned General Commercial (CG), with frontage along CA-138. Primary access is provided from Oasis Road, which connects directly to CA-138, while two additional access points are proposed along the southern parcel boundary on Buckthorne Road, also connecting to Oasis Road. These access points are designed to improve circulation and facilitate safe ingress and egress throughout the site. The parcel is organized into two distinct areas—a commercial fueling area and an automobile service area—to separate pedestrian and truck traffic and enhance overall site safety.

Landscaping: Commercial uses require a minimum 20% landscaping. The total landscaping provided is 57.7%, exceeding the required minimum. The proposed landscaping for the project is approximately 220,919 square feet of drought-tolerant landscaping. Additionally, the project includes a 2.08-acre preservation area on the northern portion of the site to conserve existing vegetation.

Code Compliance Summary: The proposed gas station and convenience store satisfies all applicable standards of the County Development Code for development within the General Commercial (CG) zoning district, as summarized below in Table 2.

TABLE 2: Code Compliance Summary

Project Component	San Bernardino County Development Code		Project Plans	
Gas Station and Convenience Store	Minor Use Permit		Minor Use Permit	
Parking	25 spaces		44 spaces	
Minimum Landscaping	20 percent		57.7 percent	
Building Setbacks	Front Street Side Side Rear	25 feet 25 feet 10 feet 10 feet	Front Street Side Side Rear	120 feet 25 feet 377 feet 256 feet
Maximum Building Height	35 feet		Fueling Canopies Convenience Store	20 feet 11 feet

Consistency with Countywide Plan: The Project is consistent with the Countywide Plan Policy LU-2.4 Land Use Map consistency in that no proposed change in land use category or zoning district is required and the Project is therefore generally compatible and consistent with surrounding land uses and the community's identity. The proposed project is consistent with the San Bernardino Countywide Plan. The project's location is designated as Commercial (C) land use, and the project is zoned as General Commercial (CG). The proposed use of a gas station and convenience store is a permissible use within the General Commercial zoning district with a Minor Use Permit.

The Project is also consistent with the Phelan-Piñon Hills Community Action Guide (CAG) Community Focus Statement B: Encourage commercial and light industrial uses in Phelan Piñon Hills. The project is consistent with this statement. The CAG encourages more retail, and service uses within the existing commercial zones. The project, a new gas station and convenience store, is a commercial use located in a General Commercial (CG) zone, which is a permissible use with a Minor Use Permit. This directly aligns with the community's goal of encouraging such uses. The project includes a 2.08-acre preservation area on the northern portion of the site to conserve existing vegetation, which directly supports the CAG's aspirational statement to have the natural environment preserved for future generations. Overall, while the project introduces a new commercial use, the environmental mitigation efforts demonstrate a consideration for the community's desire to preserve its natural character. The project is generally in line with the CAG's goals of encouraging commercial and service uses and improving traffic, while attempting to mitigate its environmental impacts.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA): Based on the Initial Study / Mitigated Negative Declaration, the project is determined to have a **less than significant impact with mitigation incorporated**. Implementation of mitigation measures would reduce impacts to below a level of significance for biological resources, cultural resources, geology and soils and tribal cultural resources. A Mitigation Monitoring and Reporting Program has been incorporated into the project and is included as Exhibit C.

RECOMMENDATION: That the Zoning Administrator:

- 1) **ADOPT** the Findings for approval of the Minor Use Permit;
- 2) **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting

Program;

- 3) **APPROVE** the Minor Use Permit and Conditions of Approval to establish a new convenience store with 5,637 square feet of retail space and 18 fuel dispensing islands; and
- 4) **DIRECT** Land Use Services staff to file a Notice of Determination in compliance with the California Environmental Quality Act.

ATTACHMENTS:

- EXHIBIT A:** Findings
EXHIBIT B: Conditions of Approval
EXHIBIT C: Mitigation Monitoring and Reporting Plan (MMRP)
EXHIBIT D: Site Plan, Elevations, Floor Plan
EXHIBIT E: Initial Study / Mitigated Negative Declaration

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EXHIBIT A

FINDINGS

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FINDINGS: USE PERMIT

Minor Use Permit for the construction and operation of a 5,637 square foot convenience store with 2 canopies and 18 fuel dispensers on approximately 4.88 acres of an 8.78-acre parcel located at the southwest corner of Highway 138 and Oasis Road, in the community of Pinon Hills in the Phelan-Pinon Hills General Commercial (PH/CG) Zoning District., 1st SUPERVISORIAL DISTRICT; APN: 3067-051-29; PROJ-2024-00030.

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for approval of the Minor Use Permit:

1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, OPEN SPACE, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.

The Project consists of an 8.78-acre site with a new gas station and 5,637 square feet (SF) convenience store with 14 fuel dispenser islands, 10 for passenger vehicles and 4 for commercial vehicles. The Project is designed to meet or exceed all required setbacks and height restrictions. Ingress and egress, circulation, native landscaping, lot coverage, all setbacks, buffering fences meet the requirements of the Development Code for the proposed Project's property land use and zoning designations.

2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.

The site design provides both legal and physical access through three driveways: a proposed 50-foot-wide driveway from Oasis Road, a 40-foot-wide driveway and a 50-foot wide driveway from Buckthorne Road. The Project also includes roadway improvements along Oasis Road, extending approximately 60 feet into the Caltrans right-of-way for Highway 138, and will therefore require a Caltrans encroachment permit. Planned improvements include road widening, extension of the sidewalk to the existing curb ramp at the Oasis Road/Highway 138 intersection, installation of dashed and solid striping between north-south lanes, a 10-foot shoulder, a right-turn lane into the Project site, a dedicated turn lane to the adjacent post office, and the addition of a fire hydrant. All driveways will be built to County roadway standards to ensure proper alignment and integration with existing streets, and will be paved per County requirements. Additional improvements—curb, gutter, and sidewalks—will comply with County Code Table 83-11 standards for the desert region. The Project also provides 42 parking spaces, including two ADA-compliant spaces.

3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, LIGHTING, GLARE, OR OTHER DISTURBANCE.

The Project, as designed and conditioned, is consistent with the land uses and development standards allowed within the General Commercial (CG) Zoning District and as such should

not have adverse effects on abutting properties. The Project is located within the Commercial land use designation of the community of Phelan, which is anticipated for development.

By establishing a service station at this location, the Project will reduce travel distances for customers and employees in and around Phelan, thereby improving accessibility and supporting local economic activity. Additionally, reducing the need for long-distance travel to similar gas stations potentially lowers overall vehicle emissions and congestion in the region. Security lighting will be installed, and is also designed to be downlit and focused on specific areas of concern

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed Minor Use Permit, together with the provisions for its design and improvement are consistent with the Countywide Policy Plan. The proposed Project as designed specifically implements the following San Bernardino Policy Plan goals and policies:

- **Policy LU-2.1 Compatibility with existing uses.**

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

Consistency: *The Project is appropriate because the use is allowed subject to a land use entitlement of a Minor Use Permit (MUP) and compatible with the size and scale of the surrounding residential/commercial characteristics. The proposed structures, fences and display area are designed to comply with all applicant site development standards including coverage, landscaping, height and setbacks.*

- **Policy LU-2.3 Compatibility with natural environment**

We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: *The Project was reviewed by all responsible internal departments including Planning to ensure that design and development is consistent with mandated requirements. The Project proposes and is conditioned to install landscaping to soften the view of the commercial development to residential development to the south.*

- **Policy LU-2.4 Land Use Map consistency.**

We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in the Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

Consistency: *The Project is consistent with the Land Use Map and does not propose a change in the Land Use Category. As designed, the proposed use is generally compatible and consistent with surrounding land uses and community's identity.*

Phelan-Pinon Hills Community Action Guide

Community Focus Statement B: Encourage commercial and light industrial used in Phelan Pinon Hills.

- **Action Statement B.2** – Encourage more retail and service uses within the existing commercial zones by regularly updating the San Bernardino County Economic Development Agency (EDA) on local available sites.

Consistency: *The Project is proposing a new commercial use on an existing and available commercially zoned parcel adjacent to Phelan Road. The Project would add to needed commercial/service uses within the Phelan community.*

5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

The Phelan/Pinon Hills Community Services District (CSD) will provide water services to the site. The Project will connect to existing water utilities in Oasis Road. Sewer will be provided onsite via a proposed septic system and associated seepage pits located in the southern portion of the Project site. Electricity is provided by Southern California Edison (SCE) and the Project will connect to existing SCE utilities along Oasis Road.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The conditions of approval include measures that require the applicant/developer to comply with the performance measures outlined in the County Development Code. Therefore, the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

The proposed project will need to comply with Title 24 and other state mandated building/construction requirements for efficiency, including lighting, solar, and heating/cooling systems.

FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT

8. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT, SUBJECT TO IMPLEMENTATION OF THE PROPOSED CONDITIONS OF APPROVAL AND MITIGATION MEASURES.

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines, the Planning Division conducted an environmental evaluation in connection with the proposed Minor Use Permit for a convenience store and gas station. The project is determined to have a less than less than significant impact with mitigation incorporated. Implementation of mitigation measures would reduce impacts to below a level of significance for biological resources, cultural resources, geology and soils and tribal cultural resources. A Mitigation Monitoring and Reporting Program has been incorporated into the project.

EXHIBIT B

CONDITIONS OF APPROVAL

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Conditions of Approval

Record:	PROJ-2024-00030	System Date:	11/26/2025
Record Type:	Project Application	Primary APN:	3067051290000
Record Status:	Decision Pending	Application Name:	MINOR USE PERMIT - MAVERIK CONVENIENCE STORE
Effective Date:		Expiration Date:	
Description:	MAVERIK CONVENIENCE STORE - MINOR USE PERMIT (COMMERCIAL):		

MINOR USE PERMIT TO CONSTRUCT MAVERIK PROPOSES TO DEVELOP A 5,637 SQUARE FOOT CONVENIENCE STORE WITH FUEL DISPENSERS ON APPROXIMATELY. 4.88 ACRES OF THE 8.78-ACRE PARCEL, WITH TEN (10) FUEL DISPENSERS AND CANOPY IN FRONT OF THE STORE AND EIGHT (8) ADDITIONAL DISPENSERS AND CANOPY FOR COMMERCIAL FUELING TO THE SIDE OF THE STORE, FOR A TOTAL OF EIGHTEEN (18) FUEL DISPENSERS ON SITE. THE DEVELOPMENT WILL PROVIDE FUELING, PACKAGED BEER AND WINE SALES, AS WELL AS FRESH FOOD ITEMS. RESTROOM FACILITIES WILL BE OPEN TO THE PUBLIC. THE STORE WILL OPERATE 24 HOURS A DAY, 7 DAYS A WEEK. LOCATED AT THE SOUTHWEST CORNER OF HWY 138 AND OASIS ROAD, ON 8.78 ACRES, IN THE GENERAL COMMERCIAL (CG) LAND USE CATEGORY, AND GENERAL COMMERCIAL (PH/CG) ZONING DISTRICT; 1ST SUPERVISORIAL DISTRICT; APN: 3067-051-29

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

ON-GOING

Land Use Services - Planning

1 **Project Approval Description (CUP/MUP)** - Status: Outstanding

This Minor Use Permit is conditionally approved for the construction of a new gas station and 5,637-square-foot convenience store with 18 fuel dispenser islands on an 8.78-acre parcel, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.

2 **Project Location** - Status: Outstanding

The Project site is located at the southwest corner of Oasis Road and Highway 138 in the unincorporated community of Phelan/Pinion Hills.

3 **Revisions** - Status: Outstanding

Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

4 **Indemnification** - Status: Outstanding

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 **Additional Permits** - Status: Outstanding

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:

6 Expiration - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within 36 months of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

7 Continuous Effect/Revocation - Status: Outstanding

All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.

8 Extension of Time - Status: Outstanding

Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)

9 Project Account - Status: Outstanding

The Project account number is PROJ-2024-00030. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

10 Development Impact Fees - Status: Outstanding

Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances

11 **Continuous Maintenance** - Status: Outstanding

The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

12 **Lighting** - Status: Outstanding

Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.

13 **Construction Hours** - Status: Outstanding

Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

14 **Construction Noise** - Status: Outstanding

The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with manufacturer's specifications. - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits. - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

15 **Cultural Resources** - Status: Outstanding

During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.

Public Health– Environmental Health Services16 **OWTS Maintenance** - Status: Outstanding

The onsite wastewater treatment system shall be maintained so as not to create a public nuisance and shall be serviced by an EHS permitted pumper.

17 **Refuse Storage and Disposal** - Status: Outstanding

All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq.

Public Works - Traffic18 **Back Out Into Public Roadways** - Status: Outstanding

Project vehicles shall not back up into the project site nor shall they back out into the public roadway.

19 **Directional Sign Maintenance** - Status: Outstanding

All required directional signage for traffic entering and exiting the site shall be installed and continuously maintained outside the Public road right-of-way in good condition for both day and night time visibility.

INFORMATIONAL**County Fire - Community Safety**20 **F01 Jurisdiction** - Status: Outstanding

The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

21 **F03 Fire Condition Letter Expiration** - Status: Outstanding

Fire Condition Letters shall expire on the date determined by the Planning Division or Building and Safety.

22 **F08 Fire Safety Overlay** - Status: Outstanding

The County General Plan designates this property as being within the Fire Safety Review Area. All construction shall adhere to all applicable standards and requirements of the Fire Safety Review Area as adopted in the San Bernardino County Development Code.

23 **F17 Access Road Grade** - Status: Outstanding

Fire access roadways shall not exceed a maximum of twelve (12%) percent grade at any point. Fire access roadways or driveways may be increased to fourteen (14%) percent grade for a distance not to exceed five hundred (500) feet. Fire access roadways providing access to no more than two (2) one or two-family dwellings may be increased to a maximum of sixteen (16%) percent grade not to exceed five hundred (500) feet. Grades across the width of a fire access roadways shall not exceed five (5%) percent. In order to accommodate proper angles of approach and departure, gradient shall not exceed five (5%) percent change along any ten (10) foot section.

24 **F36 Sprinkler Installation Letter** - Status: Outstanding

The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.

25 **F60 Solar Plans** - Status: Outstanding

Solar/PV Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

26 **F66 Compressed Gasses/Beverage Dispensing** - Status: Outstanding

A submittal of compressed gasses in storage or use including asphyxiant, irritant, and radioactive gasses complying with the California Fire Code, California Mechanical Code, and NFPA is required. The applicant shall hire a licensed contractor to submit plans for review and approval by the fire department. The required fees shall be paid at the time of plan submittal.

27 **F71 Proposal Changes** - Status: Outstanding

Any changes to this proposal shall require new Fire Department condition letter.

Land Use Services - Land Development

28 **Tributary Drainage** - Status: Outstanding

Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

Public Works - Solid Waste Management

29 **Community Service District Hauler Service Area** - Status: Outstanding

This project falls within the Phelan Pinon Hills Community Service District. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors should comply with the Solid Waste collection requirements prescribed through the Phelan Pinon Hills Community Service District. Additionally, all owners/occupants of a dwelling or a commercial or industrial unit within the area shall, upon notice thereof, be required to accept the solid waste handling and collection requirements set forth by the Community Service District

PRIOR TO LAND DISTURBANCE

Land Use Services - Planning

30 **Air Quality** - Status: Outstanding

Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures: a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities. 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday. 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion. 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour. b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NOX and PM10 levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements: 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.

31 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to grading permit issuance.

Land Use Services - Building and Safety

32 **Geotechnical Report** - Status: Outstanding

A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.

33 **Wall Plans** - Status: Outstanding

Submit plans and obtain separate building permits for any required retaining walls.

Land Use Services - Land Development

34 **Drainage Improvements** - Status: Outstanding

A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

35 **Grading Plans** - Status: Outstanding

Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

36 **On-site Flows** - Status: Outstanding

On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.

37 **Project Specific Conditions** - Status: Outstanding

Joshua Trees. Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel.

<http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf>

38 **Project Specific Conditions** - Status: Outstanding

FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C6425H dated 08/28/2008 Flood hazards are undetermined in this area, but they are still possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.

39 **Project Specific Conditions** - Status: Outstanding

State Construction Stormwater General Permit: Notice of Intent (NOI) and WDID # are required on all land disturbance of one (1) acre or more prior to issuance of a grading/construction permit. For questions regarding the State Construction Stormwater General Permit, please contact:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

Public Health– Environmental Health Services

40 **Vector Control Requirement** - Status: Outstanding

The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

PRIOR TO BUILDING PERMIT ISSUANCE

Land Use Services - Planning

41 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance

42 Signs - Status: Outstanding

All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards: a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable. b. All sign lighting shall not exceed 0.5 foot-candle. c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety. d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

County Fire - Community Safety**43 F02 Fire Fee - Status: Outstanding**

The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

44 F09 Building Plans - Status: Outstanding

Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

45 F10 Combustible Protection - Status: Outstanding

Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.

46 F19 Surface - Status: Outstanding

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.

47 F22 Primary Access Paved - Status: Outstanding

Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.

48 F26 Fire Flow Test - Status: Outstanding

Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.

49 F27 Water System - Status: Outstanding

Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 1,500 GPM for a two hour duration at 20 psi residual operating pressure. Fire Flow is based on a 5,637 sq.ft. structure.

50 F28 Water System Commercial - Status: Outstanding

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

51 **F69 Haz-Mat Approval** - Status: Outstanding

The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

County Fire - Hazardous Materials

52 **Underground Storage Tank Approval** - Status: Outstanding

Prior to issuance of building permits, Underground Storage Tank (UST) systems storing hazardous substances in the County of San Bernardino shall conform to standards issued by the San Bernardino County Fire Protection District. Written approval shall be obtained from this Section prior to the installation of any new UST system(s) and/or modifications to an existing UST system. Plans for underground storage tank systems shall be reviewed and approved by the Office of the Fire Marshal, Hazardous Materials Section. Contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401 or ustplancheck@sbcfire.org, or visit <https://sbcfire.org/ust/>, for more information.

Land Use Services - Building and Safety

53 **Construction Plans** - Status: Outstanding

Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

54 **Temporary Use Permit** - Status: Outstanding

A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

Land Use Services - Land Development

55 **Caltrans Review** - Status: Outstanding

Obtain comments, approval, and any necessary permits from Caltrans for access requirements and working within their right-of-way. The Caltrans Local Development Review (LDR) Branch can be reached at LDR-D8@dot.ca.gov

56 **Construction Permits** - Status: Outstanding

Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

57 **Road Dedication/Improvements** - Status: Outstanding

The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California: Oasis Road (Major Highway – 104 feet): •Road Dedication. An 8-foot grant of easement is required to provide a half-width right-of-way of 52 feet. •Street Improvements. Design curb and gutter with match up paving 40 feet from centerline. •Sidewalks. Design sidewalks per County Standard 109 Type "C". •Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. •Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. Buckthorne Road (Non-Classified Local Street – 60 feet): •Road Dedication. A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet and 35-foot radius return grant of easement at the intersection of Buckthorne Road and Oasis Road. •Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 26-foot paved section. •Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way. •Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. Smoke Tree Road (Section Line – 88 feet): •Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.

58 **Road Standards and Design** - Status: Outstanding

All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

59 **Slope Tests** - Status: Outstanding

Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of the County Department of Public Works.

60 **Soils Testing** - Status: Outstanding

Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

61 **Street Gradients** - Status: Outstanding

Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

62 **Street Type Entrance** - Status: Outstanding

Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

63 **Transitional Improvements** - Status: Outstanding

Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

64 **Utilities.** - Status: Outstanding

Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

Public Health– Environmental Health Services**65 Existing Wells** - Status: Outstanding

If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

66 Food Establishment Plan Check Required - Status: Outstanding

Plans for food establishments shall be reviewed and approved by EHS. For information, call EHS Plan Check at: (800) 442-2283.

67 New OWTS - Status: Outstanding

If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. An Alternative Treatment System, if applicable, shall be required.

68 Water Purveyor - Status: Outstanding

Water purveyor shall be _____ or EHS approved.

Public Works - Solid Waste Management**69 Construction Waste Management Plan (CWMP) Part 1** - Status: Outstanding

The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at <https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/>. An approved CDWMP Part 1 is required before a permit can be issued. There is a one-time fee of \$150.00 for residential projects/\$530.00 for commercial/non-residential projects

Public Works - Traffic**70 Street Improvements** - Status: Outstanding

The applicant shall design their street improvement plans to include the following: The driveway on Oasis Road shall be right in and right out only with a "R3-2" sign. The sign shall be placed within the property line at the driveway and the owner is responsible for maintaining the sign.

71 Total Fair Share - Status: Outstanding

The total fair share contribution for this project is required based on the traffic report dated 10/14/2025 from TJW Engineering. The fair share breakdown for these improvements is shown below. INTERSECTION: Mountain Road at Route 138 ESTIMATED COST: \$600,000 to \$800,000 FAIR SHARE PERCENTAGE: 7.62% ESTIMATED CONTRIBUTION: \$45,720 to \$60,960 The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$45,720 to \$60,960 pending final estimated construction cost approval from Caltrans. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

PRIOR TO OCCUPANCY

Land Use Services - Planning

- 72 **Fees Paid** - Status: Outstanding
Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2024-00030.
- 73 **Installation of Improvements** - Status: Outstanding
All required on-site improvements shall be installed per approved plans.
- 74 **Landscaping/Irrigation** - Status: Outstanding
All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
- 75 **Mitigation Measures** - Status: Outstanding
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to occupancy permit issuance

County Fire - Community Safety

- 76 **F06 Inspection by Fire Department** - Status: Outstanding
Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

County Fire - Hazardous Materials

- 77 **Permit Required** - Status: Outstanding
Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/> or apply for exemption from permitting requirements. Contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401 or visit <https://sbcfire.org/hazmatcupa/> for more information.

Land Use Services - Building and Safety

- 78 **Condition Compliance Release Form Sign-off** - Status: Outstanding
Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

Land Use Services - Land Development

- 79 **Drainage Improvements** - Status: Outstanding
All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

- 80 **Caltrans Approval** - Status: Outstanding
Obtain comments, approval, and any necessary permits from Caltrans for access requirements and working within their right-of-way. The Caltrans Local Development Review (LDR) Branch can be reached at LDR-D8@dot.ca.gov
- 81 **LDD Requirements** - Status: Outstanding
All LDD requirements shall be completed by the applicant prior to occupancy.
- 82 **Road Improvements** - Status: Outstanding
All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
- 83 **Structural Section Testing** - Status: Outstanding
A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.

Public Health– Environmental Health Services

- 84 **New Retail Food Facility Permit** - Status: Outstanding
A Retail Food Facility annual permit for food facility shall be required. For information, contact EHS at: (800) 442-2283.

Public Works - Solid Waste Management

- 85 **Construction Waste Management Plan (CDWMP) Part 2** - Status: Outstanding
The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste. The developer MUST provide ALL receipts and/or backup documentation for actual disposal/diversion of project waste. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at <https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/>.

Public Works - Traffic

- 86 **Local Area Transportation Fee Plan Area** - Status: Outstanding
This project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier's check to the Department of Public Works Business Office. These fees are subject to change. Based on the ITE Trip Generation Manual (11th Edition) and a 5,637 sq. ft. convenience store with 28 fueling positions as shown on the site plan, this project generates approximately 2,569 vehicle trips on a weekday. This fee is \$193.55 per trip multiplied by the number of vehicle trips (2,569) and multiplied by an induced trip adjustment factor of 20% as shown in the fee plan. Therefore, the total estimated Local Transportation Fees for this project is \$99,445.99. The current High Desert Local Area Transportation Facilities plan can be found at the following website: <https://dpw.sbcounty.gov/transportation/transportation-planning/>

PRIOR TO RECORDATION

County Fire - Community Safety

87 **F16 Access** - Status: Outstanding

The development shall have a minimum of TWO points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. b. Multi-Story Road Access Width. Fire apparatus access roadways serving buildings that are three (3) or more stories or thirty (30) feet or more in height shall be a minimum of thirty (30) feet in unobstructed width and vertically to fourteen (14) feet six (6) inches in height.

PRIOR TO FINAL INSPECTION

County Fire - Community Safety

88 **F11 Combustible Vegetation** - Status: Outstanding

Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586

89 **F24 Fire Lanes** - Status: Outstanding

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

90 **F25 Street Sign** - Status: Outstanding

This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.

91 **F35 Hydrant Marking** - Status: Outstanding

Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs, or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

92 **F37 Fire Sprinkler-NFPA #13** - Status: Outstanding

An automatic fire sprinkler system complying with NFPA Pamphlet #13 and Fire Department standards is required. The applicant shall hire a licensed fire sprinkler contractor. The fire sprinkler contractor shall submit plans with hydraulic calculations, manufacturers specification sheets and a letter from a licensed structural (or truss) engineer with a stamp verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design to the Fire Department for approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

93 **F40 Roof Certification** - Status: Outstanding

A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.

94 **F41 Fire Alarm** - Status: Outstanding

A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a licensed fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

95 **F45 Fire Extinguishers** - Status: Outstanding

Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

96 **F46 Hood and Duct Suppression** - Status: Outstanding

An automatic hood and duct fire extinguishing system is required. The applicant shall hire a licensed fire protection contractor to submit detailed plans with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

97 **F47 Above Ground Storage Tank** - Status: Outstanding

Above Ground Storage Tank plans shall be submitted to the San Bernardino County Fire Department for review and approval prior to any installation on-site. The required Fees shall be paid at time of plan submittal.

98 **F48 Material Identification Placards** - Status: Outstanding

The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.

99 **F51 Commercial Addressing** - Status: Outstanding

Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated address identification shall be displayed on a monument, sign or other approved means with numbers that are a minimum of six (6) inches in height and three-quarter ($\frac{3}{4}$) inch stroke.

100 **F55 Key Box** - Status: Outstanding

An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

Department/Agency	Office/Division	Phone Number
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311

(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	https://lus.sbcounty.gov/	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	https://www.sbcfire.org/	
County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
Dept. of Public Works	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	https://dpw.sbcounty.gov/	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	https://ehs.sbcounty.gov	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	http://www.sbclafco.org/	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
External Agencies (Caltrans, U.S. Army, etc.)		See condition text for contact information...

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EXHIBIT C

MITIGATION MONITORING AND REPORTING PLAN MMRP

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Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration
Maverik Gas Station & Convenience Store

Prepared by:



San Bernardino County, Land Use Services Department

385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415-0182
Contact: Delanie Garlick

September 2025

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SECTION

1.0	Introduction	3
2.0	Mitigation Monitoring and Reporting Program Table.....	5

TABLES

Table 1: Mitigation Monitoring and Reporting Program.....	5
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1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by San Bernardino County (County) to ensure compliance with adopted mitigated measures identified in the MND for the proposed Maverik Gas Station & Convenience Store when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for biological resources, cultural resources, geology and soils and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, the party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415

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2.0 MITIGATION MONITORING AND REPORTING PROGRAM TABLE

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Biological Resources				
MM BIO-1: Incidental Take Permit for Western Joshua tree (CDFW) The Applicant shall submit to the California Department of Fish and Wildlife (CDFW) an Incidental Take Permit (ITP) application and supporting documentation for the removal of Western Joshua trees on the Project site, pursuant to the Western Joshua Tree Conservation Act. The Applicant will be required to consult with CDFW to determine the measures required to offset the removal of WJT such as the purchase of credits from an approved conservation or mitigation bank, land acquisition, or entry into a conservation easement.	Prior to ground disturbance and construction activities	Project Applicant, Qualified Biologist	San Bernardino County	
MM BIO-2: California Desert Native Plants Act Protection and Relocation Plan If mitigation measures of the ITP (BIO-1) include preservation in place through avoidance or relocation, then a Desert Native Plant Protection and Relocation Plan (Plan) for those trees proposed for relocation or preservation shall be composed which will provide detailed specifications for the proposed treatment, avoidance, or relocation of all Western Joshua trees and those desert species included under the CDNPA. Other	Prior to ground disturbance and construction activities	Project Applicant, Qualified Biologist	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
native desert species included for protection under CDNPA include smoke trees (<i>Cotinus</i> sp.), species in the Agavacea family, mesquite (<i>Prosopis</i> sp.), and large creosote bushes (<i>Larrea</i> sp.).				
MM BIO-3: Nesting Bird Preconstruction Surveys If it is not feasible to avoid the nesting bird season (typically January through July for raptors and February through August for other avian species), a qualified biologist shall conduct a pre- construction nesting bird survey for avian species to determine the presence/absence, location, and status of any active nests on or directly adjacent to the Project Site. If active nests are located, the extent of the survey buffer area surrounding the nest should be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than 3 days prior to the commencement of construction. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist) shall be established around such active nests, and no construction within the buffer allowed, until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).	No earlier than 3 days prior to the start of construction during nesting bird season (Jan–Jul for raptors; Feb–Aug for other birds)	Project Applicant; Qualified Biologist	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
<i>Cultural Resources & Tribal Cultural Resources</i>				
<p>MM CUL-1: Inadvertent Finds</p> <p>In the event that human remains are found, the archaeologist shall notify the San Bernardino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, and § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project. The designated MLD will have 48 hours from the time access is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate. If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed. This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the County in which the property is located. Work may not resume within the no-work radius until the Lead Agency determines that the treatment measures have been completed to its satisfaction.</p>	During all ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Geology and Soils				
<p>MM GEO-1: Paleontological Monitoring</p> <p>A paleontological monitor shall be present at the kickoff meeting to provide a summary of the paleontological sensitivity of the Project area at depths greater than five (5) feet below the surface. The monitor shall work under the direct supervision of a qualified paleontologist (minimum of a B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation). The monitor shall be a trained paleontological monitor with experience and knowledge of sediments, geologic formations, the identification and treatment of fossil resources.</p> <ol style="list-style-type: none"> 1. The qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. 2. Paleontological monitoring shall be present full-time during excavations in excess of five (5) feet below the surface. If no paleontological resources are discovered after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking. 3. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered. 4. In the event of a paleontological discovery the monitor 	Prior to and during ground disturbance activities, prior to the issuance of any building permit	Project Applicant, Construction Contractor, Qualified Paleontologist	San Bernardino County	

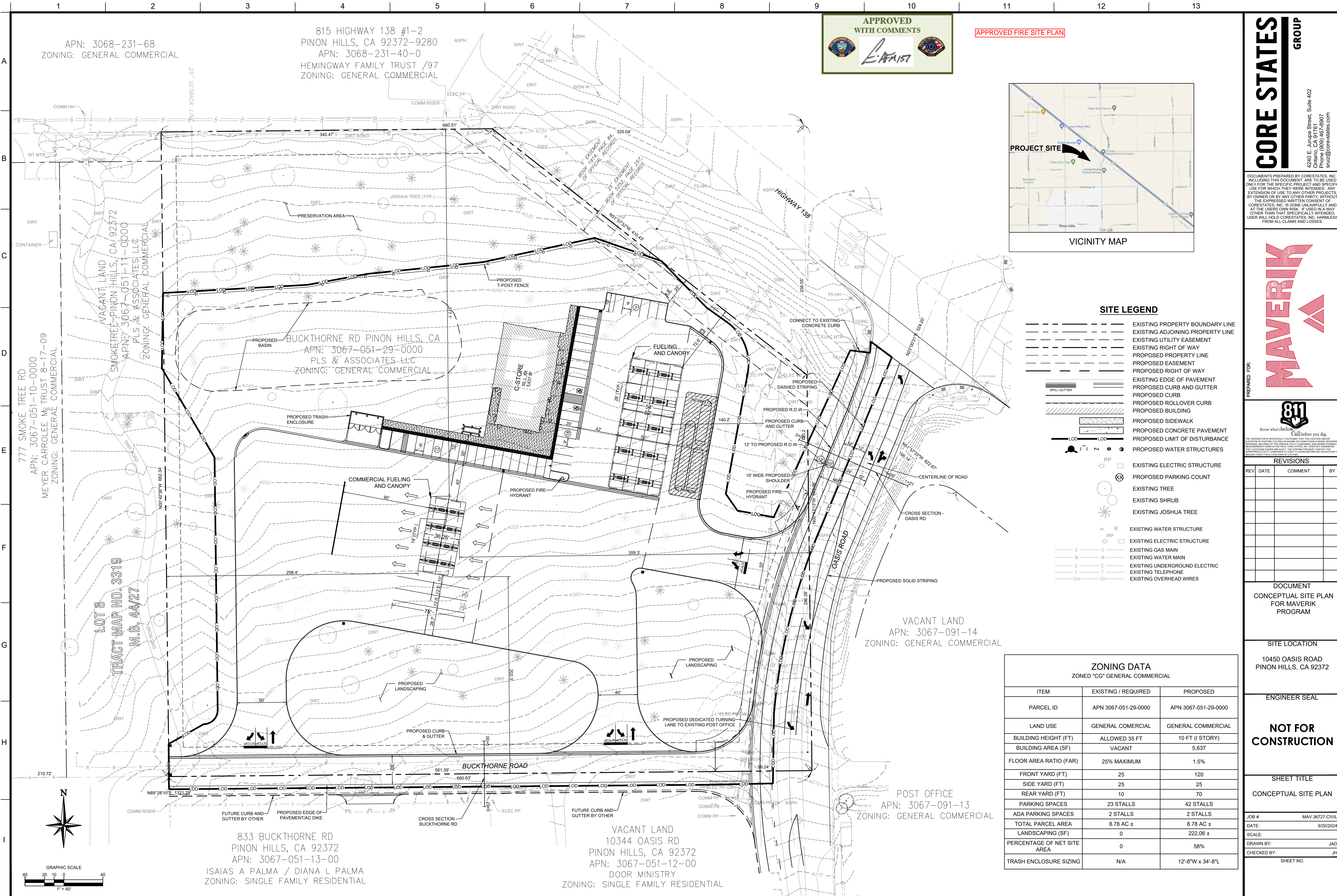
Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
<p>shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area.</p> <p>5. In consultation with the qualified paleontologist the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area cleared.</p> <p>6. If the discovery is significant the qualified paleontologist shall notify the developer and County of San Bernardino immediately. DUKE Cultural Resources Management.</p> <p>7. In consultation with the applicant and the County, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.</p>				

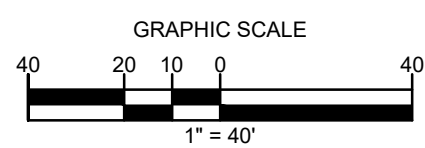
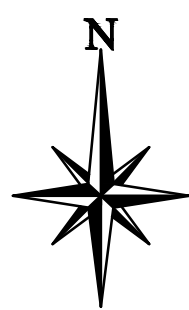
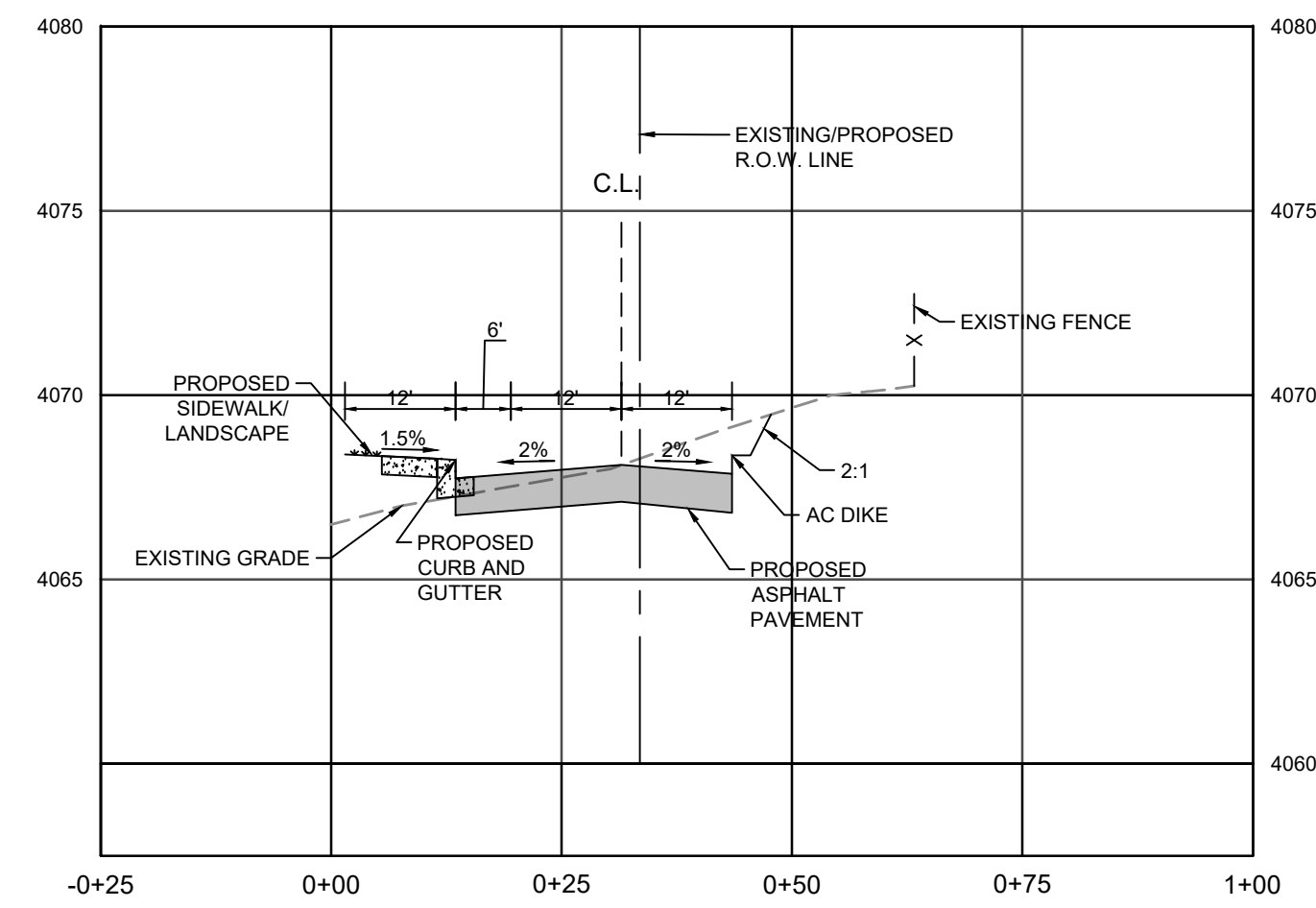
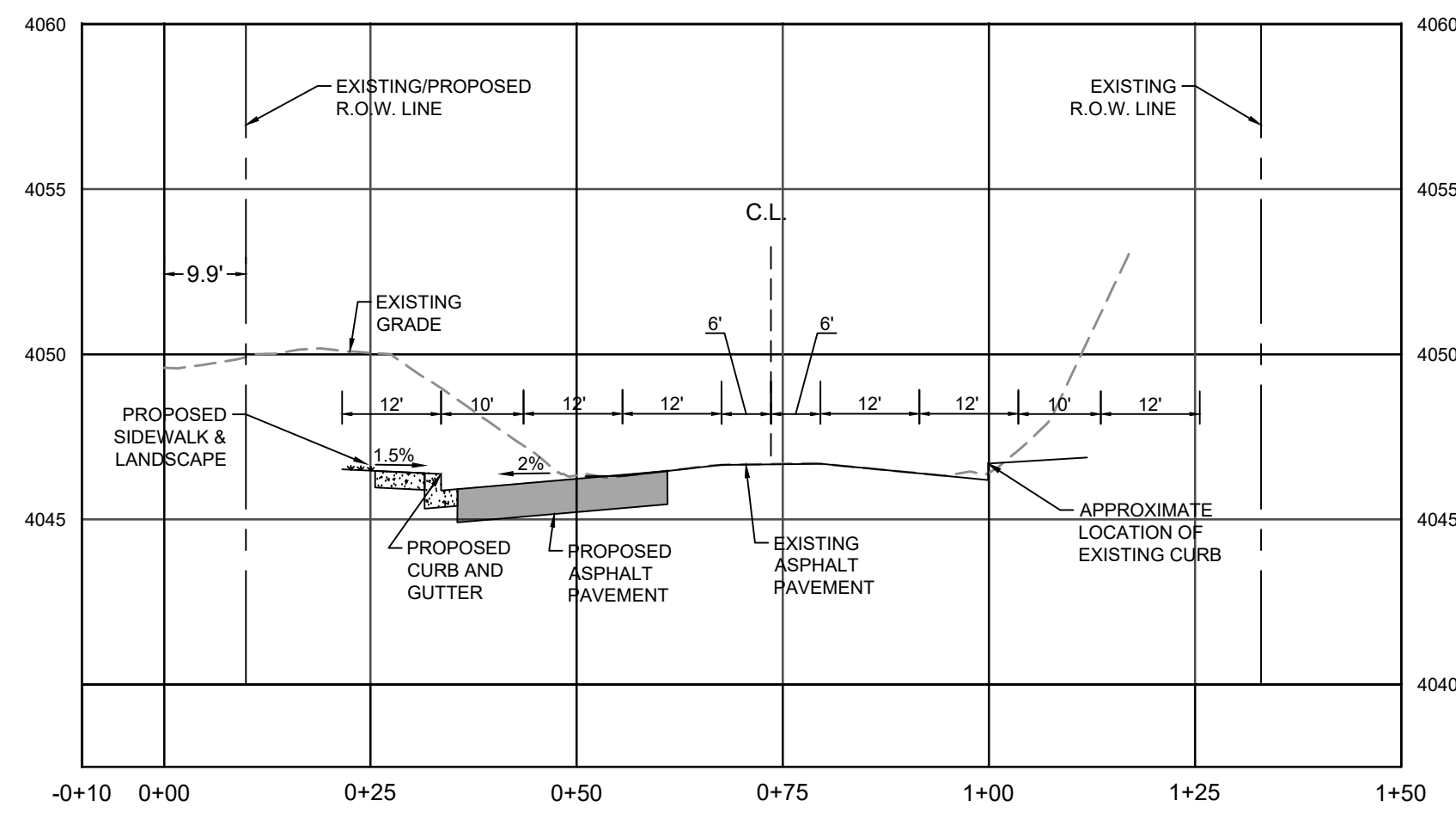
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EXHIBIT D

SITE PLAN, ELEVATIONS, FLOOR PLAN

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CROSS SECTION - OASIS RD

SCALE
VERTICAL 1" = 5'
HORIZONTAL 1" = 20'

CROSS SECTION - BUCKTHORNE RD

SCALE
VERTICAL 1" = 5'
HORIZONTAL 1" = 20'

CORE STATES

4240 E. Jurupa Street, Suite 402
Ontario, CA 91761
Phone (909) 467-8907
sruiz@core-states.com

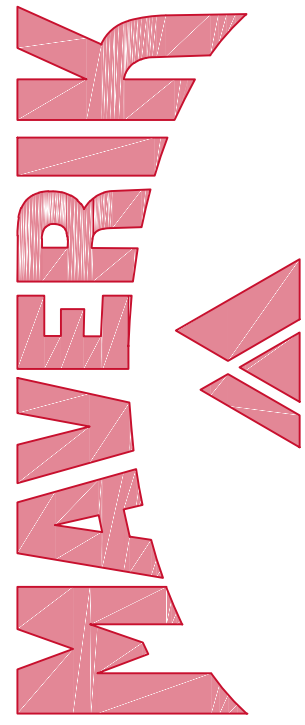
Ontario, CA 91761
Phone (909) 467-8907

sruiz@core-states.com

sruiz@core-states.com

DOCUMENTS PREPARED BY CORESTATES, INC., INCLUDING THIS DOCUMENT, ARE TO BE USED ONLY FOR THE SPECIFIC PROJECT AND SPECIFIC USE FOR WHICH THEY WERE INTENDED. ANY EXTENSION OF USE TO ANY OTHER PROJECTS, BY OWNER OR BY ANY OTHER PARTY, WITHOUT THE EXPRESSED WRITTEN CONSENT OF CORESTATES, INC. IS DONE UNLAWFULLY AND AT THE USERS OWN RISK. IF USED IN A WAY OTHER THAN THAT SPECIFICALLY INTENDED, USER WILL HOLD CORESTATES, INC. HARMLESS FROM ALL CLAIMS AND LOSSES.

PREPARED FOR:



Know what's below.
Call before you dig.

THE CONTRACTOR SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON DESIGN DRAWINGS, RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. CORE STATES, INC. DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES.

REVISIONS

[illegible]

DOCUMENT
CONCEPTUAL SITE PLAN
FOR MAVERIK
PROGRAM

SITE LOCATION

10450 OASIS ROAD
PINON HILLS, CA 92372

PINON HILLS, CA 92372

ENGINEER SEAL

**NOT FOR
CONSTRUCTION**

SHEET TITLE

CONCEPTUAL
CROSS SECTION

JOB #: MAV.36727.CIVIL

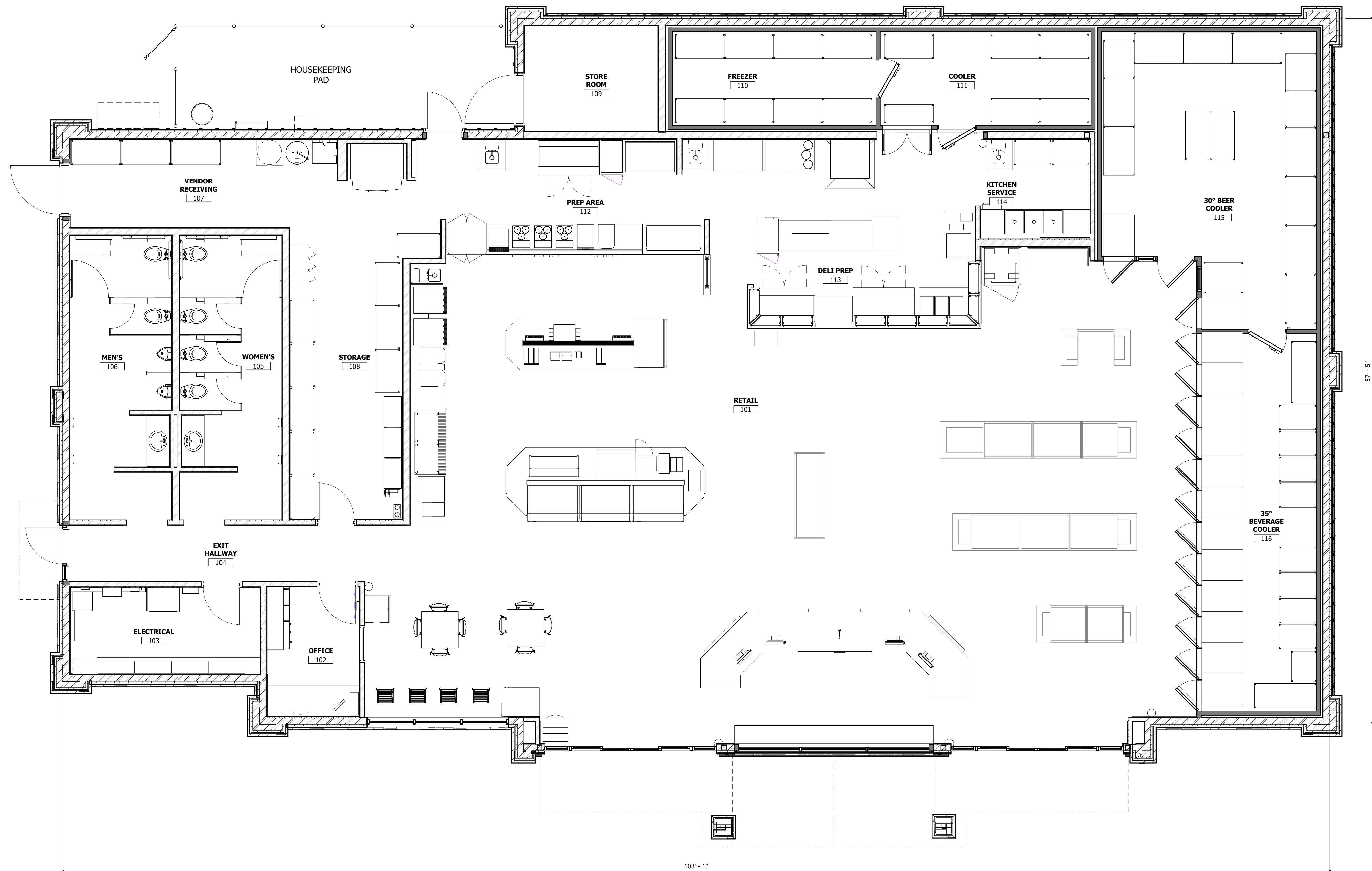
DATE: 9/20/2024

SCALE: _____

DRAWN BY: JAO

CHECKED BY: JH

SHEET NO

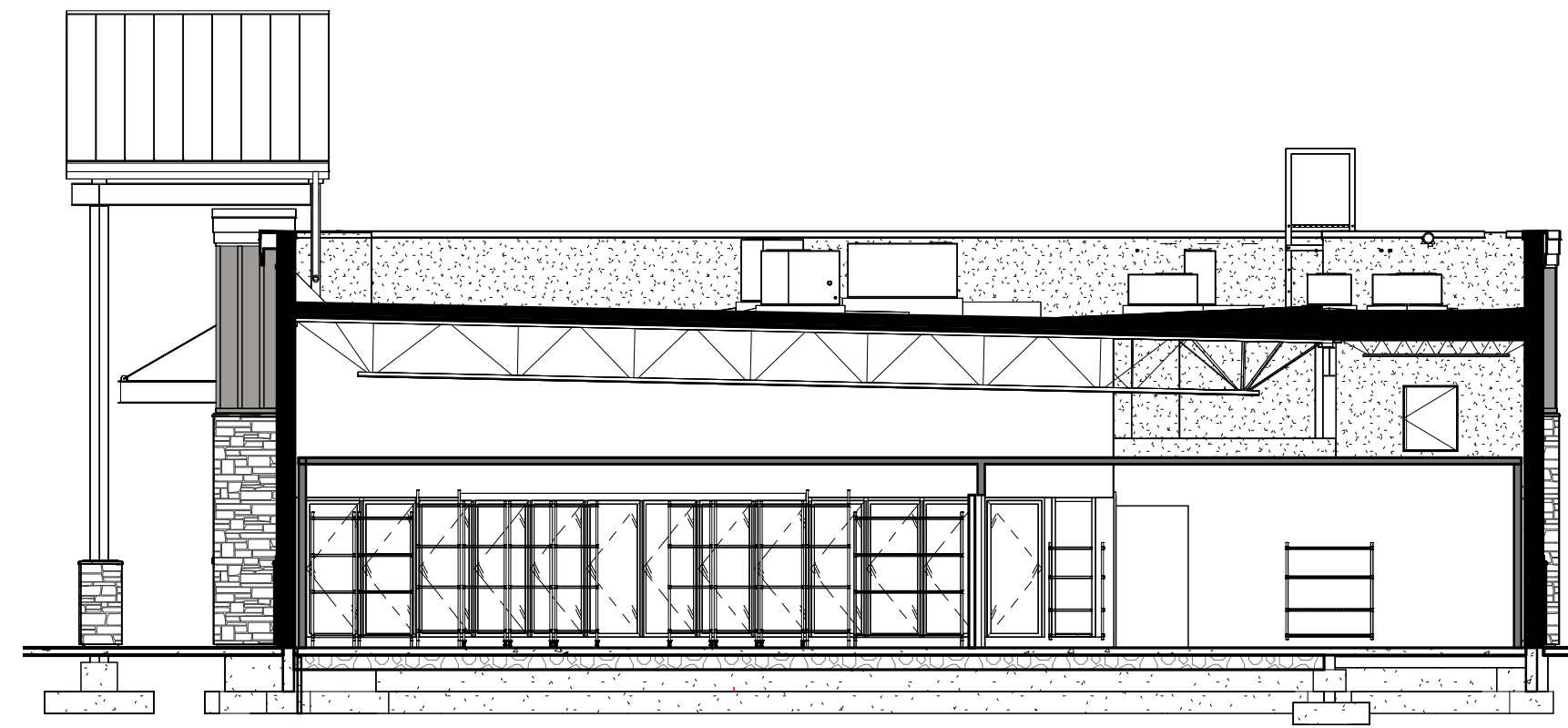


1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

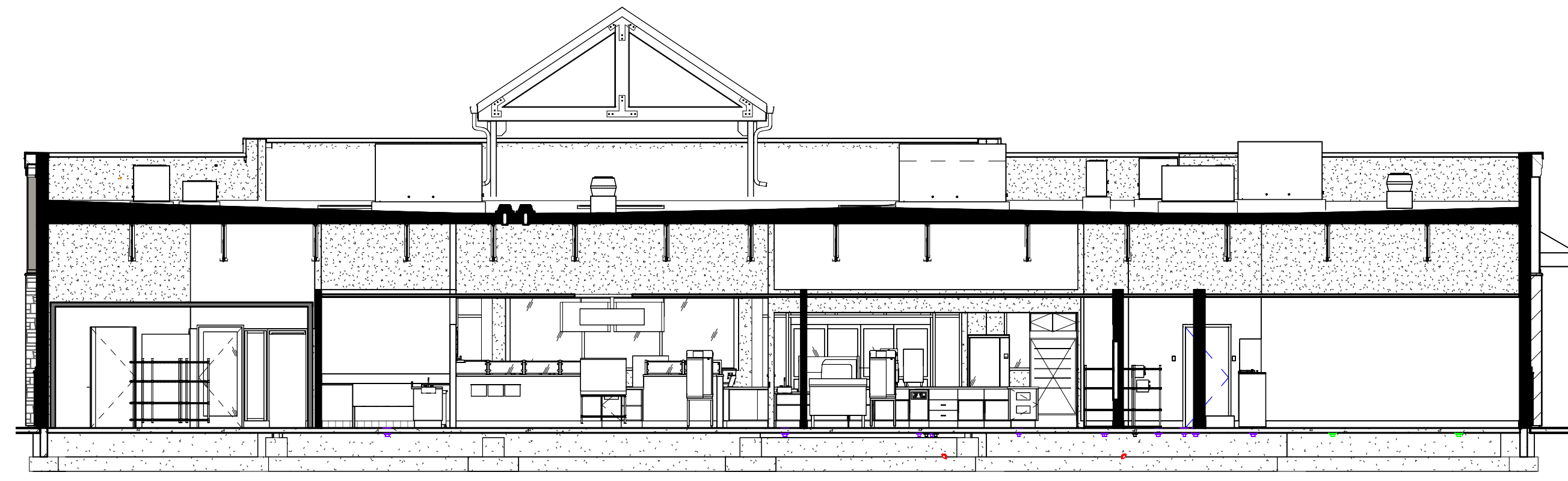
PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202
 Building Square Footage: 5,637 SF
 Construction Type/Occupancy Classification: V-B / M
 A-1 | FLOOR PLAN

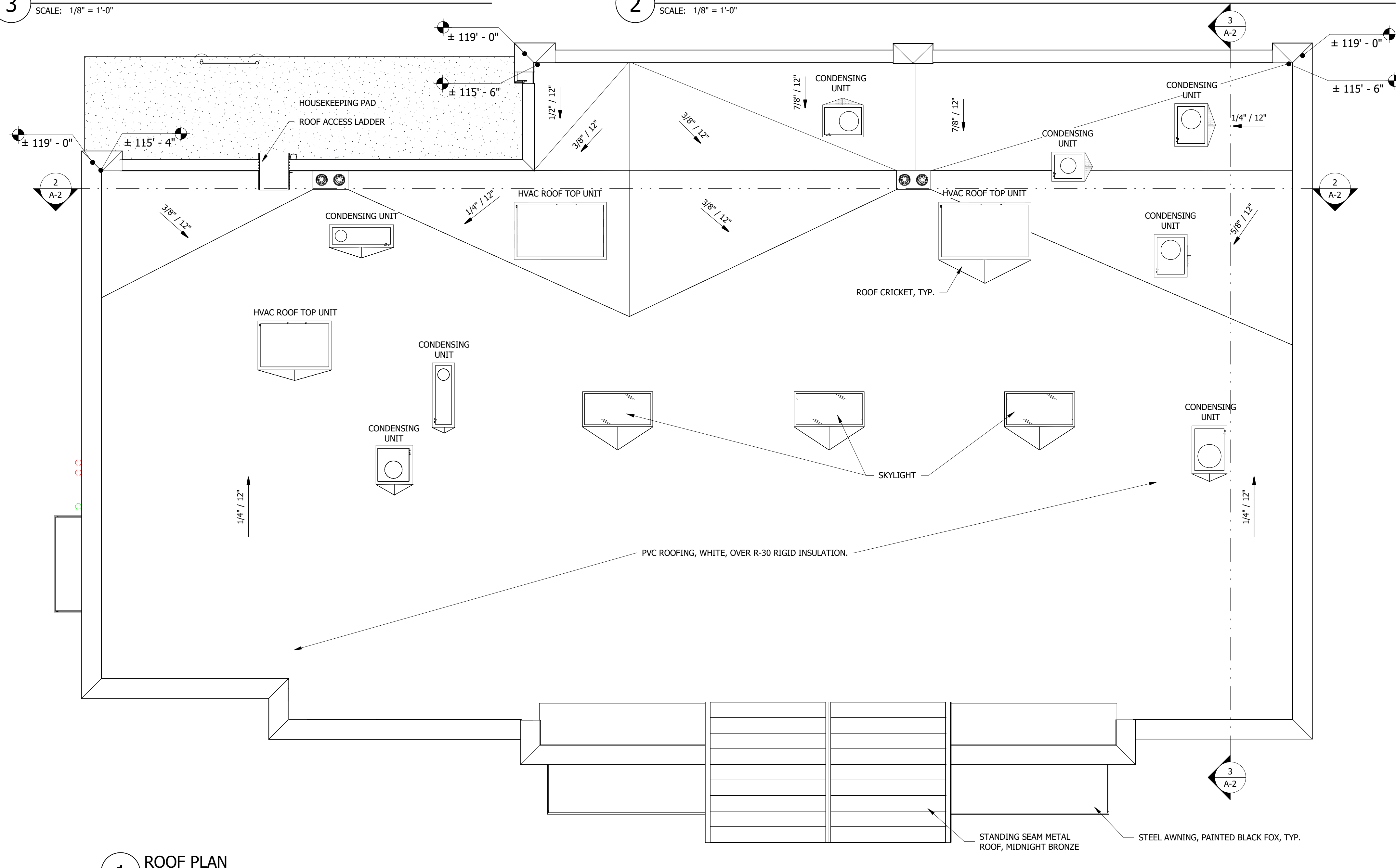




3 BUILDING SECTION
SCALE: 1/8" = 1'-0"



2 BUILDING SECTION
SCALE: 1/8" = 1'-0"



1 ROOF PLAN
SCALE: 3/16" = 1'-0"

PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202

Building Square Footage: 5,637 SF

Construction Type/Occupancy Classification: V-B / M

A-2

ROOF PLAN



2 BUILDING PERSPECTIVE - FRONT RIGHT
SCALE:



1 BUILDING PERSPECTIVE - FRONT LEFT
SCALE:

PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M

A-3 | PERSPECTIVE VIEWS

KEYED NOTES

- 04.05 CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
- 04.06 CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
- 05.01 PRE-FINISHED GUTTER AND DOWNSPOUT, BRITE RED
- 05.03 PAINTED STEEL, BLACK FOX
- 05.06 MBCI PRE-FINISHED METAL ROOF, 1 3/4" STANDING SEAM, MIDNIGHT BRONZE
- 05.21 PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
- 05.69 STEEL AWNING, COLOR P-9
- 05.79 3/4" METAL SOFFIT, COMMERCIAL GRADE. COLOR: PAINTED BLACK FOX SW 7020
- 06.04 FIBER CEMENT BOARD & BATTEN SIDING, BB-2
- 06.05 FIBER CEMENT BOARD & BATTEN SIDING, BB-1
- 06.06 FIBER CEMENT TRIM BB-3
- 08.02 ALUMINUM STOREFRONT SYSTEM, DARK BRONZE
- 08.04 HOLLOW METAL DOOR AND FRAME, PAINT TO MATCH SIDING
- 08.05 WINDOW, SEE SCHEDULE
- 10.01 ROOF ACCESS LADDER W/ SECURITY GATE, SEE DETAIL 1/A5.11. POWDER COATED COLOR TO MATCH SIDING BB-1
- 32.01 CHAIN LINK FENCE WITH PRIVACY SLATS. COLOR TO MATCH BUILDING FIELD COLOR



2 LEFT ELEVATION
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

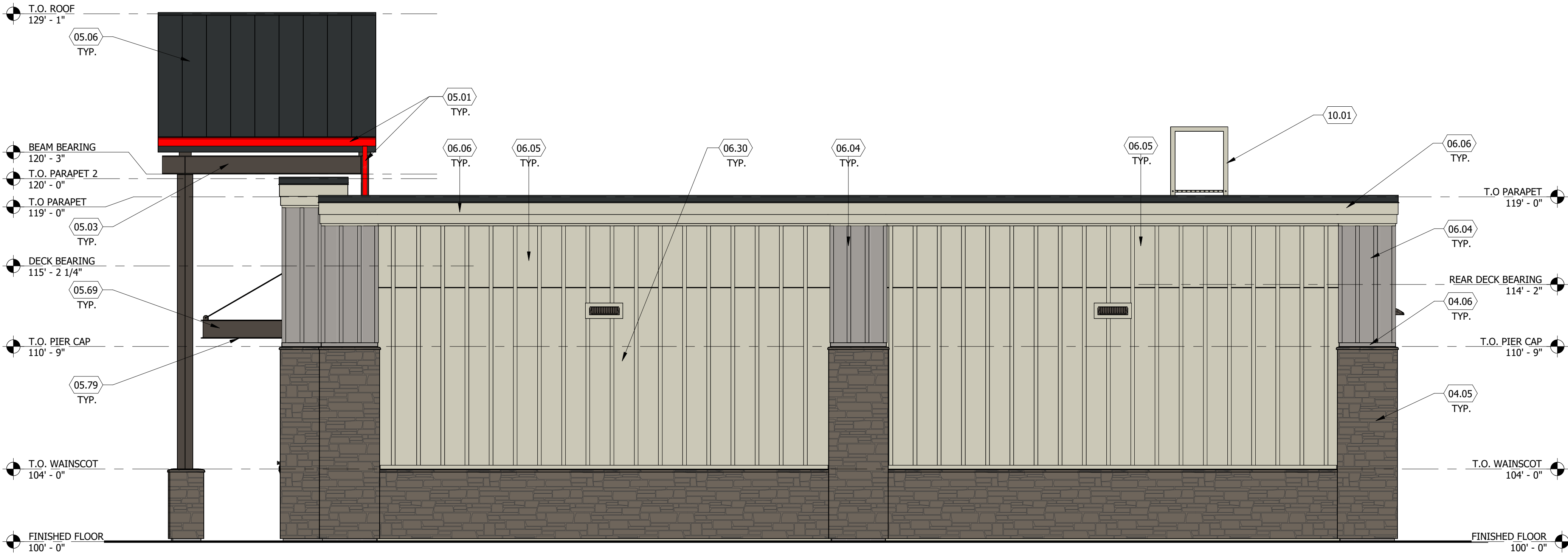
PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M
A-4 | EXTERIOR ELEVATIONS

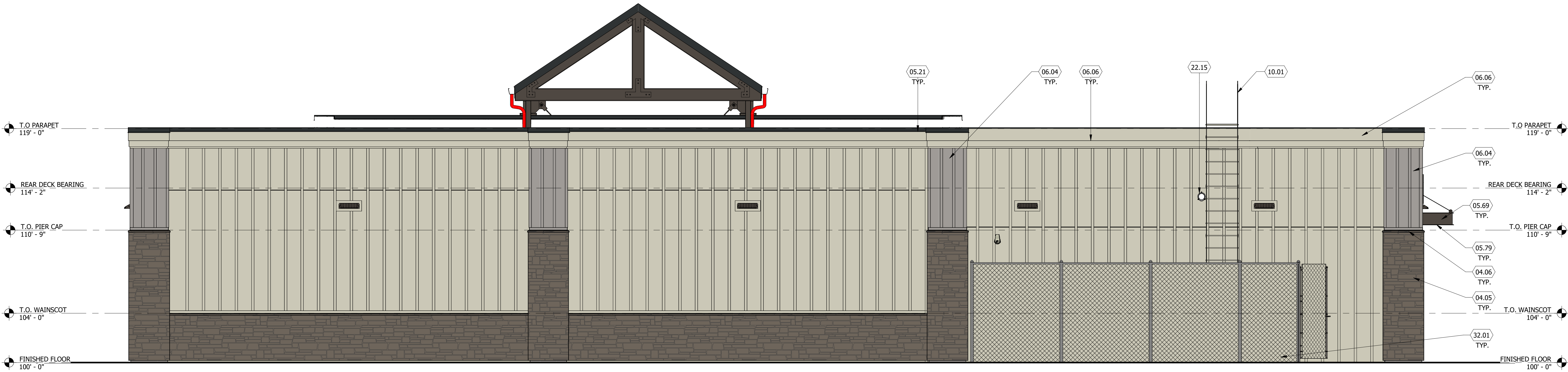


KEYED NOTES

- 04.05 CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
- 04.06 CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
- 05.01 PRE-FINISHED GUTTER AND DOWNSPOUT, BRITE RED
- 05.03 PAINTED STEEL, BLACK FOX
- 05.06 MBCI PRE-FINISHED METAL ROOF, 1 3/4" STANDING SEAM, MIDNIGHT BRONZE
- 05.21 PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
- 05.69 STEEL AWNING, COLOR P-9
- 05.79 3/4" METAL SOFFIT, COMMERCIAL GRADE. COLOR: PAINTED BLACK FOX SW 7020
- 06.04 FIBER CEMENT BOARD & BATTEN SIDING, BB-2
- 06.05 FIBER CEMENT BOARD & BATTEN SIDING, BB-1
- 06.06 FIBER CEMENT TRIM BB-3
- 06.30 HORIZONTAL JOINT IN SIDING
- 10.01 ROOF ACCESS LADDER W/ SECURITY GATE, SEE DETAIL 1/A5.11. POWDER COATED COLOR TO MATCH SIDING BB-1
- 22.15 ROOF OVERFLOW DRAIN SCUPPER, SEE PLUMBING DRAWINGS
- 32.01 CHAIN LINK FENCE WITH PRIVACY SLATS. COLOR TO MATCH BUILDING FIELD COLOR



2 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

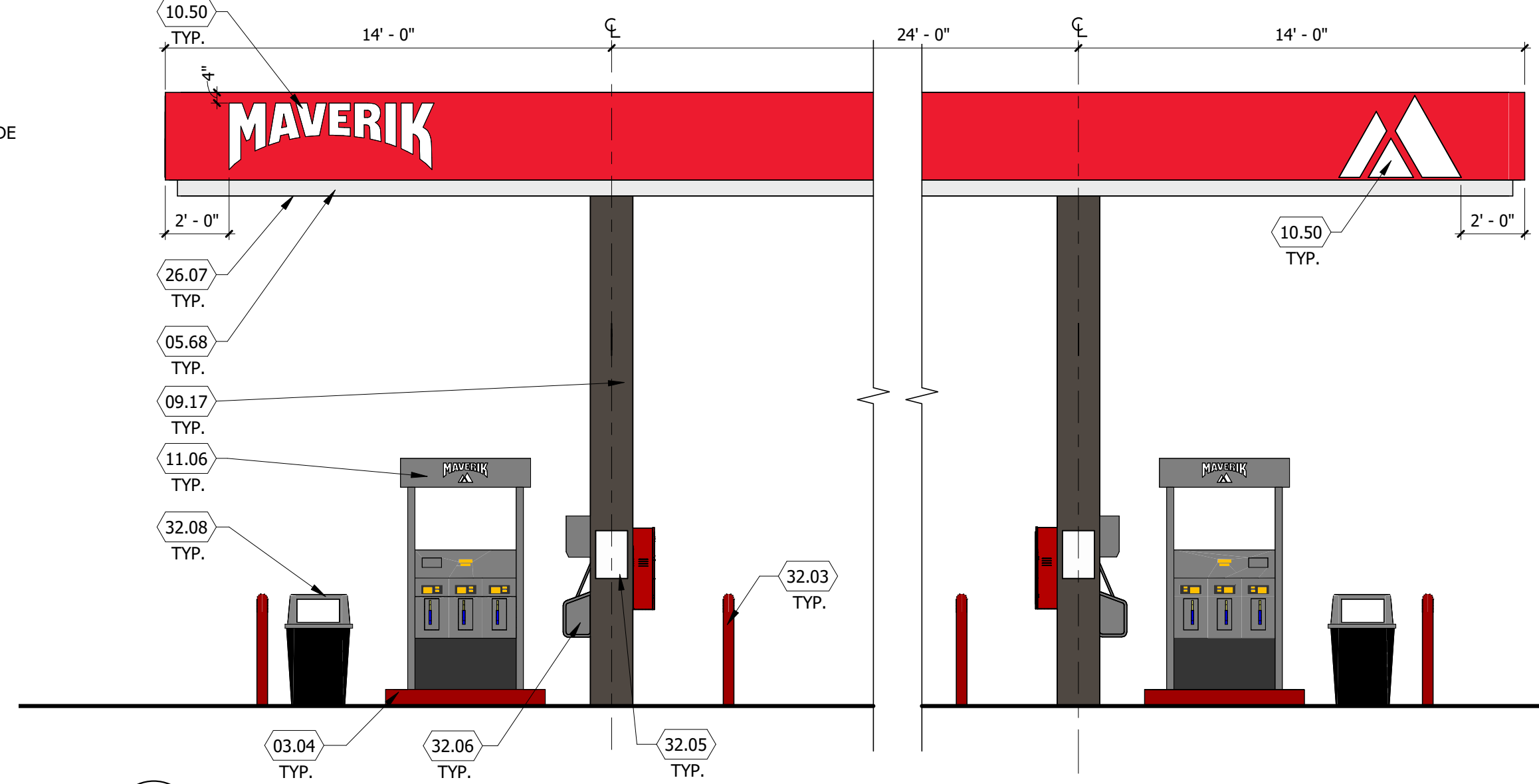
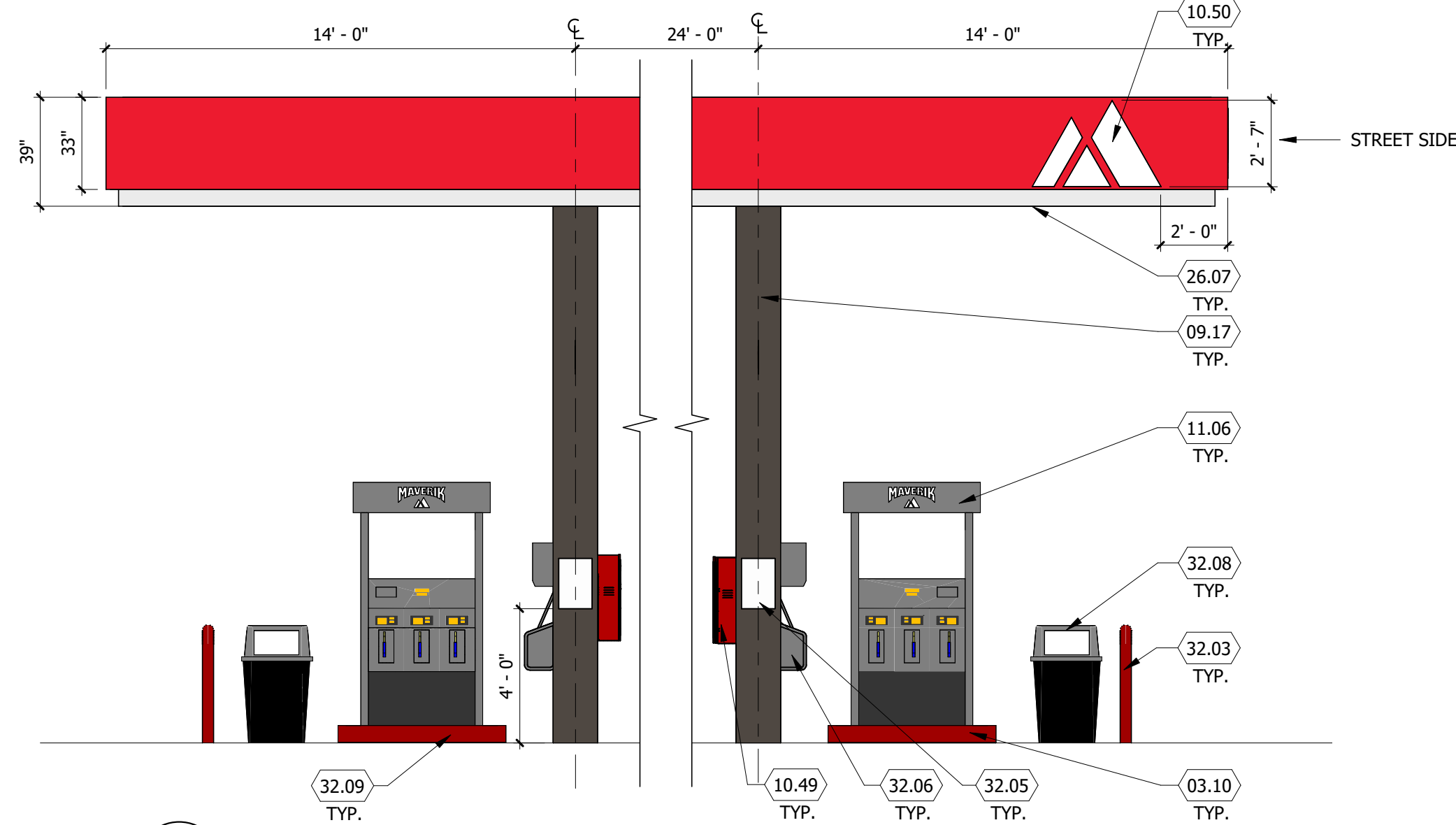


1 REAR ELEVATION
SCALE: 1/4" = 1'-0"

PROPOSED MAVERIK C-STORE

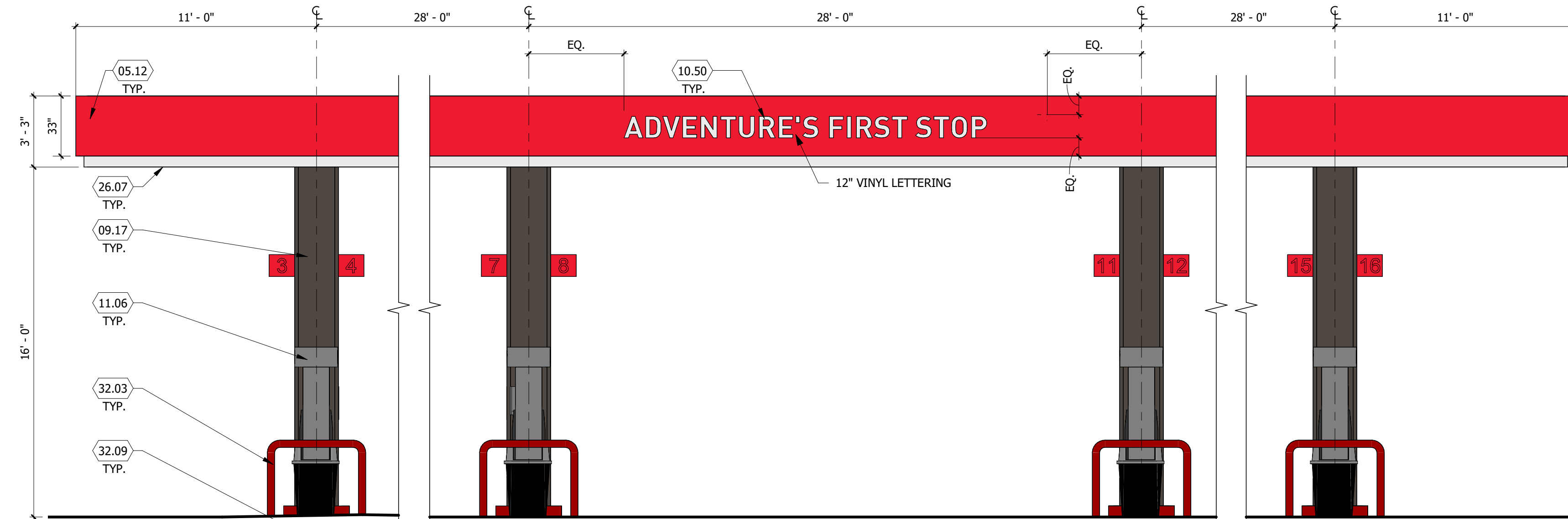
Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M
A-5 | EXTERIOR ELEVATIONS



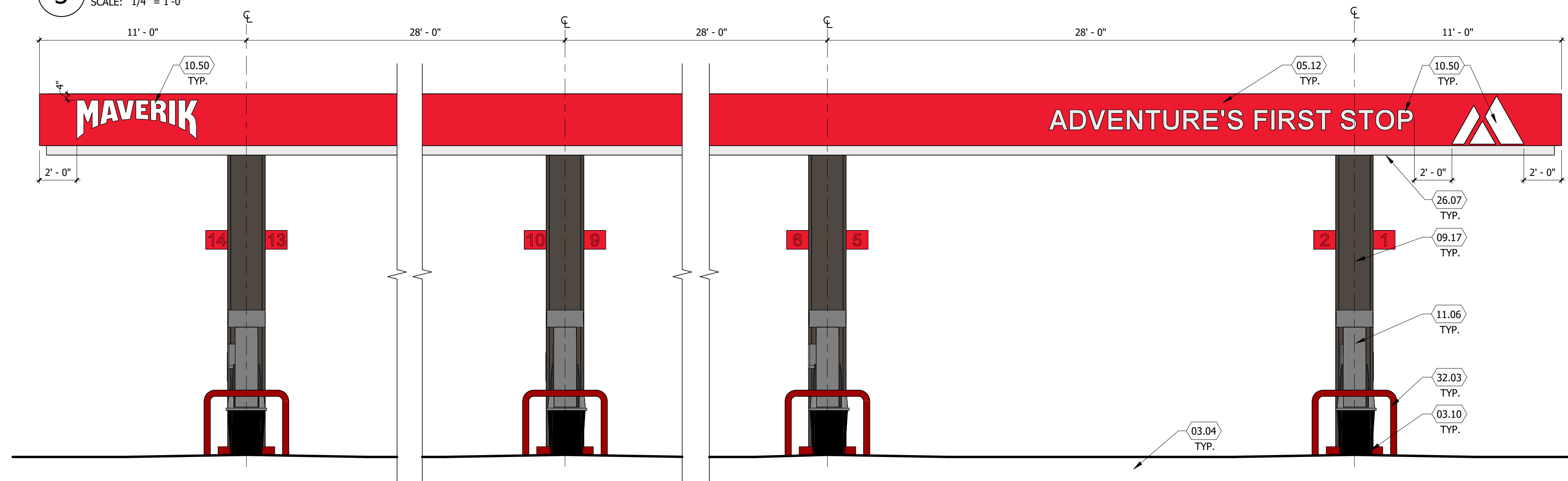


KEYED NOTES

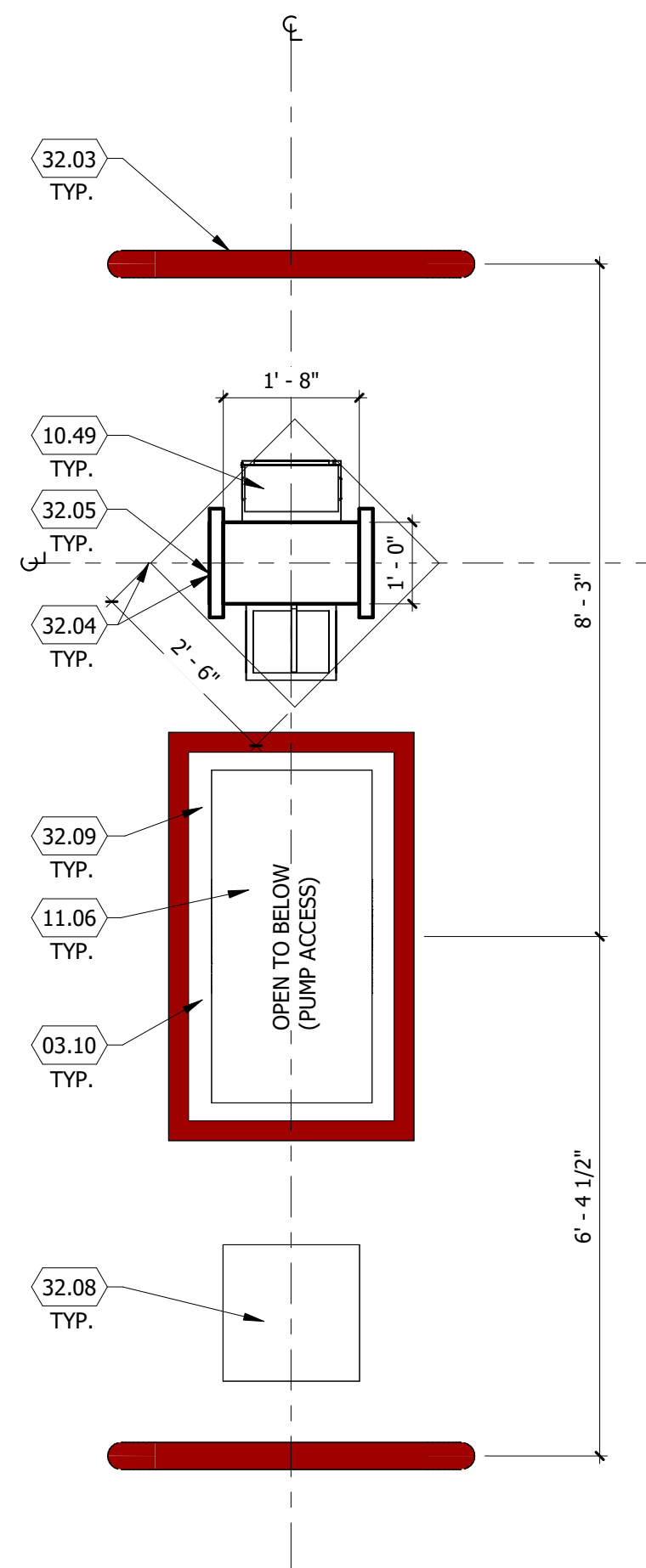
- 03.04 REINFORCED CONCRETE PAD
- 03.10 6" MIN. RAISED CONCRETE ISLAND W/ TOOLED EDGES AND CORNERS. VERIFY SIZE W/ DISPENSER SUPPLIER +/-5'-0" X 3'-0" (NO METAL FORM). ACCESSIBLE ISLAND TO BE 6"; SEE CIVIL DRAWINGS FOR LOCATION
- 05.12 ALUMINUM COMPOSITE METAL PANEL, EASTMAN RED
- 05.68 ALUMINUM COMPOSITE METAL PANEL, WHITE
- 09.17 PANEL COLUMN CLADDING, COLOR TO MATCH P-9
- 10.49 4A-40 BC FIRE EXTINGUISHER W/ CASE, LOCATE WITHIN 75' OF ALL PUMPS, DISPENSERS, OR STORAGE TANK. LOCATION TO BE FINALIZED BY FIRE MARSHAL
- 10.50 SIGNAGE TO BE COORDINATED BY FUEL CANOPY CONTRACTOR WITH OWNER DISPENSING STATION (BY OTHERS)
- 11.06 ALL LIGHT FIXTURES (NOT SHOWN) TO BE FLUSH MOUNTED WITHIN THE DECK PANEL SOFFIT (SOFFIT COLOR P-7). SEE ELECTRICAL AND FUEL DISPENSING DRAWINGS
- 32.03 4" DIAMETER "U" BOLLARD, SET AND FILLED W/ CONCRETE, SEE CIVIL DRAWINGS. PAINTED P-4
- 32.04 EXPANSION JOINTS, TO BE FILLED W/ "JET FUEL RESISTANT" SEALANT, SEE CIVIL DRAWINGS
- 32.05 SIGNAGE, BY OWNER, TO COMPLY WITH IFC 2305.6 AND POSTED ON EACH SIDE OF COLUMN
- 32.06 S.S.I. (WINDOW WASH/PAPER TOWEL) PROVIDED BY OWNER INSTALLED BY CONTRACTOR, MOUNTED TO COLUMN PER ADA REQUIREMENTS (4'-0" MAX A.F.F. TO PAPER TOWEL FOLD)
- 32.08 TRASH CONTAINER, PROVIDED BY OWNER
- 32.09 PAINT CONCRETE CURB EDGE P-4, SEE SCHEDULE ON SHEET A6.03



3 FUEL DISPENSING CANOPY - BUILDING SIDE ELEVATION
SCALE: 1/4" = 1'-0"



1 FUEL DISPENSING CANOPY - STREET SIDE ELEVATION
SCALE: 1/4" = 1'-0"



2 CANOPY COLUMN PLAN
SCALE: 1/2" = 1'-0"

PROPOSED MAVERIK C-STORE

NOTE:
FUEL CANOPY DRAWINGS PROVIDED ARE
CONCEPTUAL, AND MAY VARY FROM SITE TO SITE.

Prototype Version: 50_L_RR_2202

Building Square Footage: 5,637 SF

Construction Type/Occupancy Classification: V-B / M

A-6

CANOPY ELEVATIONS





BB-1 Fiberboard -
Worldly Gray

BB-2 Fiberboard -
Gauntlet Gray

BB-3 Fiberboard -
Worldly Gray



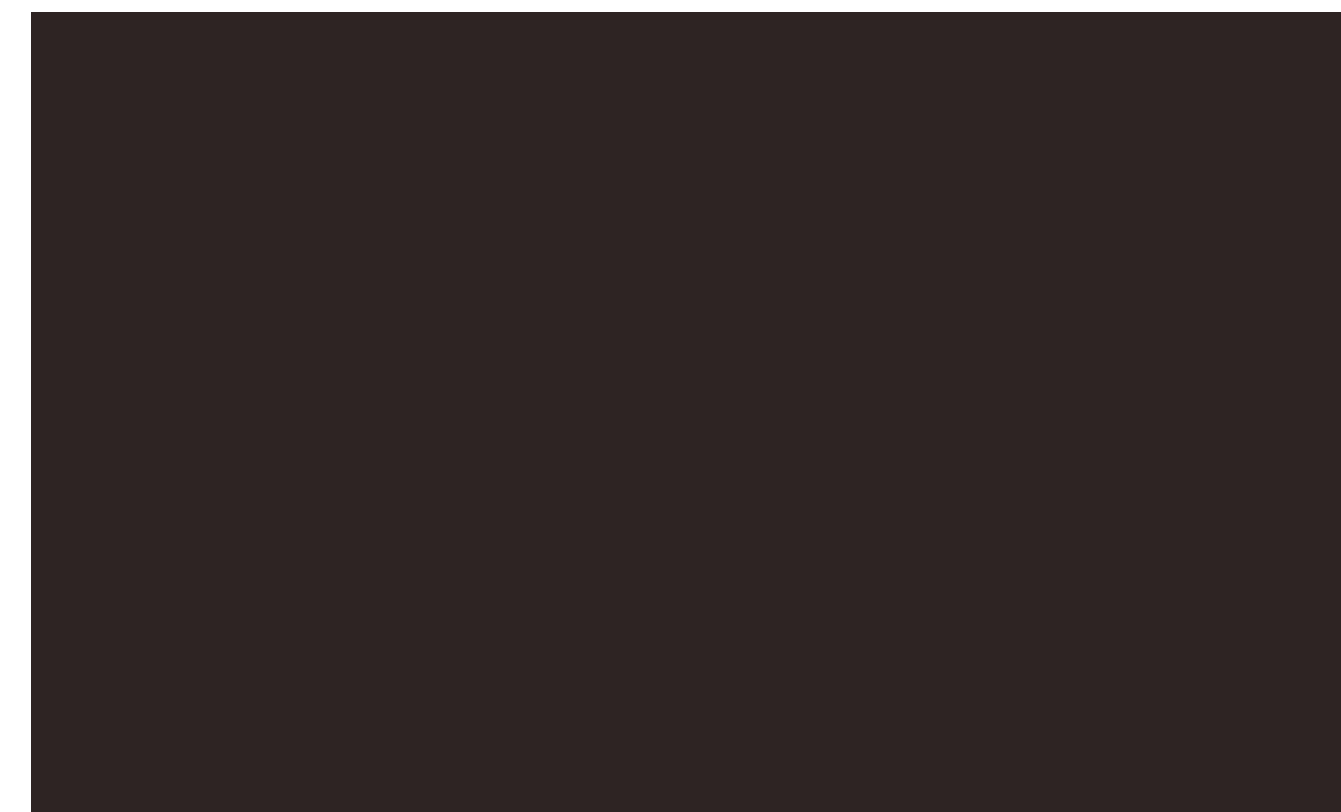
Cultured Stone - Skyline, Country LedgeStone



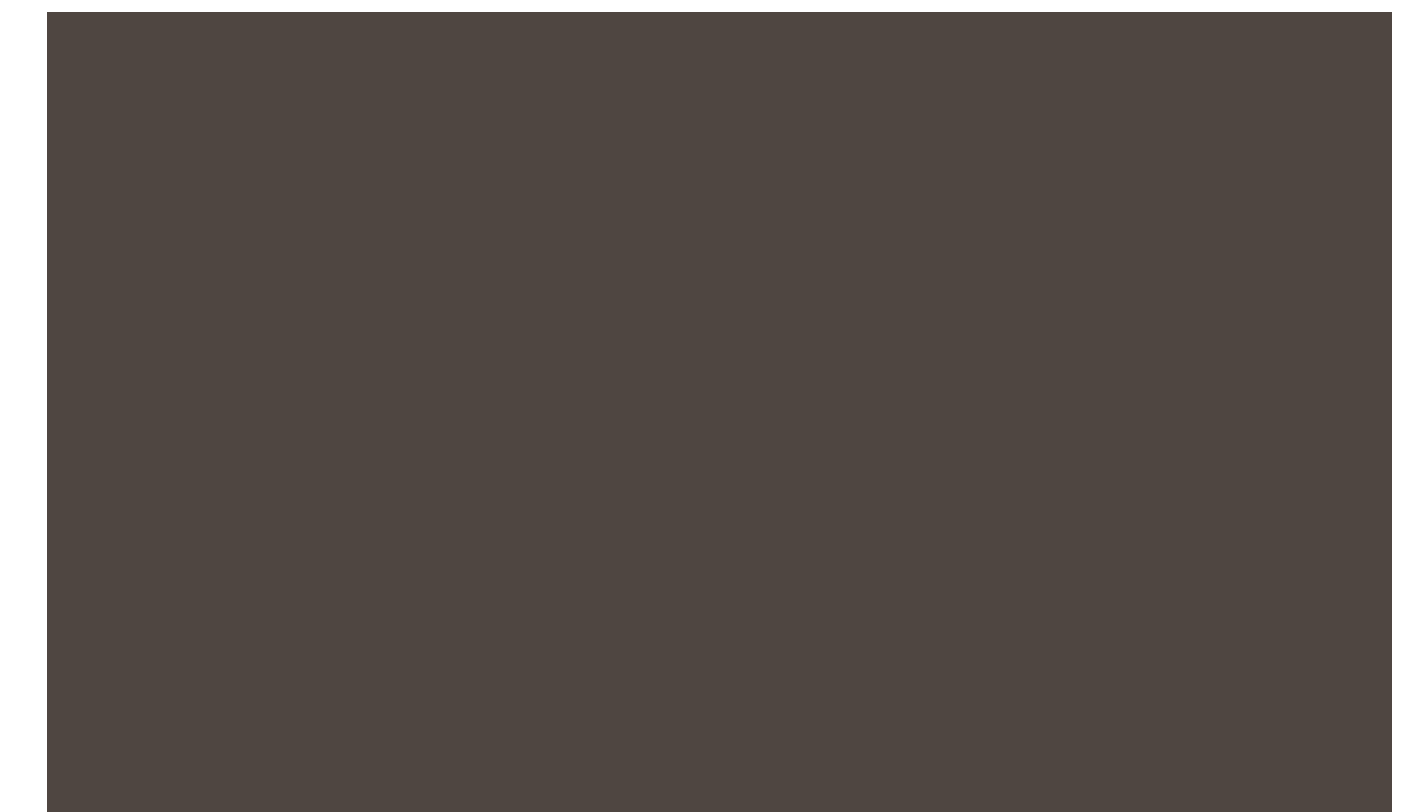
C-1 MSCI Midnight Bronze



C-2 MSCI Brite Red



Anodized - Dark Bronze



Paint - Black Fox

PROPOSED MAVERIK C-STORE

Prototype Version: 50_L_RR_2202

Building Square Footage: 5,637 SF

Construction Type/Occupancy Classification: V-B / M

A-7

EXTERIOR MATERIALS BOARD

03.08 CONCRETE FOOTINGS AND FOUNDATIONS, SEE STRUCTURAL DRAWINGS
04.08 SPLIT-FACE CMU BLOCK, COLOR: CANVAS, 6'-0" HIGH WITH CONCRETE CAP
04.10 SPLIT-FACE CAP
10.38 WELD BRACES TO GATE AS REQUIRED
10.39 6" METAL POST, CONCRETE FILLED AND CAPPED. PAINTED P-9
10.40 CHAIN LINK GATE WITH SLATS TO MATCH P-9, W/ (4) HINGES, PAINTED P-9
10.41 5/8" DROP ROD TO CONCRETE, PAINTED P-9
10.42 3/4" DRILLED HOLE FOR DROP ROD, 3" MIN. DEPTH



Prototype Version: 50_L_RR_2202
Building Square Footage: 5,637 SF
Construction Type/Occupancy Classification: V-B / M

MAVERIK



185 S. State Street
Salt Lake City, Utah 84111

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EXHIBIT E

ISMND

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Initial Study PROJ-2024-00030
Oasis Road Maverick Gas Station & Convenience Store
APN: 3067-051-29
April 15, 2025

**SAN BERNARDINO COUNTY
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APNs:	3067-051-29	USGS Quad:	Mescal Creek, CA 7.5
Applicant:	Maverick	T, R, Section:	T04N R07W Sec. 18
Location:	Southwest corner of Oasis Road and Highway 138.	Thomas Bros:	N/A
Project No:	PROJ-2024-00030	Community Plan:	Phelan/ Pinon Hills Community Plan
Rep:	Core States	LUC: Zone:	Commercial (C) General Commercial (CG)
Proposal:	A Minor Use Permit (MUP) to establish a new convenience store to include 5,637 sq. ft. of retail space with 10 fuel dispensing islands and four (4) fuel dispensing islands for commercial vehicles on 8.78 acres.	Overlays:	Fire Safety Overlay

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue, 1st floor
San Bernardino, CA 92415

Contact person: Delanie Garlick, Planner
Phone No: 916-517-0476 **Fax No:** (760) 995-8167
E-mail: Delanie.garlick@weareharris.com

Environmental Consultant: CASC Engineering and Consulting
1470 E. Cooley Drive
Colton, CA 92324
(855) 381-0101

PROJECT DESCRIPTION:

Summary

The Project site is comprised of one (1) 8.78-acre parcel, Assessor Parcel Number (APN) 3067-051-29, and is located at the southwest corner of Oasis Road and Highway 138 within the unincorporated community of Pinon Hills in San Bernardino County ("County") (see *Figure 1, Regional Vicinity, Figure 2, Aerial Imagery and Figure 3, Assessor's Parcel Numbers*) The Countywide Policy Plan designates the Project site within the Commercial Land Use Category (see *Figure 4, General Plan Land Use Map*). The Project site has a zoning designation of General Commercial (CG) (see *Figure 5, Zoning Map*). The CG zoning designation allows service stations and convenience stores with the approval of a Minor Use Permit.

The Applicant/Owner of the property requests the approval of a Minor Use Permit (MUP) for a new gas station and 5,637 square feet (SF) convenience store with 14 fuel dispenser islands, 10 for passenger vehicles and 4 for commercial vehicles ("Project") (See *Figure 6, Proposed Site Plan*). The proposed convenience store will be twenty-nine feet (29') tall at its highest point, with the majority of the structure standing at nineteen feet (19'). The fueling canopy will have a height of nineteen feet and three inches (19'-3"), offering a sixteen-foot (16') clearance. The Project will include 3 underground storage tanks (USTs) for gasoline and diesel storage located along the eastern portion of the site. The proposed facility will be staffed with 13-25 working employees and will be operational twenty-four (24) hours a day, seven days a week.

Lighting/Signage/Landscaping/Fencing

The Project includes approximately 220,919 SF of drought tolerant landscaping (57.7% of site area). Landscaping is proposed around the convenience store, throughout the parking lot and along the Project frontage of Oasis Road and Buckthorne Road. New sources of lighting will be introduced to the site and will include security lighting around the convenience store building, parking areas and gas pumps and will be constructed in accordance with County requirements. Signage will be provided by a pole sign, gas pump signage and wall signs on the building, all of which will comply with sign standards located in the County Development Code. A ten-foot (10') tall T-fence is proposed along the northern perimeter of the site consistent with Chapter 83.06, § 83.06.030 Table 83-6 of the County Code.

Construction

Construction will occur in one (1) phase and is anticipated to commence in late 2025 and be operational in early 2026. Construction activities include site preparation, grading, building construction, paving and architectural coating.

Utilities

The Phelan/Pinon Hills Community Services District (CSD) will provide water services to the site. The Project will connect to existing water utilities in Oasis Road. Sewer will be provided onsite via a proposed septic system and associated seepage pits located in the southern portion of the Project site. Electricity is provided by Southern California Edison (SCE) and the Project will connect to existing SCE utilities along Oasis Road.

Access/Parking

Access to the Project site would be provided via a proposed fifty-foot (50') wide driveway off of Oasis Road, and a forty-foot (40') wide driveway off of Buckthorne Road. The Project includes improvements to Oasis Road and encroach approximately 60-feet into Caltrans right-of-way of Highway 138 and thus requires an encroachment permit from Caltrans Improvements to Oasis

Road include road widening, sidewalk extension to the existing curb ramp at the intersection of Oasis Road and Highway 138, dashed and solid striping between north-south lanes, a 10-foot-wide (10') shoulder, a right-turn lane into the Project site, a proposed dedicated turning lane to the existing post office to the east, and the addition of a fire hydrant. All driveways will be constructed to County roadway standards to ensure proper alignment and connection with existing streets. Driveways will be paved per County standards. Additional improvements including curb, gutter, and sidewalks that will comply with the County requirements located on table 83-11 of the County Code for the desert region. The Project will include 42 parking spaces, including 2 ADA compliant spaces, and 2 large truck parking spaces limited to less than 30 minutes of parking.

Western Joshua Tree

The site is dominated by Western Joshua Tree. The Project proposes a 2.08-acre preservation area in the northern portion of the site to conserve existing vegetation. The remaining 6.7 acres of the site will be impacted by the proposed Project and require an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) for the removal and relocation of Western Joshua Tree.

Surrounding Land Uses and Setting

The Project site is located within the boundaries of the unincorporated Community of Pinion Hills, County of San Bernardino. As shown on the County of San Bernardino Land Use Map, the Project site is within a Commercial Land Use Category. Surrounding land uses include commercial and residential uses to the north, Pinon Hills Park and San Bernardino County Fire Station 13 to the West, a post office and residential uses to the south and residential uses to the east. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Vacant	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
North	Commercial (Retail Store)/ Highway 138.	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
South	Single Family Residential/	Very Low Residential (VLDR)	Phelan-Pinon Hills/Single Residential- 1-acre minimum lot size (PH/RS-1)
	Post Office	Commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)
East	Undeveloped and Vacant	commercial (C)	Phelan-Pinon Hills/General Commercial (PH/CG)

West	Undeveloped and Vacant; Single Family Residential; Public Facilities (Fire Station and Park)	Commercial (C)	Phelan-Pinon Hills/Neighbor hood Commercial (PH/CN)
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Project Site Location, Existing Site Land Uses and Conditions

The Project site is located at the southwest corner of Oasis Road and Highway 138 in the unincorporated Community of Pinon Hills in the County of San Bernardino. The Project site is bound by Highway 138 to the north, Buckthorne Road to the South and Oasis Road to the east and Smoke Tree Road, a dirt road, to the north. The 8.78-acre site is currently undeveloped, vacant land and the terrain is moderately sloped with a moderate growth of native plants, trees, and shrubs. The Western Joshua Tree is present and abundant on the Project site.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California: 1) A Caltrans encroachment permit is required for improvements in the right-of way of Highway 138. 2)A California Department of Fish and Wildlife Incidental Take Permit is required for impacts to Western Joshua Tree. 3) A General Permit is required from MDAQMD prior to construction and operation of the Project as well as approval to dispense gasoline at the proposed gas station.

County of San Bernardino: Land Use Services Department: Planning, Building & Safety, Code Enforcement, Land Development; Public Health: Environmental Health Services; Special Districts; and Public Works: County Surveyor, Solid Waste Management, and Traffic.

Regional: Mojave Desert Air Quality Management District

Local: None



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0 5 10 20
 Miles

Figure 1 - Regional Vicinity Map
 Maverick Gas Station, Pinion Hills

San Bernardino County

Initial Study PROJ-2024-00030
Oasis Road Maverick Gas Station & Convenience Store
APN: 3067-051-29
April 15, 2025



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0 175 350 700
US Feet

Figure 2 - Aerial Imagery
Maverick Gas Station, Pinion Hills

San Bernardino County

APN: 3067-051-29



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0 80 160 320
US Feet

Figure 3 - Assessor's Parcel Number
Maverick Gas Station, Pinion Hills

San Bernardino County

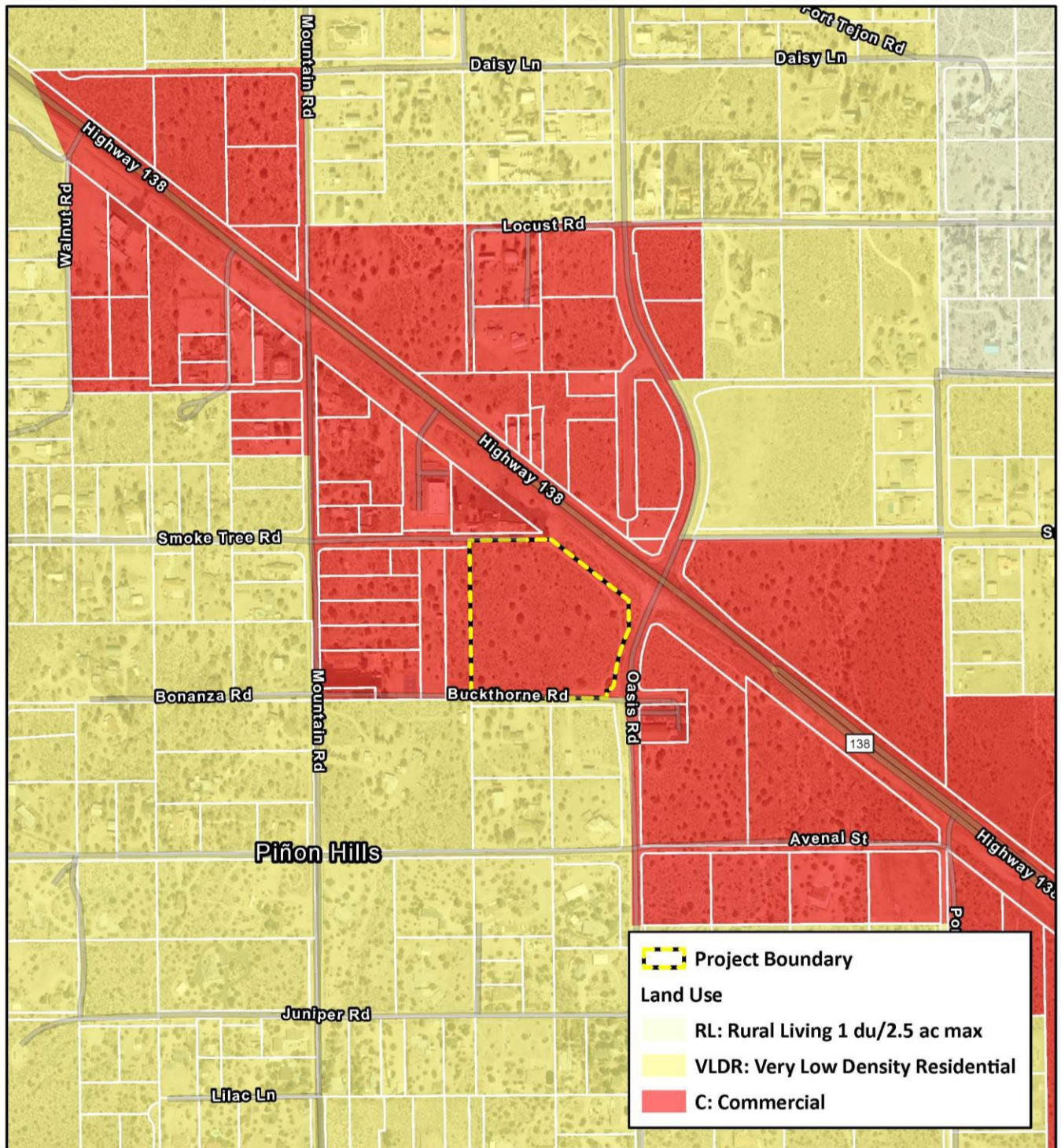


Figure 4 - General Plan Land Use
 Maverick Gas Station, Pinion Hills



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 www.cascinc.com

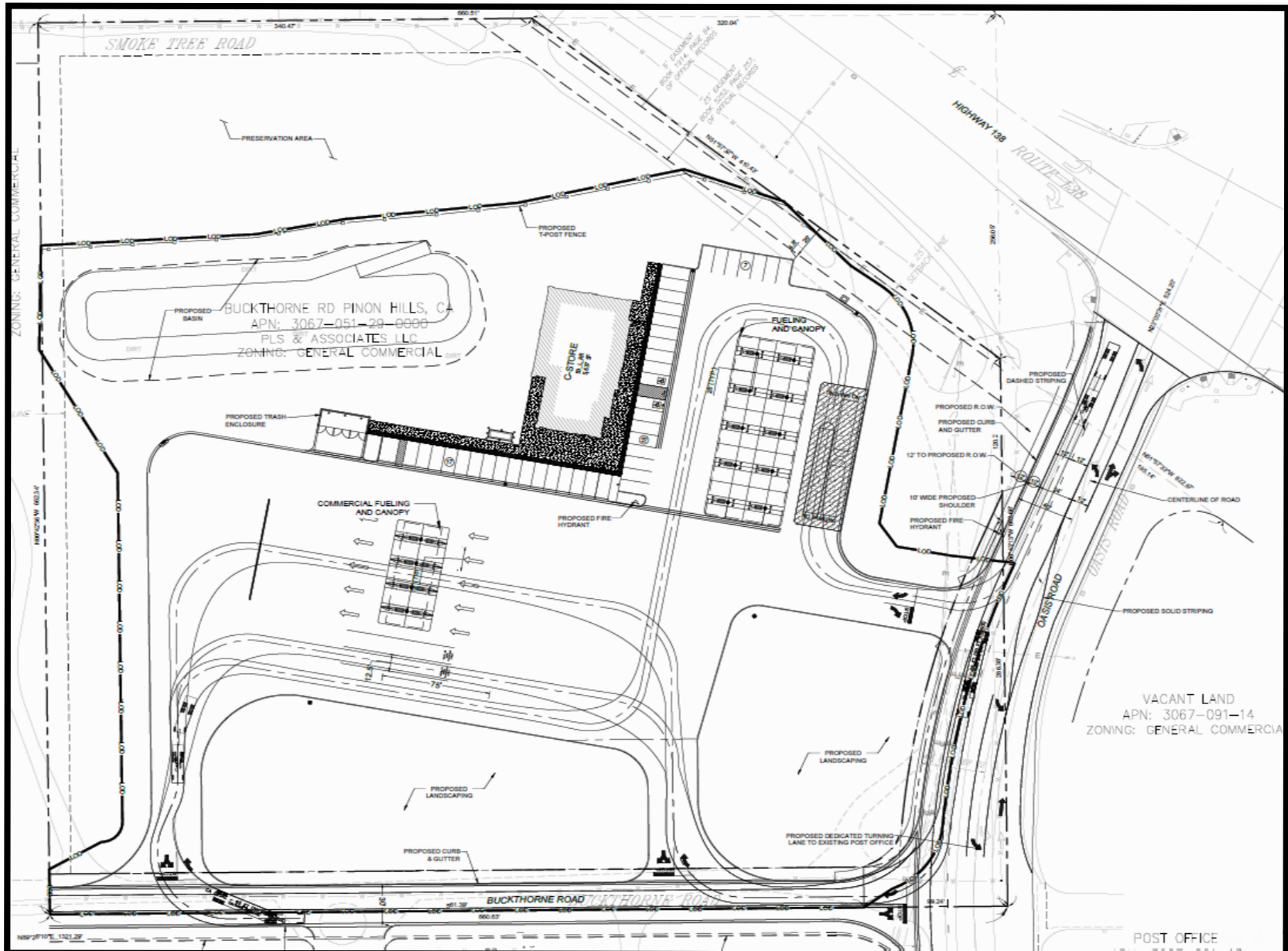


0 270 540 1,080
 US Feet

Figure 5 - Zoning
 Maverick Gas Station, Pinion Hills

San Bernardino County

Figure 6: Proposed Site Plan



CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The County, Lead Agency, will commence the AB 52 process by transmitting letters of notification to the California Native American tribes traditionally and culturally affiliated with the Project area and any mitigation will be incorporated into this document.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated, and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)

4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).
5. At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input type="checkbox"/> <u>Geology/Soils</u> | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input type="checkbox"/> <u>Hazards & Hazardous Materials</u> |
| <input type="checkbox"/> <u>Hydrology/Water Quality</u> | <input type="checkbox"/> <u>Land Use/Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> |
| <input type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Population/Housing</u> | <input type="checkbox"/> <u>Public Services</u> |
| <input type="checkbox"/> <u>Recreation</u> | <input type="checkbox"/> <u>Transportation</u> | <input type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Utilities/Service Systems</u> | <input type="checkbox"/> <u>Wildfire</u> | <input type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: (Delanie Garlick, Planner)

Date

Signature: (Supervising Planner)

Date

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check ☒ if project is located within the view-shed of any Scenic Route listed in the General Plan):

San Bernardino Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Plan Draft EIR, released June 17, 2019; Caltrans California State Scenic Highway System; Phelan/Pinon Hills Community Action Guide; San Bernardino County Development Code; Submitted Project Materials

Findings of Fact:

- a) *Have a substantial adverse effect on a scenic vista?*

The proposed Project is located in the community of Pinon Hills along Oasis Road and Highway 138 in the County of San Bernardino. The County does not designate any Scenic Vistas within the Project area in their General Plan or Community Plans. The designated land uses surrounding the Project include Commercial, and Very Low Density Residential. The current surroundings consist of primarily undeveloped scrub-like desert landscape with scattered commercial and residential developments. The property to the north of the proposed Project contains a retail store. The Project would add a new gas station and convenience store on the vacant land; therefore, the proposed Project would be consistent with the existing developments and would not

greatly alter the character of the area. The Project is consistent with the Countywide Plan, zoning designation, and development standards and would be required to follow the County's policies regarding scenic resource preservation. Therefore, the Project would have a less than significant impact on a scenic vista.

Less Than Significant Impact

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project site is not located within or adjacent to a state scenic highway corridor. The nearest Eligible State Scenic Highway is a portion of Highway 138 located approximately 17 miles northeast of the site. The Project site is currently vacant and does not contain unique or unusual features within or adjacent to the site. The Project site does not contain any scenic resources, including but not limited to trees, rock outcroppings or historic buildings within a state scenic highway. Therefore, the Project would result in a less than significant impact.

Less Than Significant Impact

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The Project is located in a non-urbanized area according to the census. The Applicant is requesting a Minor Use Permit (MUP) for the construction of a new gas station and convenience store, which is consistent with the commercial uses existing to the north of the Project site. The proposed Project is compliant with the existing land use and zoning designations. The Project site is currently vacant and does not provide public views from an accessible vantage point. The development of a single story convenience store and gas pumps with associated parking and landscaping will not conflict with the existing uses or degrade the existing visual character or quality of public viewpoints. Implementation of the proposed Project would not have a substantial adverse effect on the existing visual character or quality of public views, a less than significant impact would occur.

Less Than Significant Impact

- d) *Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?*

Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused by unshielded or misdirected lighting sources, as well as reflective surfaces. The County's Development Code Section 83.07.040 includes design standards for outdoor lighting that apply to all development in the Mountain and Desert regions.¹ The Development Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. Although the proposed Project would be required to adhere to the applicable requirements of the County's Development Code, the Project would introduce new sources of light at the developed Project site, including lighting at the fueling area, parking area, convenience store building for security and safety purposes. The standards listed in Chapter 83.07- Light Trespass of the Development Code, require light shielding, light pollution standards, automated controls and dark sky curfew will ensure that outdoor lighting and glare will not impact the surrounding area. The additional on-site light sources due to the Project are not anticipated to be substantial enough to adversely affect day or nighttime views in the area. Therefore, a less than significant impact would occur.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation measures are required

¹ San Bernardino County. Development Code. Section 83.07.040

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

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance or Potential, and Grazing Land. The classification of farmland is determined by a soil survey conducted by the Natural Resources Conservation Service (NRCS) which analyzes the suitability of soils for agricultural production. The Project site is classified as "Other land" which means the land is not suitable for agriculture and surrounded by urban and residential developments. Therefore, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact would occur.

No Impact

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The Project site has a land use designation of Commercial and is zoned General Commercial (CG). The proposed Project is consistent with the current Countywide Plan and zoning designation. Furthermore, no properties are zoned for agricultural land uses in the Project's vicinity, nor is the site under a Williamson Act Contract. Therefore, implementation of the Project has no potential to conflict with existing zoning for agricultural use. As such, no impact would occur.

No Impact

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

There are no lands located within the Project site or within the vicinity of the Project site that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

No Impact

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

Neither the Project site nor the surrounding areas possess any forestland; thus, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur.

No Impact

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

As previously discussed under Section II (a), the Project site is classified as “Other Land” by the California Department of Conservation and does not meet the definition of Farmland (i.e., “Prime Farmland”, “Unique Farmland”, or “Farmland of Statewide Importance”). The Project site is vacant and does not contain active agricultural uses under existing conditions. Therefore, no changes in the existing environment would result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use. Thus, no impact would occur.

No Impact

No impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):</i>				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Air Quality Impact Analysis, prepared June 25, 2024 (Appendix A)				

Regulatory Setting: The Project site is located in the Mojave Desert Air Basin (MDAB) within the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD encompasses approximately 20,000 square miles including San Bernardino County's High Desert and Riverside County's Palo Verde Valley. The MDAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards through the implementation of many Air Quality Management Programs (AQMP).

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The U.S. Environmental Protection Agency (EPA) has set National Air Quality Standards (NAAQS) and monitoring requirements for six principal pollutants, which are called "criteria pollutants," including Ozone (O3), Particular Matter (PM) (including both PM10 and PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), and lead (Pb). The MDAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Currently, the MDAB is in nonattainment for Ozone (O3) and PM10 under state and federal air quality standards. The federal Clean Air Act (CAA) requires areas

that are not attaining the national ambient air quality standards (NAAQS) to develop and implement an emission reduction strategy that will bring the area into attainment in a timely manner. The MDAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP for the MDAB was published in 2016 and demonstrates attainment of the federal 24-hour PM_{2.5} standard by 2027. The MDAQMD has developed regional and localized significance thresholds (LST) for criteria pollutants, which indicate that any Projects in the MDAB with daily emissions that exceed any of the indicated thresholds should be considered having an individually and cumulatively significant air quality impact. Pursuant to the methodology provided in MDAQMD CEQA Air Quality Handbook, consistency with the AQMP is affirmed when a Project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP.

Construction Emissions:

Urban Crossroads prepared an Air Quality Impact Analysis for the proposed Project (Appendix A). Construction activities associated with the Project will result in limited emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Sulfur Oxides (SO_x), and Particulate Matter (PM₁₀ and PM_{2.5}). Construction related emissions are expected from the following construction activities: site preparation, grading (including soil import), building construction, painting (architectural coatings), paving (curb, gutter, flatwork, and parking lot), and construction workers commuting (*Appendix A*). Exhaust emissions from construction activities envisioned on the site would vary daily as construction activity levels change. As shown below in *Table 3-1 Emissions Summary of Construction*, the Project construction on a regional and local scale would not exceed any MDAQMD Threshold.

Table 3-1 Emissions Summary of Construction

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2025	1.23	11.36	14.32	0.03	0.50	0.44
Winter						
2025	4.13	37.56	33.41	0.08	7.82	4.52
2026	9.25	19.05	26.42	0.04	1.00	0.76
Maximum Daily Emissions	9.25	37.56	33.41	0.08	7.82	4.52
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod Appendix A

Operational Emissions:

Operational activities associated with the proposed Project will result in limited emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Sulfur Oxides (SO_x), and Particulate Matter (PM₁₀ and PM_{2.5}). Operational emissions would be expected from the following primary sources—area source emissions, energy source emissions and mobile source emissions and gasoline dispensing emissions. Area source emissions include paints, varnishes, primer and other surface coatings, cleaning and landscaping products and equipment. Energy source emissions include electricity and natural gas use. Mobile source emissions are generated from cars and truck trips from employees, delivery drivers and customers. Under the assumed scenarios established in the report, emissions resulting from the Project operations would not exceed the numerical thresholds established by the MDAQMD for any criteria pollutant (*Appendix A*). Therefore, a less than significant impact would occur, see *Table 3-2: Peak Operational Emissions Summary*.

Table 3-2 Peak Operational Emissions Summary

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Mobile Source	32.52	12.40	97.74	0.14	11.23	2.94
Area Source	0.24	0.00	0.26	0.00	0.00	0.00
Energy Source	0.00	0.03	0.02	0.00	0.00	0.00
Fueling Station	4.75	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	37.51	12.43	98.03	0.14	11.24	2.94
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO
Winter						
Mobile Source	27.88	13.27	91.36	0.13	11.23	2.94
Area Source	0.19	0.00	0.00	0.00	0.00	0.00
Energy Source	0.00	0.03	0.02	0.00	0.00	0.00
Fueling Station	4.75	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	32.83	13.30	91.38	0.13	11.24	2.94
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod, Appendix A

a) Conflict with or obstruct implementation of the applicable air quality plan?

The MDAQMD Air Quality Management Plan (AQMP) establishes thresholds for criteria pollutants; projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plans is to bring an area

that does not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP, or increments based on the year of project buildout and phase.

As shown on Tables 3-1 and 3-2 above, emissions during construction and operations will not exceed the thresholds established by the MDAQMD for any of the six criteria pollutants listed; therefore, the Project would not conflict with or obstruct implementation of the MDAQMD Air Quality Management Plan (AQMP) or any other applicable air quality plan. As analyzed in the Air Quality Impact Analysis prepared by Urban Crossroads (Appendix A), the Project would not result in or cause NAAQS or CAAQS violations. The proposed Project is not a Project of statewide, regional, or area wide significance that would require intergovernmental review under Section 15206 of the CEQA Guidelines. Furthermore, the Project would not exceed any applicable regional or local thresholds, including those enforced by the MDAQMD. As such, the Project is therefore considered to be consistent with the AQMP. The Project would not conflict with or obstruct implementation of an applicable air quality plan. A less than significant impact would occur.

Additionally, the project would be required to comply with all applicable MDAQMD rules and regulations including Rule 401 which prohibits discharge of air contaminants that would cause smoke or haze. This rule encourages use of low emissions equipment and avoidance of activities that create excessive smoke or dust. Rule 402 prevents odors, fumes, smoke or pollutants that could harm human health. This requires avoiding burning debris or generating strong odors. and 403 requires measures to control dust from construction or other activities that generate airborne particles. This includes dust control plans and the use of water to reduce dust among other best practices. Per table 3-1 and 3-2 above, the project would not exceed the applicable regional thresholds during construction or operation and therefore would not have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality and would therefore be considered to have a less than significant impact.

Less Than Significant Impact

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

MDAQMD relies on South Coast Air Quality Management District (SCAQMD) guidance for determining cumulative impacts. Individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for

project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Conversely, individual project-related construction and operational emissions that exceed MDAQMD thresholds for project-specific impacts would be considered cumulatively considerable. As previously noted, the Project will not exceed the applicable MDAQMD regional threshold for construction and operational-source emissions. As such, the Project will not result in a cumulatively significant impact for construction or operational activity.

Less Than Significant Impact

c) *Expose sensitive receptors to substantial pollutant concentrations?*

Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. Sensitive receptors can include long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The sensitive receptors near the proposed Project site are the nearest occupied residential building, located approximately 145 feet west of the Project site.

Per the Air Quality Impact Analysis prepared by Urban Crossroads, emissions resulting from the gasoline service station have the potential to result in toxic air contaminants (TACs) which have the potential to contribute to health risk in the Project vicinity (Appendix A). MDAQMD does not have standards to assess these health risks and defers to SCAQMDs methodology. Methodology presented in CARB and CAPCOA *Gasoline Service Station Industry Wide Assessment Technical Guidance* was used to determine the risk of exposure for workers and nearby residences. The project site is located 11.45 miles east of Source Receptor Area (SRA) 39 (Phelan-Beekley Road) and is approximately 0.01 miles east of a residential site. Based on the screening procedure for gasoline dispensing, it is anticipated that no residential sensitive receptors in the Project vicinity will be exposed to a cancer risk of greater than 6.33 in one million, and no worker will be exposed to a cancer risk of greater than 2.03 in one million, which is less than the applicable threshold of 10 in one million (Appendix A). Therefore, residential users and employees in the area will not be exposed to a cancer risk greater than the accepted threshold of 10 in one million. Additionally, standard regulatory controls, including dust and construction activity controls, stationery and mobile source regulations related to architectural coatings and CARB regulations would apply to the Project in addition to any permits required to ensure appropriate operational controls. Furthermore, the proposed project would not result in a "CO hotspot". Per the Air Quality Analysis completed by Urban Crossroads (Appendix A), a "CO hotspot" would occur only if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur. According to the SCAQMD's 2003 Air Quality Management Plan (AQMP) and the 1992 Federal Plan for Carbon Monoxide (CO), the highest levels of CO in the area were caused by unusual weather and land shapes, not by traffic at a specific intersection. For example, at the Long Beach Boulevard and Imperial Highway intersection (where the highest CO levels were measured), only a small amount of the CO (0.7 parts per million, or ppm) was from the traffic. The rest of the CO (7.7 ppm) came from the air in the area when the 2003 plan was made for this project,

peak hour traffic volumes were measured at 4 intersections in the Project area to see if those traffic volumes would exceed any of the CO producing hotspots in the study area. Project related traffic during ongoing operations would not result in traffic volumes that are greater than the traffic volumes identified in the 2003 AQMP, therefore the project would not result in a CO hotspot. nor would the project result in a significant adverse health impact, as discussed above. Thus, a less than significant impact to sensitive receptors is expected.

Less Than Significant Impact

- d) *Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)*

The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt during construction activities and the temporary storage of typical solid waste (refuse) is associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and are thus considered less than significant. During operation, the Project would be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances, which prohibits emissions (including odors) that cause discomfort or complaints from the public. The CARB Enhanced Vapor Recovery (EVR) standards require gas stations to install vapor recovery systems to control fumes. This is completed in two phases- phase 1 captures vapors during fuel delivery from tankers to underground storage tanks. Phase II captures vapors while dispensing fuel to vehicles. Therefore, odors associated with the Project construction and operation would be less than significant and no mitigation is required.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation is required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database <input checked="" type="checkbox"/>):				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; California Department of Fish and Wildlife; USGS National Map				

Viewer; Oasis Road and Highway 138 Gas Station, Biological Resources Assessment Report, CASC Engineering and Consulting Inc, May 2024 (Appendix B).

- a) *Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

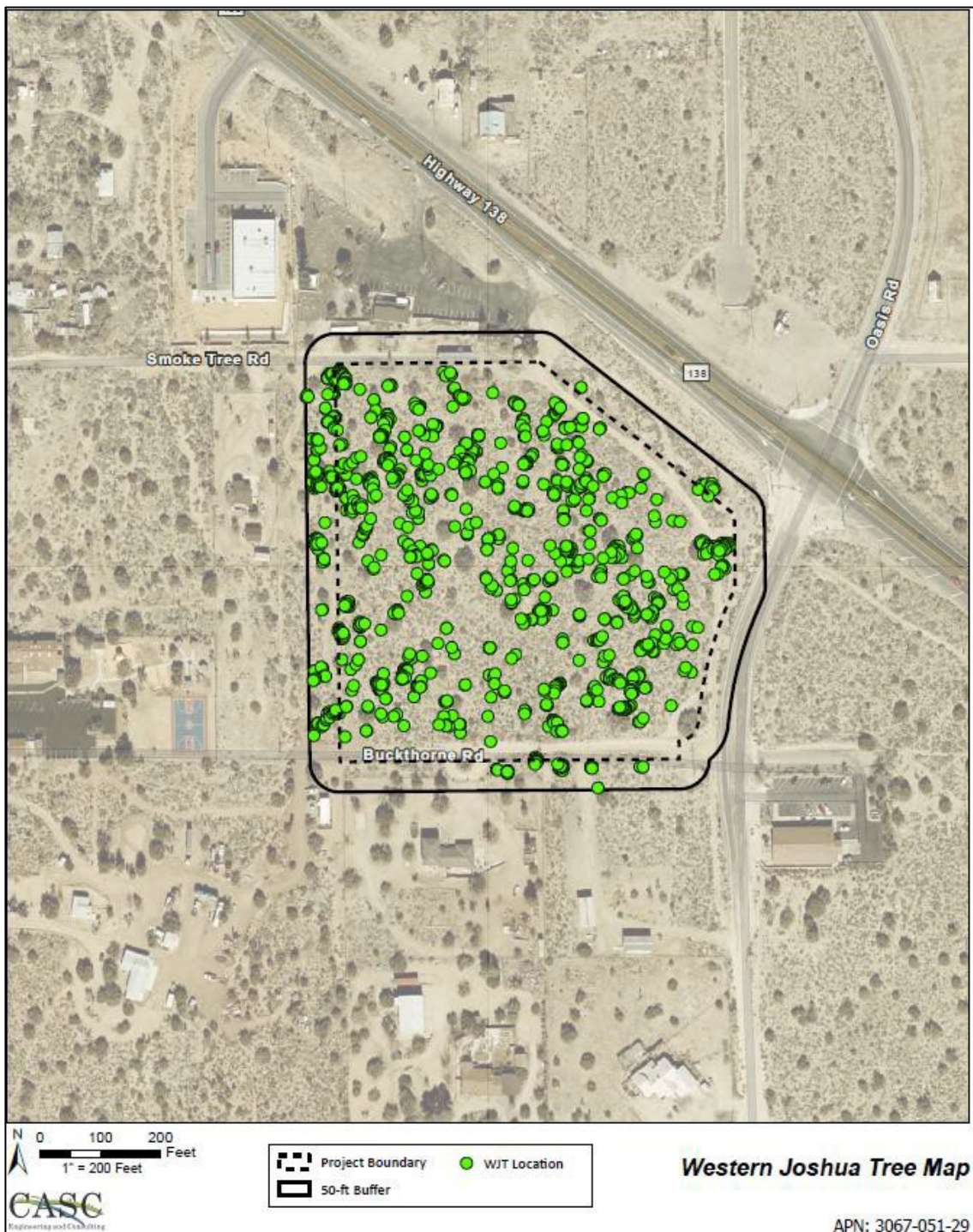
A Biological Resources Assessment (BRA) was prepared for the proposed Project by Casc Engineering and Consulting (Casc) to address potential Project-related impacts on designated critical habitats and/or any special status species protected under the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), California Department of Fish and Wildlife (CDFW) and/or California Native Plant Society (CNPS) (Appendix B).

Special Status Vegetation

The Project Site is within the Mescal Creek quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series. The Project site is currently vacant and undeveloped and is moderately sloped with moderate growth of native plants, trees, and shrub species.

A literature review and records search were conducted as part of the BRA to identify potential species commonly found within the area (Appendix B). The BRA identified the vegetation community as California Juniper woodland, which is not classified as a special status vegetation community. Based on the literature review, three special-status species were determined to have the potential to occur onsite: White pigmy poppy, Short-joint beavertail, and Western Joshua tree (WJT). During the field survey performed by Casc biologists, the White pigmy poppy and the Short-joint beavertail were found not to occur onsite. However, biologists identified approximately 1,355 Western Joshua Trees located onsite and within the 50-ft survey buffer of the site, as shown in *Figure 7, Western Joshua Tree Map*.

Figure 7: Western Joshua Tree Map



The proposed Project would result in impacts to WJT therefore, Mitigation Measures **BIO- 1** and **BIO-2** will be incorporated into the Project to reduce potential impacts to the WJT to less than significant. Mitigation Measures **BIO-1** will require the Project applicant to obtain an Incidental Take Permit (ITP) with the California Fish and Wildlife Department (CDFW) and **BIO-2** will require a relocation plan for any Western Joshua Tree that is removed if relocation is recommended by CDFW.

Special Status Wildlife Species

The following six (6) special-status wildlife species were identified in the literature review as having the potential to occur within the Project site: Juniper metallic wood-boring beetle (locally significant in San Bernardino County), Desert tortoise (locally significant in San Bernardino County), Le Conte's thrasher (locally significant in San Bernardino County), Western burrowing owl (locally significant species), Mohave ground squirrel (locally significant San Bernardino County) and Pallid San Diego Pocket mouse (locally significant San Bernardino County). All species were found to not likely occur on the site except for the Le Conte's thrasher which was found to have a moderate likelihood of occurrence and the Western burrowing owl which was found to have a low likelihood of occurrence on the site. Neither species were observed during the site assessment, however the Project site has the potential to support nesting and foraging for these species and is located within the normal range and such has likelihood to occur on the site. Therefore, the Project has the potential to impact the above-mentioned special status species and would implement Mitigation Measure **BIO-3** that would require pre-construction survey for nesting birds. With the incorporation of the **BIO-3**, impacts would be reduced to less than significant with mitigation incorporated.

Less than Significant with Mitigation

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

The Project site does not contain a riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Wildlife for US Fish and Wildlife Service, therefore no impact will occur and no mitigation is required.

No Impact

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Project site does not contain any wetlands as defined by Section 404 of the Clean Water Act. The Project site does not contain state or federally protected wetlands such as marshes, vernal pools, streams, or rivers. Therefore, the Project would not cause a substantial adverse effect on state or federally protected wetlands. Thus, no impact would occur.

No Impact

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The Migratory Bird Treaty Act (MBTA) prohibits the taking of migratory birds or their nests or eggs. The Project site provides suitable habitat for nesting birds, specifically the Le Conte's Thrasher and other common bird species in the region. Development of the site may impact the habitat for nesting migratory birds. To comply with MBTA, the Project will incorporate mitigation measure **BIO-3** which requires pre-construction nesting bird surveys. If active bird nests are located, construction will not be allowed within a biologist determined buffer until the nest are no longer active. Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts on wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. The Project site is surrounded by partially developed residential, commercial, and institutional uses and Highway 138. The BRA analysis (Appendix B) did not identify this area as a wildlife corridor, therefore the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. A less than significant impact would occur.

Less Than Significant Impact

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

County of San Bernardino Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Section 88.01.060 outlines desert native plants that shall not be removed or altered, except for fruit, without obtaining a Tree or Plant Removal Permit. The provisions apply to the removal or relocation of regulated trees or plants and to any encroachment within the protected zone of a regulated tree or plant on all private land within the unincorporated areas of the County and on public lands owned by the County, unless otherwise specified. Projects must also comply with applicable State and federal laws and regulations.

The Western Joshua Tree is a unique desert plant species found primarily in California, known for its distinctive spiky appearance and importance to local ecosystems. The Western Joshua Tree Conservation Act was passed to protect the species by allowing it to be listed as a threatened species under state law, aiming to safeguard its habitat from threats like climate change and development. The California Department of Fish and Wildlife (CDFW) plays a key role in implementing conservation measures for the Western Joshua Tree, including monitoring its populations and ensuring that any development projects in its habitat follow regulations to minimize harm. Based on the results of the field

investigation and Western Joshua Tree inventory conducted on March 7, to April 11, 2024, western Joshua trees are present on the Project site. The inventory recorded a total of 1,355 Western Joshua trees. Of those trees, 737 were less than one meter in height, 611 were between 1 and 5 meters and 7 were above 5 meters in height. Project development is designed to try and preserve as many Western Joshua trees as possible, however the site plan shows a total of 38 trees that will need to be relocated. In order to reduce the project's impacts to the Western Joshua Tree, the Project applicant would be required to comply with MM **BIO-1**, and MM **BIO-2** which requires an incidental take permit from CDFW and a relocation plan. Compliance with the requirements would ensure compliance with associated County policies. Impacts would be less than significant with mitigation.

Less than Significant with Mitigation

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*

The Project site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife's California Natural Community Conservation Plans Map. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan; therefore, no impact would occur.

No Impact

Mitigation Measures

BIO-1: Incidental Take Permit for Western Joshua tree (CDFW)

The Applicant shall submit to the California Department of Fish and Wildlife (CDFW) an Incidental Take Permit (ITP) application and supporting documentation for the removal of Western Joshua trees on the Project site, pursuant to the Western Joshua Tree Conservation Act. The Applicant will be required to consult with CDFW to determine the measures required to offset the removal of WJT such as the purchase of credits from an approved conservation or mitigation bank, land acquisition, or entry into a conservation easement.

BIO-2: California Desert Native Plants Act Protection and Relocation Plan

If mitigation measures of the ITP (**BIO-1**) include preservation in place through avoidance or relocation, then a Desert Native Plant Protection and Relocation Plan (Plan) for those trees proposed for relocation or preservation shall be composed which will provide detailed specifications for the proposed treatment, avoidance, or relocation of all Western Joshua trees and those desert species included under the CDNPA. Other native desert species included for protection under CDNPA include smoke trees (*Cotinus* sp.), species in the Agavaceae family, mesquite (*Prosopis* sp.), and large creosote bushes (*Larrea* sp.).

BIO-3: Nesting Bird Preconstruction Surveys

If it is not feasible to avoid the nesting bird season (typically January through July for raptors and February through August for other avian species), a qualified biologist shall conduct a pre- construction nesting bird survey for avian species to determine the presence/absence, location, and status of any active nests on or directly adjacent to the Project Site. If active nests are located, the extent of the survey buffer area surrounding the nest should be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and the CFGC, the nesting bird survey shall occur no earlier than 3 days prior to the commencement of construction.

In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist) shall be established around such active nests, and no construction within the buffer allowed, until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

Therefore, no significant adverse impacts are identified or anticipated when mitigation measures BIO-1, BIO-2 and BIO-3 are incorporated.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: (Check if the project is located in the Cultural <input type="checkbox"/> or Palaeontologic <input type="checkbox"/> Resources overlays or cite results of cultural resource review): Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; Cultural and Paleontological Resources Assessment for the Proposed APN 3067-051-29 Project, Pinon Hills, Duke CRM, prepared April 26, 2024 (Appendix C); Submitted Project Materials				

a, b) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

A Cultural and Paleontological Resources Assessment was prepared by DUKE CRM, dated April 26, 2024, to determine whether the Project would cause substantial adverse changes to any "historical resources," as defined by CEQA, that may exist in or around the Project site (Appendix C). In order to identify such resources, Duke CRM conducted a historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out a systematic field survey.

The Cultural and Paleontological Resources Assessment (Appendix C) identified three linear cultural resources within one-half mile of the Project, all identified as early roads. Two (2) of these roads border the Project; Boneyard Canyon Road directly to the northwest, and Tejon Road South along the northeast Project boundary. The third identified resource is located ¾ mile to the northeast of the Project site and is referred to as Tejon Road. These resources are not located within the Project boundary and will not be impacted by the Project. Additionally, the Project has a low potential to impact prehistoric cultural resources as there is no known habitation, prehistoric sites, or permanent water sources within a half mile of the Project site (Appendix C). Though there are no known cultural resources located on the Project site, there is the potential

for resources to be inadvertently discovered during ground disturbing activities. Therefore, Mitigation Measures **CUL-1** will be implemented to reduce impacts to cultural resources to less than significant. Therefore, impacts are less than significant with mitigation incorporated.

Less than Significant with Mitigation

c) *Disturb any human remains, including those outside of formal cemeteries?*

The Project site contains no known disturbance or cemeteries; therefore, no human remains, or cemeteries are anticipated to be disturbed by the proposed Project. The likelihood of encountering human remains during Project development is minimal; however, this does not preclude the existence of unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the proposed Project. As a result, Mitigation Measure **CUL-1** has been identified to reduce potentially significant impacts to human remains that may be unexpectedly discovered during Project implementation. Based on compliance with existing State and County regulations and the provided mitigation measures, the Project's potential to disturb human remains is considered less than significant with mitigation incorporated.

Less than Significant with Mitigation

Mitigation Measures:

CUL-1 Inadvertent Finds

In the event that human remains are found, the archaeologist shall notify the San Bernardino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, and § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project. The designated MLD will have 48 hours from the time access is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate. If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed. This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the County in which the property is located. Work may not resume within the no-work radius until the Lead Agency determines that the treatment measures have been completed to its satisfaction.

Therefore, no significant adverse impacts are identified or anticipated when mitigation measure CUL-1, is incorporated.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. ENERGY – Would the project:				

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

California Air Resources Board; Building Standards Commission Title 24; Submitted Project Materials

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The proposed Project would impact energy resources during construction and operation. The construction activities for the Project include site preparation, grading, building construction, paving, and architectural coating. The Project would consume energy resources during construction in three (3) general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction workers travel to and from the Project site, as well as delivery and haul truck trips (e.g., hauling of demolition material to off-site reuse and disposal facilities);
2. Electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power; and,
3. Energy is used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction-Related:

Energy:

The Project would consume electricity to construct the new building and infrastructure. Electricity would be supplied to the Project by Southern California Edison (SCE) which

serves 15 million customers. SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. The use of electricity from existing power lines rather than temporary diesel or gasoline powered generators would minimize impacts on energy use. Electricity consumed during Project construction would vary throughout the construction period based on the construction activities being performed. Various construction activities include electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Construction activities associated with the Project would not be expected to have an adverse impact on available electricity supplies and infrastructure. The use of electricity during Project construction would not be wasteful, inefficient, or unnecessary.

The Project site is vacant and undisturbed and is located within a developed area. The new service installations and connections would be scheduled and implemented in a manner that would not result in electrical service interruptions to other properties. Compliance with County guidelines and requirements would ensure that the Project fulfills its responsibilities relative to infrastructure installation, coordinates any electrical infrastructure removals or relocations, and limits any impacts associated with grading, construction, and development. Construction or modifications of the Project's electrical infrastructure is not expected to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. Therefore, potential impacts associated with the electricity and infrastructure would be less than significant.

Natural Gas:

Natural gas would be provided to the Project site by Southern California Gas (SoCalGas). Use of natural gas during construction will be minimal and would not significantly impact the supply or demand. Therefore, potential impacts associated with the natural gas supply and infrastructure would be less than significant.

Petroleum Fuel:

Petroleum-based fuel usage represents the highest amount of energy potentially consumed during construction from off-road equipment operating on the Project site and on-road automobiles transporting workers to and from the Project site and on-road trucks transporting equipment and supplies to the Project site. Construction activities associated with the proposed Project would adhere to all State and Mojave Desert Air Quality Management District (MDAQMD) regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. All construction equipment is subject to the California Air Resources Board (CARB) In-Use Off Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to five (5) minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, phases out Tier 1 and 2 equipment, and requires that fleets comply with Best Available Control Technology requirements,

which would increase construction equipment fuel efficiency.² Construction activities for the Project would not result in wasteful, inefficient, and unnecessary consumption of energy resources. Impacts regarding transportation energy would be less than significant. Development of the Project would not result in the need to manufacture construction materials or create new building material facilities specifically for the Project. It is difficult to measure the energy used in the production of construction materials such as asphalt, steel, lumber, and concrete; however, it is reasonable to assume that the production of building materials such as concrete, steel, etc. would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business.

Operation-Related:

Energy:

The on-going operations of the Project would require the use of energy resources for multiple purposes including, but not limited to, gas pumps, heating/ventilating/air conditioning (HVAC), refrigeration, lighting, appliances, and electronics. Energy would also be consumed during operations related to water usage, solid waste disposal, landscape equipment and vehicle trips. Operations would result in consumption of electricity at the Project site. The Project would comply with all Federal, State, and County requirements related to the consumption of electricity, which includes California Code of Regulations (CCR) Title 24, Part 6 Building Energy Efficiency Standards and CCR Title 24, Part 11: California Green Building Standards as standard conditions of approval. The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed buildings, including enhanced insulation, use of energy efficient lighting and appliances as well as requiring a variety of other energy efficiency measures to be incorporated into all of the proposed structures³. It is anticipated that the Project would be designed and built to minimize electricity use and that existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand; therefore, impacts with regard to electrical supply and infrastructure capacity would be less than significant.

Natural Gas:

Project operations would result in increased consumption of natural gas at the Project site. The Project would comply with all Federal, State, and County requirements related to the consumption of natural gas, which includes CCR Title 24, Part 6 Building Energy Efficiency Standards and CCR Title 24, Part 11: California Green Building Standards as standards conditions of approval. The CCR Title 24, Part 6 and Part 11 standards require numerous energy efficiency measures to be incorporated into the proposed structures, including enhanced insulation as well as use of efficient natural gas appliances and HVAC units. It is anticipated that the Project will be designed and built to minimize natural gas use and that existing and planned natural gas capacity and natural gas supplies would be sufficient to support the Project's natural gas demand and impacts with regard to natural gas supply and infrastructure capacity would be less than significant.

² California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed June 24, 2024

³ California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed June 24, 2024

Petroleum Fuel:

Fuel consumption associated with the Project's operational phase would primarily be attributable to customers, employees, and delivery trucks commuting to and from the Project. Over the lifetime of the Project, the fuel efficiency of vehicles being used by customers and delivery services is expected to increase. As such, the amount of petroleum consumed because of vehicular trips to and from the Project site during operation is anticipated to decrease over time. Additionally, many of the vehicle trips to and from the Project would be local serving, potentially reducing overall vehicle miles travel by improving the convenience of fueling close to homes. The Project would increase petroleum use in the region during operation; however, the use would be a small fraction of the statewide use and due to energy efficiency increase, would diminish over time. As such, petroleum consumption associated with the Project would not be considered inefficient or wasteful and would result in a less than significant impact.

Less Than Significant Impact

- b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The Proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check ☐ if project is located in the Geologic Hazards Overlay District):

Countywide Plan; San Bernardino Countywide Plan Draft EIR; United States Department of Agriculture Natural Resources Conservation; Preliminary Geotechnical Interpretive Report, Maverik Commercial Fueling Station, Earth Strata Geotechnical Services, April 27, 2023(Appendix D); Submitted Project Materials

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The Project site does not occur within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone. As shown in the California Department of Conservation's "Earthquake Hazards Zone" web application, the nearest fault is approximately 5 miles from the Project site. Although the potential for rupture on-site cannot be dismissed, it is considered low to very remote due to the absence of known faults within the immediate vicinity. Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Furthermore, the proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. Thus, a less than significant impact would occur.

Less Than Significant Impact

ii) Strong seismic ground shaking?

No active faults pass through, or within the vicinity of the Project site⁴. However, according to the Preliminary Geotechnical Interpretive Report (Appendix D) ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site, as is the case for most areas within Southern California. Roughly 5 miles from the nearest fault, the Project site has a medium-high ranking for earthquake shaking potential and will experience a stronger earth shaking with higher frequency. ⁵The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and San Bernardino County Building Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance with the CBC and San Bernardino Building Code would ensure that the proposed Project would not expose

⁴ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-1 "Alquist-Priolo Fault Zones and County Fault Hazard Zones."

⁵ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-2 "Earthquake Shaking Potential."

people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction refers to loose, saturated sand or silt deposits that behave as liquid and lose their load-supporting capability when strongly shaken. Per the Preliminary Geotechnical Interpretive Report (Appendix D), the potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is very low to remote due to the recommended compacted fill, relatively low groundwater level, and the dense nature of the deeper onsite earth material. According to Policy Plan Map HZ-Liquefaction and Landslides, the Project site is not situated in an area that is susceptible to liquefaction and would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic-related ground failure⁶. Therefore, a less than significant impact would occur.

Less Than Significant Impact

iv) Landslides?

Landslides result from downward movement of earth or rock materials that have been influenced by gravity. In general, landslides occur due to various factors including steep slope conditions, erosion, rainfall, groundwater, adverse geologic structure, and grading impacts. The Project site is generally flat to gently sloping, level with the surrounding area, and is not located within an area susceptible to landslides. Therefore, the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury, or death, involving landslides. Thus, no impact would occur.

No Impact

b) Results in substantial soil erosion or the loss of topsoil?

Implementation of the proposed Project would disturb more than one (1) acre of soil. Therefore, the Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements of the County's National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires adoption of an appropriate Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) to reduce erosion from storm water runoff. Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase soil erosion susceptibility. In the long term, development of the Project site would increase impervious surface cover and

⁶ San Bernardino Countywide Plan Draft EIR. Geology and Soils. Figure 5.6-3 "Liquefaction and Landslide Susceptibility."

permanent landscaping, thereby reducing the potential for erosion and loss of topsoil that currently occurs. The proposed Project would not significantly alter the existing topography of the site. Based on the preceding, potential impacts associated with erosion or changes in topography, including loss of topsoil are considered less than significant.

Less Than Significant Impact

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Refer to the discussion of Section VI (a)(iii)) and (iv) for a discussion of hazards associated with liquefaction and landslide hazards. As noted, landslide hazards are not anticipated to affect or result from the Project, and the site is in an area of low potential for liquefaction-related hazards.

Seismically induced lateral spreading involves lateral movement of earth materials over a deeper layer which has liquified due to ground shaking. It differs from a slope failure in that ground failure involving a large movement does not occur due to the flatter slope of the initial ground surface. Lateral spreading is characterized by near vertical cracks with predominantly horizontal movement of the soil mass involved over the liquified soils. Due to the low risk of liquefaction under the current groundwater conditions, lateral spreading is not considered a risk. Further, the Project would be required to comply with the California Building Code (CBC) that would act to minimize any unstable soils, and unstable geologic units that may be encountered. On this basis, the potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse is less than significant.

Less Than Significant Impact

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. According to the Geotechnical Interpretation prepared for the Project, the Project site is underlain by earth materials that exhibit an expansion potential of VERY LOW as classified in accordance with 2022 CBC Section 1803.5.3 and ASTM D 4829. Though the potential for expansive soil to underly the site is considered "very low", the Project shall adhere to the recommendations outlined in the Preliminary Geotechnical Interpretation Report (Appendix D), conclusion and recommendations section related to earthwork and tentative foundation design recommendations. Furthermore, according to the United States Department of Agriculture's Web Soil Survey website, the Project site is comprised mostly Soboba gravelly sand and minor Tujunga sand. Therefore, the subsurface soils at the Project site are considered non-expansive and a less than significant impact would occur.

Less than Significant impact

- e) *Are soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The Proposed Project will utilize a septic tank and associated seepage pits located at the southeastern portion of the site for its wastewater treatment. Such a system would be required to meet all requirements of the County's Environmental Health Services (EHS) Division prior to its installation, including the completion of a percolation test. Therefore, preparation of required documentation and subsequent evaluation and approval by the County would ensure impacts are less than significant and no mitigation measures are required.

Less Than Significant Impact

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

According to the Cultural and Paleontological Resources Assessment (Appendix C) No paleontological resources have been discovered or are known to exist on the site. Implementation of the Project will require some grading and installation of underground service facilities As noted in the Cultural and Paleontological Resources Assessment (Appendix C) paleontological resources are unlikely to be found in the first 5 feet of ground, however the project proposes to excavate to 10 feet, therefore Mitigation Measures **GEO-1** is identified to evaluate and salvage discoveries, if any, that occur.. By adhering to Mitigation Measures **GEO-1**, the potential to destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

Less than Significant with Mitigation

Mitigation Measures VII.

(f) GEO-1: Paleontological Monitoring

A paleontological monitor shall be present at the kickoff meeting to provide a summary of the paleontological sensitivity of the Project area at depths greater than five (5) feet below the surface. The monitor shall work under the direct supervision of a qualified paleontologist (minimum of a B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation). The monitor shall be a trained paleontological monitor with experience and knowledge of sediments, geologic formations, the identification and treatment of fossil resources.

1. The qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols.
2. Paleontological monitoring shall be present full-time during excavations in excess of five (5) feet below the surface. If no paleontological resources are discovered after half of the ground disturbance has occurred, monitoring can be reduced to part-time

or spot-checking.

3. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered.
4. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area.
5. In consultation with the qualified paleontologist the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area cleared.
6. If the discovery is significant the qualified paleontologist shall notify the developer and County of San Bernardino immediately. DUKE Cultural Resources Management
7. In consultation with the applicant and the County, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.

Therefore, no significant adverse impacts are identified or anticipated when mitigation measure GEO-1 are incorporated.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Greenhouse Gasses Analysis, Urban Crossroads, prepared June 25, 2024 (Appendix E)

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Urban Crossroads prepared a Greenhouse Gas Analysis for the proposed Project dated June 25, 2024 (Appendix E). As shown in *Table 8-1 Project-Related Greenhouse Gas Emissions*, the Project would generate 2,358.57 MTCO₂e per year. According to the threshold of significance from the County's Greenhouse Gas Emissions Reduction Plan, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the proposed Project would exceed the screening threshold of 3,000 MTCO₂e per year. Construction generates CO₂ and CH₄ emissions which contributes to the overall impact to GHG emissions. Even though construction emissions are temporary, they can have long term impacts and thus need to be considered to understand the total impact of the project. Therefore, construction emissions are amortized from a short period of time (during construction) to over the life of the Project (MDAQMD recommends 30 years) to better represent the long-term impact of the construction of the project on climate change. According to the Greenhouse Gas Emissions Analysis (Appendix E), the total annual emissions would be 2,358.57 MT/yr; therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact would occur.

Table 8-1 Project-related Greenhouse Gas Emissions Summary (Annual)

Emission Source	Emissions (MT/yr)				
	CO ₂	CH ₄	N ₂ O	Refrigerants	Total CO ₂ e
Amortized Construction Emissions	15.61	5.26E-04	5.42E-04	3.00E-03	15.78
Mobile Source	2231.06	0.25	0.18	3.20	2293.94
Area Source	0.09	0.00	0.00	0.00	0.09
Energy Source	37.22	0.00	0.00	0.00	37.42
Water Usage	0.62	0.01	0.00	0.00	0.88
Waste	0.88	0.09	0.00	0.00	3.07
Refrigerants	0.00	0.00	0.00	7.40	7.40
Total CO₂e (All Sources)	2,358.57				

Source: CalEEMod output, See Appendix E for detailed model outputs.

Less Than Significant Impact

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

The Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include:

- Advanced Clean Cars II,
- Advanced Clean Trucks,
- Advanced Clean Fleets,
- Zero Emission Forklifts,
- the Off-Road Zero-Emission Targeted Manufacturer rule,
- Clean Off-Road Fleet Recognition Program,
- Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation,
- carbon pricing through the Cap-and-Trade Program,
- and the Low Carbon Fuel Standard.

As such, the project would be consistent with the CARB 2022 Scoping Plan. Lastly, the Project would be required to comply with applicable elements outlined in the County's GHG Development Review Process. As such, The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would be less than significant.

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Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION:				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Phase I Environmental Assessment by Earth Strata Geotechnical Services, April 24,2023 (Appendix F)				

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Construction-Related:

Construction of the proposed Project would require the use and transport of materials such as soil, gravel, rock, concrete, and lumber. Equipment used at the site during construction activities and equipment stored at the site during Project operation could use substances considered by regulatory bodies as hazardous, such as diesel fuel and gasoline from typical construction equipment and would therefore have the potential to discharge hazardous materials during construction and operation. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state requirements, which the Project construction activities are required to strictly adhere to. The use, transport, storage, and disposal of hazardous materials must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety and Health Administration (OSHA), the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program.

Operation-Related:

Project operations would involve the operation of the convenience store and fuel service pumps, along with associated landscape and maintenance. Hazardous or potentially hazardous materials would be routinely handled, stored, and dispensed on the Project site, such as gasoline. The Project involves the construction and operation of a service station, which would include the installation and maintenance of underground storage tanks (UST) for the on-site storage of gasoline. Service stations are subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over fuel dispensing facilities. The service station's storage and delivery of the hazardous materials would comply with all applicable federal, state, and local regulation in order to functionally operate, including but not limited to Section 2540.7 – Motor Fuel Dispensing Facilities and Service Stations, of the California Occupational Safety and Health Regulations (CalOSHA); Chapter 38 – Liquefied Petroleum Gases, and the California Fire Code (CFC); the Resource Conservation and Recovery Act (RCRA); and the San Bernardino County Fire standards. These regulatory requirements minimize health risk to the public associated with fuel service stations' hazardous materials. Without routine inspection, regulation, required compliance with applicable federal, state, and local laws surrounding service station operation, delivery, storage, and fuel dispensing, the Project would result in a significant impact; however, due to routine inspection, heavy regulation, required compliance with federal, state, and local laws, a less than significant impact would occur.

Less Than Significant Impact

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

As mentioned in Section IX(a), any handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the proposed Project would comply with all applicable federal, state, and local agencies and regulations with the policies and programs established by agencies such as the EPA, Department of Transportation, Department of Toxic Substances Control, CalOSHA, Resource Conservation and Recovery Act, and the State Unified Hazardous Waste and Hazardous Materials Mandatory Regulatory Program. Adherence to the applicable policies and programs of these agencies would ensure that any transport or interaction with hazardous materials would occur in the safest possible manner, reducing the opportunity for the accidental release of hazardous materials into the environment. Any handling of hazardous materials would be limited in both quantities and concentrations. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The closest school to the Project site is Pinon Hills Elementary School, located approximately 0.6 miles to the North of the Project site. Construction and operation of the Project is anticipated to handle and use diesel fuel and gasoline. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

No Impact

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Government Code Section 65962.5 describes that before an application for a development project is completed, the Applicant and/or Lead Agency shall indicate whether the site is included on any of the lists compiled pursuant to that section and to identify which list(s). According to the Phase I Environmental Assessment (Appendix F), the Project site is not included on a list of hazardous materials sites, nor are there any hazardous materials sites listed in the vicinity of the Project site. EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project site. Therefore, no impacts are identified or are anticipated.

No Impact

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The Project site is not located within an airport safety review area or Airport Runaway Protection Zone.⁷ The Project site is not located within the vicinity of a private or public airstrip. The nearest airport to the Project site is Gray Butte Airport, approximately 9 miles Northwest of the site. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. Thus, no impact would occur.

No Impact

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Project site and immediate surroundings do not contain emergency shelters or facilities. Highway 138 is located north of the Project site and is listed as a state highway evacuation route within the Desert Region of San Bernardino County.⁸ Additionally, the Project site is located within a High Fire Hazard Severity Zone.⁹ The proposed Project will not result in substantial changes to road design or capacity that could affect evacuation routes. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Thus, no impact would occur.

No Impact

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The Project site is located within a High Fire Hazard Severity Zone⁹ However, the Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk; furthermore, the surrounding wildland conditions consist of sparse desert vegetation. The Project will adhere to the requirements of the California Fire Code (CFC) and California Building Code during construction. These codes require fire resistant temporary structures, fire prevention plans and inspections, removal of vegetation and combustible material and fire equipment like fire extinguishers and water supply to on site at all times. This will act to prevent fire risk during construction. All new construction will comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. This will include things like fire resistant construction, defensible space and landscaping, emergency access and sprinkler systems. Therefore, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Thus, a less than significant impact would occur.

⁷ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

⁸ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Table 5.8-10 "Evacuation Routes in San Bernardino County."

⁹ County of San Bernardino. HZ-5 Fire Hazard Severity Zone web map. Accessed September 23, 2021.

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Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i.	result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; FEMA Map; 2020 Mojave Water Agency UWMP; Adequate Service Certification Public Water (Form W1) (Appendix I); Submitted Project Materials

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Construction-Related:

The proposed Project would involve grading, paving, underground storage tank installation, building construction, and landscaping installation, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints and other pollutants with the potential to affect water quality. All new development projects equal to one acre or more are subject to San Bernardino County National Pollutant Discharge Elimination System (NPDES). The proposed Project would disturb approximately 6.7 acres of land and therefore will be subject to NPDES permit requirements during construction activities. Additionally, pursuant to Development Code Section 85.11.030, the Project shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the Project site prior to commencement of Project construction activities. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. The Project shall implement BMPs to prevent such deterioration and shall identify the manner of implementation pursuant to Development Code Section 85.11.030. Therefore, construction related impacts would be less than significant.

Operation-Related:

Urban runoff is typically associated with impervious surfaces, such as rooftops, streets, and other paved areas, where various types of pollutants may build up and eventually be washed into the offsite waters. While the project is not located in an area that would require a Water Quality Management Plan, The Project would be developed and operated in compliance with all applicable County and Regional Water Quality Control Board (RWQCB) regulations and water quality standards. After Construction, a Municipal Separate Storm Sewer System permit (MS4) would be required, requiring stormwater BMPs such as the proposed stormwater basin located in the northwest portion of the property. The project would also be required to comply with California UST regulations (CCR Title 23, Chapter 16) which require secondary containment, leak detection, and monitoring to prevent fuel contamination and the onsite wastewater treatment systems policy, which requires the onsite septic system to meet RWQCB design and monitoring requirements. The proposed Project is subject to review by the County of San Bernardino and shall comply with all conditions of approval required by the County. Therefore, urban pollutants entering and potentially polluting the local water system would not be expected to occur as a result of the proposed Project and a less than significant impact would occur.

Less Than Significant Impact

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The Project proposes utilizing an existing water line and the Phelan Pinon Hills CSD has provided a will serve letter (Appendix I). The Project will not substantially decrease groundwater supplies or interfere with groundwater recharge to the extent that the Project impedes sustainable groundwater management of the basin. The proposed Project does not include a land use that requires a substantial amount of water such as agricultural use.

The Project site is located within the Mojave Water Agency area. The Mojave Water Agency 2020 Urban Water Management Plan (UWMP) indicates that groundwater levels within the region are stable and have the capacity to sustain normal conditions, a single dry year, or a multi-year drought. The long-term natural water supply availability is projected to remain constant through 2065. Additionally, the proposed Project complies with the current Countywide plan and zoning designation. Therefore, Project implementation would have a less than significant impact on groundwater supply and recharge.

Less Than Significant Impact

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*

The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. The site is currently undeveloped and drains north. The proposed Project will mimic the existing drainage pattern of the site and continue to drain north into a proposed stormwater basin located in the northwestern portion of the site. There were no waterways, wetlands, pits, lagoons, or ponds seen to exist on the Project site currently or previously. Additionally, the Project must comply with the County's conditions regarding construction erosion and dust control. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*

The proposed Project would increase the percentage of impervious surfaces on site which would increase the potential for surface runoff. However, the Project site is located within Federal Emergency Management Agency (FEMA) Flood Zone X, which designates areas that are outside of the 100-year flood zone or are protected from the 100-year flood zone by levees.¹⁰ The Project site is relatively flat and vacant. Additionally, The County Public Works Department will review the final drainage plan prior to construction of the Project. Therefore, the Project is not anticipated to substantially increase the amount of runoff or rate of surface runoff located on-site. A less than significant impact would occur.

Less Than Significant Impact

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or

As stated above in Section X (c(ii)), the Project site is currently vacant and undeveloped. Although the proposed Project will increase the percentage of impervious surfaces on site, as a condition of approval, the County Public Works Department will review the final drainage plan prior to construction of the Project. Stormwater improvements include a proposed detention basin in the northwestern portion of the site and proposed curb and gutter along Buckthorne Road and Oasis Road. Therefore, the Project will follow the County's regulations regarding stormwater runoff and treatment for gasoline service stations and a less than significant impact would occur.

Less Than Significant Impact

iv) Impede or redirect flood flows?

According to Countywide Plan, the Project site is not located in an identified flood hazard area.¹¹ Furthermore, according to the FEMA Flood Insurance Rate Map, the Project Site is an area of minimal flood hazard. The Project would not alter the course of a stream or river and therefore would not redirect flood flows. As the Project is not within a floodplain, the Project will not impede flood flows, and no impact would occur.

Less Than Significant Impact

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

¹⁰ Federal Emergency Management Agency. FEMA Flood Map No. 06071C5150J. USGS The National Map October 2020. Accessed October 23, 2021.

¹¹ County of San Bernardino. HZ-4 Flood Hazards web map. Accessed October 23, 2021.

The Project site is not located in a flood hazard, tsunami, or seiche zone. The Pacific Ocean is located over 83 miles southwest of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. According to the Countywide Plan, the Project site is not located in an identified dam inundation area, and there is no levee located within the vicinity of the Project site. There is no potential for inundation. Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis. Therefore, no impact would occur.

No Impact

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Project requires MUP approval, which includes review by multiple County Departments including the Land Development Division and County Flood Control, and a public hearing for approval. Therefore, the project will be designed to meet County regulations regarding construction and operation for the gasoline service station and related activities. During construction the project will be required to obtain a NPDES permit to control sediment, debris, and pollution from construction runoff. The Project will comply with County water quality control plans and sustainable groundwater management plans. Thus, impacts are anticipated to be less than significant.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>SUBSTANTIATION:</i>					
<i>Countywide Plan; Submitted Project Materials</i>					

a) *Physically divide an established community?*

According to the Countywide Plan LU-1 Map, the Project site has a land use classification of Commercial. The surrounding area includes Commercial to the north and east, and Very Low-Density Residential land uses to the south. The Project is consistent with the General Commercial zone and commercial land use category. No established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community. Based on the preceding, the Project would not physically divide an established community and no impact would occur.

No Impact

b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed Project conforms with the Countywide Plan land use classification of commercial, therefore there is no conflict with a land use plan. The project has been designed and reviewed with the Countywide Policy plan and is consistent with the goals and policies of the Countywide Plan. The Project also aligns with the intent of the Phelan/ Pinon Hills Community Action Guide and the current zoning designation. Therefore, the implementation of the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation, and a less than significant impact would occur.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES - Would the project:					
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: (Check <input checked="" type="checkbox"/> if project is located within the Mineral Resource Zone Overlay):					
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Mineral Land Classification					

- a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*

The Project site is located within the North Desert region of San Bernardino County. According to Policy NR-6.1 of the Countywide Plan, development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zones (MRZ) 2a, 2b, or 3a is discouraged or prohibited. Per the Countywide Plan Map NR-4 Mineral Resource Zones, the Project site is part of the 1992 Open File Report (OFR) 92-06 and is located in an MRZ Classification of MRZ-3a for potential or possible aggregate resources. The Project site has a Land Use Designation of Commercial and a zoning designation of General Commercial, which indicates that the County's long-term goal for the site is to be used as commercial. The proposal of a service station and convenience store is consistent with these designations. Furthermore, the project site is surrounded by existing developments including retail stores, a post office, community park, fire station and scattered residential developments. Therefore, the project site and current surrounding uses are not compatible with mineral extraction thus the Project would have a less than significant impact.

Less Than Significant Impact

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

As stated above in Section XII. (a), the Project site is located within an area known to have the potential or possibility to be underlain by regionally or locally important mineral resources. However, the proposed Project complies with the zoning designation and Countywide Plan. Therefore, Project implementation would have a less than significant impact and no further analysis of this subject is required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the General Plan Noise Element <input type="checkbox"/>):				
Countywide Plan; San Bernardino Countywide Plan Draft EIR; Oasis Road and Highway 138 Gas Station, Noise and Vibration Impact Analysis, Urban Crossroads, September 11, 2024 (Appendix G). Submitted Project Materials				

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The Project site is surrounded by commercial and residential uses to the north, Pinion Hills Park and San Bernardino County Fire Station 13 to the west, a post office and residential uses to the south, and residential uses to the east. The Project is located within the Commercial land use category and is zoned General Commercial (CG). The project is anticipated to be developed in one phase with an opening year of 2026. Urban Crossroads completed a Noise and Vibration Impact Analysis for the Project, dated September 11, 2024 (Appendix G). Since the site is located near residential land uses, the noise study used residential noise level standards as a threshold for potential operational noise impacts. The noise standards for residential properties is: exterior noise levels shall not exceed 55 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.) for both the whole hour and for not that more than 30 minutes per hour, as well as the standard plus 5 dBA cannot be exceeded for a cumulative period of more than 15 minutes in any hour.

For construction related noise impacts, the study references Section 83.01.080 (g) (3) of the County Development Code which exempts construction activity from the noise level standards between the hours of 7:00 a.m. to 7:00 p.m., except on Sundays and federal holidays. However, neither the County of San Bernardino General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers, which would allow for a quantified determination of what CEQA constitutes a *substantial temporary or periodic noise increase*. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a threshold for noise sensitive residential land use, a noise level of 85 dBA Leq for commercial locations, and 90 dBA Leq for industrial locations. Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. These typically include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. To describe the potential off-site Project noise levels, six receiver locations in the vicinity of the Project site were identified in the Noise Study (Appendix G). The selection of receiver locations is based on Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by Caltrans and the FTA.

Construction-Related:

The County of San Bernardino's Development Code Section 83.01.080 exempts construction activities from 7AM to 7PM, except on Sunday and federal holidays, from the County's noise standards. Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and other equipment that when combined can reach high noise levels. The Noise Analysis completed by Urban Crossroads assesses the worst-case scenario for construction noise levels by relying on the highest noise level impacts when equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location (R1 through R6 as identified in *Figure 8, Sensitive Receiver Locations*).

Figure 8: Sensitive Receiver Locations



As shown in the Noise Analysis, the construction noise levels are expected to range from 48.8 to 63.5 dBA Leq, and the highest construction levels are expected to range from 56.0 to 63.5 dBA Leq at the nearest receiver. To evaluate whether the Project will generate potentially significant short-term noise levels at the nearest receiver locations (R1 through R6), a construction-related daytime noise level threshold of 80 dBA Leq is used as a reasonable threshold to assess the daytime construction noise level impacts at residential locations. As shown in table 13-1 below, construction noise will be below the 80 dBA Leq threshold and there will be less than significant impacts due to project construction noise at all receiver locations.

Table 13-1: Construction Noise Level Compliance

Receiver Location	Construction Noise Levels (dBA LMax)		
	Highest Construction Noise Levels	Threshold	Threshold Exceeded
R1	57.1	80	No
R2	63.2	80	No
R3	63.5	80	No
R4	60.3	80	No
R5	63.1	80	No
R6	56.0	80	No

Operational -Related:

This section analyzes the potential stationary-source operational noise impacts at the nearest receiver locations resulting from the operation of the proposed Project. On site noise sources include roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, truck fueling, car fueling and trash enclosure activity. Using the reference noise levels to represent the Project operations, Urban Crossroads calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations as shown in Figure 8. Table 13-2 shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 35.8 to 43.3 dBA Leq. Table 9-3 shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 34.5 to 42.3 dBA Leq. The differences between the daytime and nighttime noise levels are largely related to the duration of noise activity with minimal nighttime operations (Table 13-3). To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the County of San Bernardino exterior noise level standards at the nearest noise-sensitive receiver locations. 55 dBA Leq for the daytime and 45 dBA Leq for the nighttime. Tables 13-2 and 13-3 show that the operational noise levels associated with the project will not exceed the thresholds set by the County at all nearby receiver locations, and therefore impacts will be less than significant.

Table 13-2: Daytime Project Operational Noise Levels

Noise Source	Daytime Noise Level (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Units	31.0	34.5	34.6	33.9	36.9	31.9
Parking Lot Vehicle Movement	31.2	36.3	35.0	32.6	34.4	28.3
Trash Enclosure Activity	24.6	29.6	29.8	29.0	32.3	25.2
Truck Fueling	37.5	40.5	39.5	37.7	36.6	29.6
Car Fueling Activity	27.7	33.1	32.3	30.4	31.7	25.7
Total (All Noise Sources)	39.6	43.3	42.5	40.8	41.9	35.8
Exceed 55 dBA Leq?	No	No	No	No	No	No

Table 13-3: Nighttime Project Operational Noise Levels

Noise Source	Nighttime Noise Level (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Units	28.2	31.8	31.9	31.2	34.1	29.2
Parking Lot Vehicle Movement	31.2	36.3	35.0	32.6	34.4	28.3
Trash Enclosure Activity	23.7	28.6	28.8	28.0	31.4	24.2
Truck Fueling	36.6	39.5	38.5	36.7	35.7	28.6
Car Fueling Activity	26.7	32.1	31.3	29.4	30.7	24.37
Total (All Noise Sources)	38.6	42.3	41.4	39.7	40.6	34.5
Exceed 45 dBA Leq?	No	No	No	No	No	No

Less Than Significant Impact

b) Generation of excessive ground-borne vibration or ground-borne noise levels?

Project construction can generate varying degrees of ground-borne vibration, depending on the construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source.¹² Ground-borne vibration decreases rapidly with distance. The proposed Project would generate ground-borne vibration during site grading and construction activities; however, the ground-borne vibration and ground-borne noise levels would not be considered excessive. As described in Section XII(a) above, construction activities are exempt from the County's Development Code, provided they occur between the hours of 7AM and 7PM Monday through Saturday, except on federal holidays. Thus, the potential impacts associated with construction vibration would be less than significant and the operations of the Project would not create any ground-borne vibration or ground-borne noise. Impacts are anticipated to be less than significant.

Less Than Significant Impact

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?

The Project site is not within an airport safety review area or Airport Runaway Protection Zone.¹³ The Project site is not located within the vicinity of a private or public airstrip. The

¹² San Bernardino Countywide Plan Draft EIR. Noise, Pg. 5.12-4.

¹³ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

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nearest airport to the Project site is Gray Butte Airport, approximately 9 miles Northwest of the site

Therefore, no impacts are identified or anticipated

No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the project:					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed Project does not include new residential development and would not directly contribute to population growth within the surrounding areas. The Project proposes the construction of a new gas station and convenience store. The existing personnel pool within the unincorporated area of Pinon Hills and the neighboring communities would likely fill project-related employment demands. Therefore, significant population growth is not anticipated to occur as an indirect result of Project implementation. Furthermore, the Project is proposed on a parcel that is served by roadways, utilities, and other infrastructure. Therefore, development proposed by the Project, and any associated infrastructure improvements are unlikely to encourage unanticipated population growth. Based on the preceding, the potential for the Project to induce substantial growth directly or indirectly is considered less than significant.

Less Than Significant Impact

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project site is currently vacant land. No houses currently exist within the site, and the Project does not propose uses or activities that would otherwise displace housing assets or persons. Based on the preceding, the proposed Project would have no impact related to displacement of housing or displacement of people.

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No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES					
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i.	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v.	Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Phelan/Pinon Hills Community Action Guide

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

i. Fire Protection?

Fire protection services to the Project site are provided by the San Bernardino County Fire Department. The Project site is served by the San Bernardino County Fire Station 10, located at 9625 Beekley Rd, approximately 3.2 miles southeast of the Project site. As discussed in Section XIV(a), *Population and Housing*, of this Initial Study, significant population growth is not anticipated to occur as a direct or indirect result of Project implementation. Thus, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Based on the foregoing, the proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant.

Less Than Significant Impact

ii. Police Protection?

The San Bernardino County Sheriff's Department provides police protection and law enforcement services to the unincorporated community of Pinon Hills and the surrounding area. The Project site is served by the Victor Valley Sheriff's Service Agency. The Phelan Substation is located at 4050 Phelan Road, Phelan, CA, approximately 4 miles southeast of the Project site. While police stations are located in various areas of the County, the officers routinely patrol the areas, and officers would be dispatched to the site based on officers who are closest to the Project Site at the time. SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Based on the foregoing, the proposed Project would receive adequate police protection services and would not result in the need for new or physically altered police protection facilities. Impacts on police protection facilities would therefore be less than significant.

Less Than Significant Impact

iii. Schools?

The Project site falls within the Snowline Joint Unified School District. Nearby schools include Pinon Hills Elementary, located approximately .6 miles north of the Project site, Pinon Mesa Middle School, Chaparral High and Serrano High are located approximately 5 five miles southeast of the project site. The proposed Project would not create a direct demand for public school services, as the Project would contain non-residential uses that would not generate school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would not directly or indirectly generate school-aged students. Therefore, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. There would be no impact on public schools, and no further analysis of this subject is required.

No Impact

iv. Parks?

The proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities. Therefore, the Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. No impact would occur.

No Impact

v. Other Public Facilities?

As discussed under sections (i) and (iv) above, the proposed Project would not cause an increase in population and would therefore not increase the demand for public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur.

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No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; California Government Code § 66477

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

The Project proposes to develop the Project site with commercial land uses including a convenience store and gas station for both passenger and commercial vehicles. The Project does not include residential uses or any other land use that may generate a population that would increase the utilization of existing neighborhood and regional parks, or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Thus, a less than significant impact would occur, and no further analysis of this subject is required.

Less Than Significant Impact

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Project does not propose constructing any new on- or off- site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. No impact would occur, and no further analysis of this subject is required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Submitted Project Materials; Traffic Impact Analysis, TJW Engineering Inc., prepared August 14, 2024 (Appendix H.1); VMT Screening, TJW Engineering Inc, August 19, 2024 (Appendix H.2)

- a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

TJW Engineering, Inc. prepared a Traffic Impact Analysis (TIA), dated August 14, 2024 (Appendix H.1) to address potential traffic impacts and circulation needs associated with the proposed Project. The study was performed in conformity with County of San Bernardino Traffic Impact Study Guidelines dated July 9, 2019. The study addresses County of San Bernardino site specific requests provided in the Traffic Impact Study Scoping Agreement dated March 13, 2024. Additionally, a Vehicle Miles Travelled (VMT) Screening, dated August 19, 2024, was prepared by TJW to satisfy the requirements set forth per the California Environmental Quality Act (CEQA) (Appendix H.2).

The TIA presents an analysis of the operating conditions for Project driveways and nearby intersections during the morning and evening peak hours for the following time frames: Existing traffic conditions, Project opening year, and Opening Year Plus Project Conditions. The TIA concluded that the daily vehicle trips associated with the intersections and driveways of the proposed Project will continue to allow satisfactory levels of service with the exception of one intersection (Mountain Road and Route 138) after the Opening Year and will therefore be required to improve the intersection to satisfy compliance with the Countywide Plan. Roadways adjacent to the proposed project site and site access points will be constructed in compliance with recommended roadway

classifications and respective cross-sections in the County of San Bernardino General Plan or as directed by the County Engineer

The Project site is currently vacant and is zoned as CG for General Commercial per the Public San Bernardino County Zoning Map. The site is located at the southwest corner of Oasis Road and Highway 138 which is a State Highway and is designated as a Transit Route.¹⁴ The proposed Project is anticipated to be built and generate trips in 2026. Site access is planned via one right in/out driveway off Oasis Road and two full access driveways off Buckthorne Road. The proposed Project would add additional traffic along Oasis Road and Highway 138 during the construction phase; however, this traffic will be minimal and temporary in nature. The Project site is not within the vicinity of any bike routes and contains nominal pedestrian facilities. Therefore, the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

Less Than Significant Impact

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?*

CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. The State of California Governor's Office of Planning and Research (OPR) Technical Advisory provides project screening criteria and guidance for analysis of VMT assessments under SB 743. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on vehicle miles traveled. TJW Engineering, Inc. provided a VMT Screening Analysis dated August 19, 2024 (Appendix H.2). The SBCTA Guidelines provide direction on CEQA analysis, including screening criteria and requirements for VMT assessment of land use projects. The screening criteria categories consist of transit priority area screening, low VMT area, and project-type screening. Based on the VMT Screening report, the Project is presumed to have a less than significant impact as it is a local-serving gas station and satisfies the project type screening criteria. As such, a less than significant impact would occur.

Less Than Significant Impact

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The proposed Project does not include any sharp curves or dangerous intersections, nor does the Project introduce any incompatible uses. The proposed Project does not include major street modifications regarding geometric design or traffic patterns. The Driveways will be constructed to County standard to ensure proper alignment. Driveways will be paved or made from materials that will be able to withstand the weight

¹⁴ San Bernardino Countywide Plan Draft EIR, Figure 5.16-2 *Existing Transit Routes – Desert Region*. Accessed October 13, 2021.

of emergency vehicles. Sideways and roadway improvements will be installed in compliance with table 83-11- Infrastructure Improvement Standards- Desert Region of the County Developmet Code. Finally, pavement markings will be installed to ensure safe ingress and egress. All roadway designs would be designed to County Standards and required to be reviewed by County Staff. Project implementation would cause a less than significant impact.

Less Than Significant Impact

d) *Result in inadequate emergency access?*

The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. The Project will provide vehicular access via two (2) driveways located along Buckthorne Road and one (1) driveway along Oasis Road. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design, and will provide adequate emergency access. Thus, a less than significant impact would occur.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation measures are required at this time.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVIII. TRIBAL CULTURAL RESOURCES				

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|-----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR; Phelan/Pinon Hills Community Action Guide; Cultural and Paleontological Resources Assessment for the 3067-051-29 Project, Duke, CRM., prepared April 26, 2024 (Appendix C); Submitted Project Materials

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*

As discussed in Section V, *Cultural Resources*, of this Initial Study, no cultural resources were recorded within the Project site. The records search performed for the Cultural Resources Report (Appendix C) identified three (3) cultural resources that have been recorded within one mile of the Project, including one (1) one early road directly adjacent to the northwest (Boneyard Canyon Road) one (1) early road adjacent to the northeast of the project site (Tejon Road South) and one (1) road approximately $\frac{3}{4}$ mile to the northeast (Tejon Road). The on-site survey conducted by Duke CRM did not result in any additional cultural resources. The report concludes that the likelihood of finding cultural resources at the site is low (Appendix C).

According to the Cultural Resources Inventory Report, previously recorded and newly identified historic-period resources are unlikely to occur. However, Mitigation measure **CUL-1** would reduce potentially significant impacts to cultural resources discovered during Project implementation.

Less than Significant with Mitigation

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

The Cultural Report prepared by Duke CRM contacted the Native American Heritage Commission (NAHC) to ascertain the presence of known sacred sites and Native American cultural resources within the boundaries of the proposed Project. On February 13, 2024, the NAHC indicated that there have been no Native American cultural resources identified within the Sacred Lands File for the project location (Appendix C). AB52 consultation is still pending with the Lead Agency. The County will initiate consultation with California Native American tribes traditionally and culturally affiliated with the Project area in the results of that consultation will be incorporated into this section of the Mitigated Negative Declaration.

Less than Significant with Mitigation

Mitigation Measures

Mitigation:

Therefore, no significant adverse impacts are identified or anticipated with the incorporation of mitigation measures CUL-1.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Phelan Pinon Hills Community Service District Will Serve Letter dated February 9, 2024 (Appendix I).

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

The Project would construct a gas station and a 5,637 sq. ft. convenience store and fourteen (14) fuel dispenser islands (10 passenger and 4 commercial).

Water and Wastewater Treatment Effects:

Per the will serve letter from the Phelan Pinon Hills Community Service District, there is currently existing water distribution lines to the Project site to satisfy domestic water services and fire protection requirements. The proposed Project will utilize the existing water lines and implement a new septic system and associated seepage pits located at the southern portion of the site. The project includes a detention basin for stormwater located at the northwestern portion of the property. Therefore, the Project would not result in the relocation or construction of new or expanded water or wastewater treatment, or stormwater drainage and no impact would occur.

Electric Power:

Southern California Edison (SCE) provides electricity to the Project site. Anticipated electric power uses for the Project include indoor and outdoor lighting, refrigeration appliances, perimeter lighting, electricity for the pumps, and security systems. All electrical uses associated with the Project would connect to the existing electric power system. Further, all utility connections to the proposed Project would be required to comply with applicable federal, state, and local regulations related to electric power supply. Therefore, relocation and expansion of existing facilities and construction of new facilities would not be required. Impacts would be less than significant.

Natural Gas:

The Southwest Gas Corporation will provide natural gas to the Project. Southwest Gas is a wholesale utilities customer of the Southern California Gas Company (SoCalGas). SoCalGas's 2020 California Gas Report (CGR) projects total system demand to decline at an annual average rate of 1.0 percent between 2020 and 2035. Project development would not require the Southwest Gas Corporation to obtain new or expanded natural gas supplies and impacts would be less than significant.

Telecommunication Facilities:

The Project site is supported by Verizon for telecommunication services. The Project site would be required to comply with all Federal, State and local regulations for installation and wiring of telecommunications to the Project. With adherence to the existing San Bernardino County Electrical, Building and Safety code requirements, the Project would have a less than significant impact.

Less Than Significant Impact

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The Project will be served by the Phelan Pinon Hills Community Service District (CSD). The CSD gets the majority of it's water from groundwater pumped from the Oeste and Alto aquifers. Per the CSD's 2020 Urban Water Management Plan, the groundwater supply in the region is reliable under normal year, single dry year, and five consecutive dry years. The proposed Project would utilize the existing water lines. Per the will serve

letter, the Phelan Pinon Hills CSD has existing adequate source, storage, and distribution line capacities to provide water to the site in sufficient quantities to satisfy domestic water service and fire protection. (Appendix I). Therefore, the water supply to the Project would be sufficient and no impact would occur.

No Impact

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

The proposed Project would implement a new septic tank and would not rely on a wastewater treatment provider. No impact would occur.

No Impact

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Phelan Pinon Hills CSD provides trash service to the Project site through CR&R Incorporated, a private trash hauling company. Significant impacts could occur if the Project were to exceed the existing permitted landfill capacity or were to violate State or local standards and regulations. The nearest landfill transfer site is the Phelan transfer station. The nearest landfill is the Victorville landfill. According to CalRecycle, the Victorville Landfill has a permitted max capacity of 93,400, 000 cubic yards. The remaining capacity is 79,400,000 cubic yards. The County abides by AB 939, AB 341, and AB 1826, which aim to reduce solid waste and divert waste from landfills through recycling, source reduction, composting, and land disposal of waste. Based on the preceding, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals is less than significant.

Less Than Significant Impact

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The Project would be implemented and operated in compliance with applicable Countywide Plan Goals and Policies, and would comport with County Zoning regulations—specifically, the Project would comply with local, state and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. The proposed Project is required to comply with all applicable federal, state, and County statutes and regulations related to solid waste as a standard project condition of approval. Therefore, a less than significant impact would occur.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation measures are required at this time.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; San Bernardino Countywide Plan Draft EIR: Hazards and Hazardous Materials; Phelan/Pinon Hills Community Action Guide; CalFire Fire Hazard Severity Zones Maps

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The Project site is undeveloped and does not contain any emergency facilities. The proposed project would be accessible from Oasis Road and Buckthorn Road. Oasis and Buckthorn Roads are not evacuation routes within the county. Adequate on-site access for emergency vehicles will be verified during the County plan review process. Highway 138 is the closest emergency evacuation route, however there are no proposed changes to Highway 138, and thus no impact to emergency response is expected. The Proposed Project is subject to review and approval from the San Bernardino County Fire Marshal. All new construction shall comply Section 82.13.050 of the Development Code and with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

The Project is located within a High Fire Severity Zone (VHFSZ). The Project site is relatively flat and does not contain considerable slopes that would exacerbate wildfire risk. Additionally, the final grade for the Project will remain flat. The surrounding wildland conditions consist of sparse desert vegetation, and prevailing winds are a concern throughout the desert region. However, the proposed Project does not cause any greater wildfire risks than other developments throughout the community of Pinon Hills. The Fire department will review the plans before approval of the Project and the Project will be subject to San Bernardino County's emergency preparedness system, along with established policies and regulations that would reduce wildfire hazards. Therefore, a less than significant impact would occur.

Less Than Significant Impact

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The Applicant proposes to develop a new gas station and convenience store which includes the installation of an underground fuel storage tank. The proposed Project is surrounded by development and is currently serviced by existing infrastructure including roadways (power lines, natural gas lines, water, sewer and telephone). The proposed Project does not include the installation or maintenance of infrastructure and therefore the risk of fire from these activities is not anticipated. The proposed Project is consistent with the current Commercial land use designation and General Commercial (CG) zoning designation, and the Project will be required to obtain and operate under a MUP. The Project will comply with regulations and procedures that ensure the Project will not exacerbate fire risk or substantially impact the environment. The proposed Project will comply with federal, state, and local regulations. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

As stated above, the topography of the Project site is relatively flat, and the soils on the Project site is not susceptible to landslides. The proposed gas station and convenience store would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability. Additionally, drainage patterns and stormwater runoff would be further reviewed by the County to ensure best management practices are followed. Therefore, a less than significant impact would occur, and no mitigation measures are necessary.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation measures are required at this time.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:					

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or glare. The Project site is located within a developed area that contains commercial and residential uses. Additionally, the Project site is developed with two existing buildings. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species with Mitigation Measures **BIO-1**, **BIO-2** all impacts to the Western Joshua Tree will be reduced to less than significant and with the incorporation of **BIO-3** for preconstruction surveys, the project will not significantly impact nesting birds.

As described in Section IV, adverse impacts to historical resources would be less than significant. Mitigation Measure **CUL-1** ensures identification and evaluation of potential cultural resources. Construction-phase procedures would be implemented in the event any important cultural, archaeological, or paleontological resources are discovered during grading, consistent with Mitigation Measures **CUL-1**.

Furthermore, the analysis provided in Section III and VIII concludes that impacts related to emissions of criteria pollutants, climate change, and other air quality impacts would be less than significant.

Based on the preceding analysis of potential impacts in the responses to Sections I through XX, no evidence is presented that the proposed Project would degrade the quality of the environment. Impacts related to degradation of the environment, biological resources, and cultural resources would be less than significant with mitigation incorporated.

Less than Significant with Mitigation

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Cumulative impacts can result from the interactions of environmental changes resulting from one proposed Project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public systems, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long-term, due to the permanent land use changes and operational characteristics involved with the proposed Project.

Construction of the Project in conjunction with other approved or pending projects in the region would not result in cumulatively considerable impacts to the physical environment. As concluded throughout the analysis above, the proposed Project would include both operation- and construction-related Project components whose adherence to applicable regulations would ensure that the proposed Project’s incremental contribution would be less than cumulatively considerable. Further, the proposed Project would not achieve short-term environmental goals to the disadvantage of long-term goals.

Loss of on-site archaeological resources could reduce or eliminate important information relevant to the County of San Bernardino. Mitigation Measures **CUL-1** and **GEO- 1**, are incorporated to reduce impacts to archaeological and paleontological resources, as well as buried Native American remains. Implementation of the mitigation measures would eliminate any potential loss of important local archaeological information or Native American remains that may be buried at the Project site; therefore, the proposed Project would have no contribution to a cumulative loss of important local or regional archaeological knowledge. Therefore, cumulatively considerable impacts would be less

than significant.

Less than Significant with Mitigation

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*

Based on the analysis of the Project's impacts in the responses to items I through XX, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of temporary adverse effects during construction, these would be less than significant. There are no long-term effects related to traffic, noise, hazardous materials, emissions of criteria pollutants and greenhouse gas emissions, increased demand for water use, wastewater disposal, and electricity use, or increased demand on emergency response services. Environmental effects would result in less than significant impacts. Based on the analysis in this Initial Study, direct and indirect impacts to human beings would be less than significant.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures.

GENERAL REFERENCES

- Building Standards Commission. California Building Standards Code (2022 Triennial Edition of Title 24). [Building Standards Commission \(ca.gov\)](#)
- CalFire. Fire Hazard Severity Zone Viewer. Accessed June 24, 2024. [FHSZ Viewer \(ca.gov\)](#)
- California Air Resources Board. Guide to Off-Road Vehicle & Equipment Regulations. Accessed June 24, 2024. [Guide to Off-Road Vehicle & Equipment Regulations \(ca.gov\)](#)
- California Department of Conservation Earthquake Hazards Zone Application. Accessed June 25, 2024. [ArcGIS Web Application](#)
- California Department of Conservation. California Important Farmland Finder GIS Application. Accessed June 24, 2024. <https://maps.conservation.ca.gov/dlrp/ciff/app/>.
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- California Department of Toxic Substances Control, EnviroStor Database. Accessed June 24, 2024. [EnviroStor Database \(ca.gov\)](#) & [EnviroStor \(ca.gov\)](#)
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- County of San Bernardino, Countywide Plan Draft EIR. Prepared June 2019. http://countywideplan.com/wp-content/uploads/2019/06/Ch_000_TITLE-PAGE.pdf
- Federal Emergency Management Agency. FEMA Flood Map No. 06071C5150J. USGS The National Map October 2020. Accessed June 24, 2024.
- Phelan/Pinon Hills Community Action Guide. Adopted September 2020.
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- United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey. Accessed June 24, 2024 <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- USGS (United States Geological Survey). USGS Map Viewer. [U.S. Geological Survey Map Viewer \(usgs.gov\)](#)

PROJECT-SPECIFIC REFERENCES

Urban Crossroads. June 25,2024. Air Quality Impact Analysis for Oasis Road and Highway 138 Gas Station. (Appendix A)

CASC Engineering and Consulting, Inc., May 2024, Biological Resources Assessment Report for the Oasis Road and Highway 138 Gas Station. (Appendix B.1)

Core States Group, June 6, 2024, Joshua Tree Removal Exhibit Biological Resources Assessment Report for the Oasis Road and Highway 138 Gas Station. (Appendix B.2)

Duke CRM. April 26, 2024, Cultural and Paleontological Assessment for the Proposed APN 3067- 051-29 Project. (Appendix C)

Earth Strata Geotechnical Services, Inc. April 27,2023. Preliminary Geotechnical Interpretive Report, Proposed Maverik Commercial Fueling Station. (Appendix D)

Urban Crossroads. June 25,2024. Greenhouse Gas Analysis for the Oasis Road and Highway 138 Gas Station. (Appendix E)

Earth Strata Geotechnical Services, Inc. April 24,2023. Phase I Environmental Site Assessment, Proposed Maverik Commercial Fueling Station. (Appendix F)

Urban Crossroads. September 11, 2024. Noise and Vibration Impact Analysis for the Oasis Road and Highway 138 Gas Station. (Appendix G)

TJW Engineering, Inc. August 14, 2024. Traffic Impact Analysis for the Maverik Fueling Station. (Appendix H.1)

TJW Engineering, Inc. August 19, 2024. Vehicle Miles Traveled Screening for the Maverik Fueling Station. (Appendix H.2)

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